



**Code of Practice
for Construction and
Demolition**



About this Code of Practice

This Code of Practice for Construction and Demolition was prepared to promote good standards of construction and demolition practice in the area administered by Pendle Borough Council.

Such activities can cause severe disturbance to local occupiers and occasionally even more serious threats to health or the environment. Our experience is that very few contractors set out deliberately to neglect their responsibilities. However we see variable standards of site management and environmental problems are not uncommon.

Abbreviations used in this document

“BPM” refers to Best Practicable Means as explained in paragraph 1.2

“the Contractor” means the contractor in overall charge of the project

“the Council” means Pendle Borough Council

“Environmental Health Department’ means the Pollution Control Officers of the Environmental Health and Urban Renewal Team within Pendle Borough Council

“HSE” means the Health and Safety Executive

Important note

This local Code of Practice is intended to provide an approach, which addresses contractors’ key responsibilities in a practicable way whilst protecting residents and the environment. It is not intended to provide any detailed interpretation of the law or as an alternative to complying with legislation. Since it consists of good practice guidance, however, following it will help you to meet your legal obligations. This Code of Practice should be read in conjunction with prevailing legislation and guidance, which is inevitably subject to change. The Council shall not be responsible or liable for any act or omission arising as a result of reference to this leaflet. We shall, however, be happy to help celebrate your high standards and good practice.

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1.0 Introduction

- 1.1 This code is intended to give guidance to contractors on the measures that Pendle Borough Council expects them to take to minimise the environmental impacts of their work on the local community. The term 'contractor' applies to all contractors and sub contractors.
- 1.2 The Council has specific powers under the Control of Pollution Act 1974 and the Environmental Protection Act 1990 to deal with noise and environmental nuisance. The expectation under the legislation is that "best practicable means" (BPM) will be used to prevent nuisance occurring.
- 1.3 The Council requires all contractors to apply BPM to their work programme and techniques, irrespective of the size of the demolition/ construction work being undertaken.
- 1.4 Adherence to this code will demonstrate a commitment to BPM and will subsequently minimise the environmental disturbance to local residents, reducing the need for enforcement action.
- 1.5 The contractor is encouraged, in showing his commitment to BPM, to complete and return the form found in Appendix 1. This is of particular importance for large-scale developments.

2.0 General Principles

2.1 Monitoring

- 2.1.1 Where local residents are likely to be affected, good practice working methods that minimise noise, dust and air pollution impacts are to be used at all times. Measures included in this code are not exhaustive and additional measures can be used which will reduce environmental impacts further.
- 2.1.2 The effectiveness of all measures shall be monitored frequently by the main contractor, reviewed at least weekly and may be subject to inspection by officers of the Council.

2.2 Publicity

- 2.2.1 The Council considers that liaison with local residents who may be affected by construction works is essential. The local residents should be informed of the nature of the works, proposed hours of work and their expected duration.
- 2.2.2 Communication to local residents should include publicity, including the name and telephone number of a main contact. This contact person should be able to give further information to the caller and deal with any complaints or emergencies that may arise at any time. A copy of the letter sent to the residents should be forwarded as soon as possible to the Council's Environmental Health Department.

2.2.3 A site notice board shall be provided adjacent to the main site entrance at a point convenient for public access. On this board shall be displayed the:

- name, address and telephone number of the Contractor
- out-of-hours contact number in case of emergency
- description of the demolition / construction project
- timetable of works
- commitment to comply with the Council's Code of Practice for Construction & demolition work
- statement that any work at anti-social hours shall be agreed in advance with the Council and communicated by way of a letter-drop
- Council contact number 01282 661199 in case of public complaint

2.3 Operation

2.3.1 Where noise, dust and air pollution are likely to affect local residents the contractor shall be responsible for ensuring that:

- ◆ all plant and equipment, including any on hire, is checked to ensure it is in good working order and conforms to the manufacturers' standards. Equipment is to be properly silenced and meet statutory emission standards. Defective items are not be used;
- ◆ effective methods of work are adopted to prevent dust from becoming airborne at source. As dust is harder to suppress once it has become airborne, careful consideration at the design stage is required to the enclosure of fixed plant, addition of moisture, or provision of effective exhaust ventilation and filtering;
- ◆ before works commence, the site workforce shall be fully briefed on the need to keep all noise generated to a minimum. Shouting and raised voices are not permitted other than in cases where warnings of danger must be given. Radios shall not be played at a volume that is likely to disturb local residents;

2.4 Hours of work

2.4.1 Where residential occupiers are likely to be affected by noise, the hours of work will normally be restricted to the following:-

Monday – Friday	8am – 6pm
Saturday	8am – 1pm
Saturday from 1pm	No work where noise is audible at the site boundary
Sunday and Bank Holidays	No work at these times except by prior agreement with the Council.

