

Planning Application Submission – February 2014

Framework Demolition and Construction Management Plan

Consultant: Berkeley Homes (Central London) Ltd

Latchmere House – Scheme 1



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Executive Summary

This Framework Construction Environmental Management Plan (CEMP) is submitted in support of the Planning Application by Berkeley Homes (Central London) Ltd. (“Berkeley”) for the redevelopment of the Latchmere House site in the Royal Borough of Kingston (RBK), and London Borough of Richmond upon Thames (LBRuT) London (the ‘Site’).

The Planning Application seeks consent for the following works (the ‘Proposed Development’):

- Redevelopment of the Latchmere House former Remand Centre with demolition of all buildings on site, except for Latchmere House. The scheme will provide 73 new residential units with 66 new houses and 7 apartments within the refurbished Latchmere House.

The CEMP is provided as a framework document as the expectation is that the planning permission will impose appropriate conditions that will require additional details to be provided to discharge relevant conditions when more detailed construction information becomes available. Such conditions are likely to include the requirement that a detailed Construction Method Statement be submitted to the Council for approval. This will document the proposed construction works which are expected to take place.

This Framework CEMP therefore provides the Council with Berkeley’s approach to the construction of the development and the measures that will be employed to mitigate any adverse effects.

The framework provides a mechanism to outline the proposed controls that could be implemented to minimise emissions of dust, noise and vibration, and any adverse effects on views and the local townscape character during the construction period. The Framework CEMP outlines how these controls are proposed to be implemented and the associated roles and responsibilities.

1 Introduction

1.1 Purpose of the CEMP

- 1.1.1 Berkeley has prepared the Framework Construction Environmental Management Plan (CEMP) to accompany the Planning Application for construction of a residential development of 73 units in RBK and LBRuT ('the Site').
- 1.1.2 The overall aim of the Framework CEMP is to outline measures to minimise and mitigate the construction effects of the Proposed Development. More specifically, the Framework CEMP aims to:
- Ensure that the mitigation measures set out in the Application Reports submitted as part of the December 2013 Planning Application are implemented during construction. The assumption is that such measures would be controlled by planning conditions on the future permission which will either require further details to be submitted for approval or compliance with measures outlined
 - Ensure that construction industry best practice standards are adopted throughout the construction process.
- 1.1.3 The Framework CEMP demonstrates the commitment of the Berkeley to undertaking the construction activities in such a way as to avoid or minimise environmental effects, and provides a mechanism for the implementation of recommended mitigation and monitoring measures throughout construction.
- 1.1.4 The content of the Framework CEMP will be agreed with the Council and other organisations as appropriate, prior to the commencement of construction. The construction contractors will be required to comply with the requirements of the CEMP.
- 1.1.5 The CEMP will be finalised prior to commencement of construction activities, taking into account any relevant planning conditions.

1.2 Legal Compliance

- 1.2.1 Considerable environmental legislation applies to the works to be undertaken. The expectation is that, all relevant legislation, including requirements for licences, permits and /or consents shall be identified, and Berkeley will be required to provide details of how compliance is to be achieved, as part of the construction process.

1.3 Structure of the CEMP

- 1.3.1 The Framework CEMP is based on established good management practice and includes the following information:
- Site Information: including environmental management structure, roles and responsibilities, location of any potentially sensitive receptors such as trees, watercourses, local residents, etc;
 - Construction Information: a description of the works, construction programme, proposed working hours, details of haulage routes, equipment to be used, etc;
 - Environmental Management: details of the audit programme, methods for managing environmental risks and reducing effects, emergency procedures, waste and hazardous materials storage procedures, liaison with the local neighbourhood, and specific management plans relating to archaeology, dust, landscape, lighting, and noise;

- Monitoring: procedures for recording and reporting monitoring results and taking remedial action in the event of any non-compliance, details of receptors, threshold values and analysis methods; and
- Legal Requirements: a schedule of relevant and current environmental legislation and good practice, objectives and targets imposed by planning conditions, consultations and a register of permissions and consents required, with responsibilities allocated and a programme for obtaining these.

2 Site Information

2.1 Site and Surroundings

- 2.1.1 The former Latchmere House Remand Centre is located in Ham, Richmond with access via Church Road. The site straddles the administrative boundaries of both LBRuT and RBK.
- 2.1.2 The site is approximately 9 acres in area and is occupied by the now vacant prison buildings, formed of cell blocks and ancillary buildings. The prison closed in September 2011 and was purchased by Berkeley in May 2013.