- 2.4.2 All vehicles and plant arriving at and leaving the site shall comply with the same restrictions on hours. Vehicles shall not be parked off-site in the vicinity outside these hours except in properly designated 'lay up' parking places. The main contractor shall ensure that these instructions are given to all drivers, including those delivering all site materials.
- 2.4.3 These times may be varied according to local circumstances. Any works outside of these hours will require prior approval from the Environmental Health Department. It should be noted that approval will only be granted under exceptional circumstances and will always be conditional on the contractor informing local residents in advance of the proposed activity.

3.0 Noise and Vibration

3.1 Agreeing noise controls in advance

- 3.1.1 Whether or not formal planning restrictions are imposed, you should enter into a Prior Consent agreement with the Council for any substantial or particularly noise-sensitive project. Relating purely to construction and demolition operations, this cost-free facility arising from Section 61 of the Control of Pollution Act 1974 enables prior agreement to be reached on noise controls, which prevent the need for formal interventions, which may later be introduced without warning, with associated delays and costs. Anticipating problems in advance and agreeing noise controls with the Council is the surest way of preventing problems later.

3.2 Plant and Equipment

- 3.2.1 Noisy plant or equipment shall be sited as far away as is practicable from sensitive buildings. The use of barriers, such as soil mounds, site huts, acoustic sheds or partitions to deflect noise away from noise sensitive areas, is to be employed wherever practicable. In any event the Contractor shall provide (or arrange rapid access to) portable acoustic screens such as those specified in British Standard BS5228:1997:Part1.
- 3.2.2 Wherever practicable all plant and equipment shall be powered by mains electricity in preference to locally powered sources such as diesel generators. Hand tools should also be electrically powered rather than petrol or diesel driven.
- 3.2.3 Vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated to minimise noise emissions. The contractor shall ensure that all plant complies with the relevant statutory and manufacturers' requirements.

- 3.2.4 Machines in intermittent use should be shut down in the intervening periods between work or throttled down to a minimum. Noise emitting equipment that is required to run continuously may have to be housed in suitable enclosures.
- 3.2.5 Compressors shall be "sound reduced" models fitted with properly lined and sealed acoustic covers that shall be kept closed whenever the machines are in use.
- 3.2.6 Equipment which breaks concrete, brickwork or masonry by bending or by bursting shall be used in preference to percussive tools as far as practicable.
- 3.2.7 Pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufacturers.
- 3.2.8 Where practicable rotary drills and bursters actuated by hydraulic, chemical or electrical power shall be used for excavating hard or extrusive material.
- 3.2.9 Plant shall be maintained in good working order so that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- 3.2.10 Care shall be taken when loading or unloading vehicles, dismantling scaffolding or moving materials etc to reduce impact noise.

3.3 Piling

- 3.3.1 When planning any piling operations the Contractor shall assess the potential impacts of noise and vibration in accordance with British Standard BS5228:1997:Part 4 "*Code of practice for noise and vibration control applicable to piling operations*".
- 3.3.2 Wherever practicable pile driving shall be by jacking. The use of conventional impact hammers should be avoided wherever possible. Any pile driving is to be carried out by plant equipped with a recognised noise reducing system.
- 3.3.3 In some circumstances the Environmental Health Services Pollution Control Team may limit the hours of piling further than those quoted in 2.1.1.

4.0 Dust and Air Pollution

4.1 Dust

- 4.1.1 Watering down of the area should be carried out whenever dry or windy conditions might pose a risk of dust blowing off the site and affecting neighbouring occupied properties. For this purpose a readily available and sufficient supply of water shall be provided, normally by way of a bowser held on-site (or for which rapid access is ensured).
- 4.1.2 Stockpiles of all potentially dusty materials shall be damped down or covered to prevent emissions of dust from the site. Stockpiles should be planned, sited and profiled to minimise the potential for dust generation. The handling of material should be kept to a minimum and when deposited onto a stockpile it should be dropped from the minimum possible height.
- 4.1.3 Dust pollution shall be minimised during demolition by:-
- ◆ the complete screening, if practicable, of the building or structure to be demolished with debris screens or sheets.
 - ◆ proper control of cutting or grinding of materials on the site.
 - ◆ mixing of large quantities of concrete or bentonite slurries only in enclosed/shielded areas.
- 4.1.4 Skips and removal vehicles carrying loads shall be properly covered when leaving the site. Materials should be handled in ways that minimise dust. Watering of rubble chutes shall be undertaken whenever necessary to prevent excessive dust emissions. Each chute shall be fitted with a 'sock' enclosing the discharge into the skip or truck. These 'socks' shall be maintained in position at all times when the chutes are in use.
- 4.1.5 The contractor shall ensure that the area around the site, including the public highway, is regularly and adequately swept to prevent any accumulation of dust and dirt. The use of wheel cleaning facilities and road sweeping equipment may be required.
- 4.1.6 Any plant used for the crushing of materials must have a permit, issued by a local authority under the Pollution Prevention and Control Regulations 2000 (prescribed processes). All works shall be carried out in accordance with the conditions of such a permit. Where plant is used to recycle materials, the appropriate licence from the Environment Agency shall be obtained. The process operator should notify the Council prior to bringing the crusher onto the site.

4.1.7 Sandblasting

- ◆ The work area shall be close-sheeted to reduce dust nuisance from grit. Routine checking is required to ensure that the sheeting remains sound or sealed during the operation. Particular attention shall also be given to the working platform to ensure that it is properly sheeted or sealed to contain dust.
- ◆ All grit used for sandblasting shall be confirmed free from silica before use to avoid the potential health effects of silica dust.
- ◆ Proper covering or filtered vacuum extraction shall be provided on all surfaces that may contain lead-based paint so that this material is not generated into airborne dust.
- ◆ In cases where water is used for large-scale cleaning and blasting the requirements of the Environment Agency in relation to effluent discharges should be followed.
- ◆ All grit shall be prevented from falling or washing away into drains or water courses.

4.2 Air Pollution

- 4.2.1 Burning of materials on the site shall **NOT** be permitted except in the event that timber confirmed as diseased (and in such circumstances the Contractor shall give written notice to the Council before carrying out the burn). Burning on-site simply replaces a waste problem with air pollution, which often causes disturbance to local occupiers. It is an offence to dispose of waste materials by burning them on-site.
- 4.2.2 The contractor shall take all necessary precautions to prevent emissions of smoke or fumes from site plant/equipment or stored fuel oils. This is both for safety reasons and to prevent such emissions or fumes from drifting into residential areas. In particular, plant should be well maintained and measures taken to ensure that it is shut down in the intervening periods between work or throttled down to a minimum.

5.0 Asbestos

- 5.1 It is the legal duty of the Contractor undertaking demolition or removing asbestos not only to safeguard the health, safety and welfare of site workers but also, under the Control of Asbestos in the Air Regulations 1990, to prevent any significant environmental pollution by asbestos. Before carrying out any demolition, conversion or site clearance of existing structures the Contractor shall ensure that the site is properly surveyed in accordance with the standards of HSE guidance note MDHS100 to identify any asbestos-containing materials that are present. This does not affect the legal duties enforced by the Health & Safety Executive under the Control of Asbestos at Work Regulations 1987 (as recently amended), the Construction (Design and Management) Regulations 1994 or the Control of Asbestos in the Air Regulations 1990.
- 5.2 Special precautions shall be taken if materials containing asbestos are encountered. The contractor shall observe the exposure limits and measurement methods for asbestos that are set out in the relevant and current Health and Safety Executive guidance notes. Any activity for removal of asbestos-containing material other than dismantling of intact cement-bonded asbestos sheeting shall be carried out only by a contractor licensed by the HSE – this is a legal requirement.
- 5.3 Any potential asbestos-containing waste shall be double-bagged in heavy-duty polythene bags and without delay clearly labelled with the label prescribed for asbestos. On removal from site it shall be taken to a site specifically licensed to receive it. This does not affect the legal duties for asbestos wastes under the Special Waste Regulations 1996.

6.0 Contaminated Land

- 6.1 The Contractor shall ascertain all the existing information about land contamination relevant to their site and its surroundings (out to at least 250 metres) whilst at the planning stage of the project. Unless a full investigation has already been completed to the satisfaction of the Council, the Contractor will need to follow the Council's published technical advice in order to achieve this. Failure to comply with the Council's requirements may endanger safety, the environment, the project or the value of the site itself.
- 6.2 Before any site works are started – including site clearance – the Contractor shall establish a clear understanding of land contamination (including flammable gases) that may be affecting the site. This understanding and all safety precautions shall be clearly communicated to every site worker before they are permitted to work on-site. Where a remediation method statement is in place the Contractor shall ensure that – except in an emergency – no operations deviate from this without the prior written agreement of the Council.
- 6.2 Any unexpected contamination (i.e. any contamination not subject to a formal report or remediation method statement accepted by the Council) encountered on-site during site works, shall be notified by telephone to the Planning Manager and the Public Health Manager (Pollution Control) immediately with written confirmation following by fax or post within 24 hours. It shall be the duty of the Contractor to obtain the Council's agreement as to the area suspected to be at risk of being affected by the contamination, to have the area securely cordoned and to brief all site workers against entering or interfering with it. No further site work shall take place in the affected area shall take place until an investigation by a suitably competent specialist has been completed. The investigation shall include:
- a survey
 - sampling as necessary
 - an assessment of the extent of contamination
 - recommendations for modification of the remediation method statement
- This work shall be submitted to and approved in writing by the Planning Manager before further site works may proceed in the affected area.
- 6.3 The contractor shall consult with the Health and Safety Executive when working on land, which is contaminated. TG note H&S advice – HS(G)66. The contractor shall consult also with the Environment Agency regarding proposed measures to prevent the contamination of water courses and aquifers.

7.0 Conservation

Ecology

- 7.1 The contractor shall comply with the provisions of the current Wildlife and Countryside Act, with the requirements of the Unitary Development Plan and any conditions attached to planning permissions. The first priority is to maintain habitats intact and undisturbed and, if possible, to make improvements to enhance natural habitats.
- 7.2 No mature trees shall be interfered with without written consent and prior consultation with the Council's Planning Department.
- 7.3 When Japanese Knotweed is encountered the contractor shall comply with the Environment Agency's current code of practice for its management, destruction and disposal.

8.0 Ancillary Site Activities

- 8.1 Access to the site shall be located to ensure the minimum of disturbance from vehicles entering or leaving the site to people in nearby noise-sensitive buildings.
- 8.2 Trucks shall enter and exit the site in a forward direction except where space restrictions do not allow this. These conditions will be subject to prior discussions with the Highway Authority and the Police before implementation.
- 8.3 Wherever practicable all loading and unloading of vehicles will take place on-site.
- 8.4 Drivers of trucks that cannot immediately enter or leave the site shall switch off their engines.
- 8.5 The contractor shall be responsible for all trucks delivering to or departing from the work site and shall ensure they comply with the time restrictions in 2.1.1 and 2.1.2.
- 8.6 Mud on roads is regarded as one of the main environmental nuisance problems arising from construction sites. The Council will expect the contractor to take strict measures to minimise this problem, including regular monitoring of roadways for build-ups of mud.

- 8.7 All wastes shall be stored securely to prevent:
- escape of effluents or wind-blown materials
 - interference by trespassers
 - potential fires
- Wastes shall be removed at frequent intervals and the site shall be kept clean and tidy.
- 8.8 All reasonable measures shall be taken to prevent fly-tipping on the site. The contractor shall ensure that any person removing wastes for off-site disposal is properly registered with the Environment Agency for that purpose. Loads shall only be deposited at authorised tips or transfer station suited to the nature of the waste in accordance with the requirements of the Environment Agency and prevailing legislation dealing with controlled and special wastes.
- 8.9 In the interests of preventing fly-tipping and regulating the use of potentially contaminated materials a ticket system shall be operated from the site. The contractor shall administer a sequentially numbered ticket system such that each truck load of spoil leaving the site for deposit other than at a licensed waste management facility is allocated a ticket. Against each ticket number a record shall be kept of the quantity, known condition and destination of the spoil.
- 8.10 Hoardings shall be frequently inspected, repaired and repainted as necessary to maintain an orderly appearance.
- 8.11 Site security lighting and floodlighting shall be positioned and oriented so as not to intrude unnecessarily on adjacent buildings and land. It must not cause glare or distraction to passing traffic on public highways.
- 8.12 Toilets and washing facilities shall be provided, emptied frequently, kept clean and properly maintained.

Appendix 1

Best Practicable Means - Statement of Intent

When completed please send and/or fax to Pendle Borough Council,
Environmental Health Services, Fleet Street Depot, Fleet Street, Nelson,
Lancashire BB9 7YQ Tel: 01282 661199 Fax: 01282 661750, together with
any supporting documents. Use separate sheets if required.

Company Name.....

Registered Office

Telephone Fax

Address for
Correspondence

E-mail

On Site Contact

Name Tel

Location and Outlined description of works:



Proposed start date

Estimated duration of works

Programme of works, giving details of method of demolition and construction, plant and equipment:

Detail measures being used to demonstrate the use of Best Practicable Means when choosing machinery and methods of demolition and construction:

Detail of publicity proposed and procedure for dealing with complaints:

Useful Contacts

Pendle Borough Council

Pollution Control Department

Tel: 01282 661199

Fax: 01282 662027

Building Control Section

via Call Centre: 01282 661199

Planning Department

via Call Centre: 01282 661199

Health and Safety Executive

Tel: 0151 951 4000

Environment Agency

Tel: 0800 807060
(Emergency)

Tel: 08708 506 506