2.2 Scheme Description

- 2.2.1 The proposed development is for redevelopment of the site to a residential scheme comprising the following:
- 73 new residential units including;
 - 66 new houses;
 - 7 apartments in the converted Latchmere House;
 - Landscaping, parking and access roads;

2.3 Sensitive Receptors

- 2.3.1 Table 2.1 below lists a number of receptors which have been identified as being potentially sensitive to the works during the construction of the Proposed Development due to their location in proximity to the Site and access roads:

Table 2.1 Potential Sensitive Receptors in the Vicinity of the Site

| Receptor | Location |
|---------------------------------|--|
| Existing Residential Properties | residential properties to the west, east and south of the site |
| Local Road Network | Church Road provides access to Latchmere Lane, Ham Gate Avenue and Petersham Road. |

2.4 Management Structure

- 2.4.1 The expectation is that a condition will be imposed on the planning permission requiring a detailed Construction Method Statement (CMS) to be submitted to the Councils for approval.
- 2.4.2 The anticipated roles and responsibilities of the parties involved in the construction works are set out below. However, it should be noted that all members of staff are responsible for ensuring the requirements of the CEMP are met:

Principal contractor - Berkeley

- 2.4.3 Berkeley will be responsible for providing all strategic infrastructure, strategic foul and surface water drainage, structural landscaping, informal public open space and landscaping works.
- 2.4.4 In order to achieve this, Berkeley will act as Principal Contractor, appointing an internal Project Manager and Site Environmental Manager (SEM) specific to the project.
- 2.4.5 Berkeley will therefore also be responsible for the day to day management of Health and Safety, and Environmental and Quality performance during construction. Berkeley will be responsible for implementing the CEMP, including, monitoring the performance of sub-contractors and maintaining records to demonstrate compliance with and implementation of the CEMP.

Project Manager

- 2.4.6 Berkeley will have an on site Project Manager, directly employed by Berkeley, who will be responsible for directing Berkeley on the delivery of the CEMP. This will include checking that Berkeley has allocated sufficient resources to allow delivery of the CEMP, participating in communication with LBRuT/RBK and other third parties e.g. Environment Agency as required and arranging for the periodic review and update of the CEMP. The Project Manager will regularly review the findings of the monitoring programme, co-ordinated by the SEM and direct the Principal Contractor as necessary.

Site Environmental Manager

- 2.4.7 A suitably qualified SEM will be appointed to report on the implementation of the CEMP and to oversee any environmental monitoring programmes. The SEM will facilitate communication on environmental matters between the project partners and any relevant statutory consultees, will carry out site environmental inspections and audits as necessary, and will co-ordinate the environmental monitoring programme. The SEM will also be responsible for monitoring Berkeley to ensure that all relevant legal consents, licences and exemptions are in place in advance of relevant works commencing, and that all requirements are adhered to.

All Staff and Subcontractors

- 2.4.8 All staff and subcontractors have the responsibility to:
- Work to agreed plans, methods and procedures to minimise environmental effects;
 - Understand the importance of avoiding pollution on-site, including noise and dust, and how to respond in the event of an incident to avoid or limit environmental effects;
 - Report all incidents immediately to their line manager;
 - Monitor the work place for potential environmental risks and alert their line manager if any are observed; and
 - Co-operate as required during site inspections and audits.

2.5 Contact Information

- 2.5.1 The contact details of key personnel will be provided within the CMS.

3 Construction Information

3.1 Construction Works

3.1.1 The CMS will document the timing of the proposed construction works and also the details of the construction which are expected to comprise of enabling works and the construction of the Proposed Development. The phasing plans and construction programme are to be included within the CMS.

3.2 Construction Equipment

3.2.1 The type of plant needed for each type of construction activity is indicated Table 3.2.

Table 3.2 Likely Plant Required for Construction Activities

| Plant | Stage | | |
|--------------------------------|--------------|----------------|---------|
| | Substructure | Superstructure | Fit-Out |
| Excavators | ✓ | | |
| Crushers | ✓ | | |
| Piling Rigs | ✓ | | |
| Lorries (Muck Away / Delivery) | ✓ | ✓ | |
| Breakers | ✓ | ✓ | |
| Dumpers | ✓ | ✓ | |
| Cranes | | ✓ | |
| Forklift Trucks | ✓ | ✓ | |
| Compressors | ✓ | ✓ | ✓ |
| Cutting Tools | ✓ | ✓ | ✓ |
| Scaffold | ✓ | ✓ | ✓ |
| Mobile Access Platforms | ✓ | ✓ | ✓ |
| Power / Hand Tools | ✓ | ✓ | ✓ |

3.3 Hours of Work

3.3.1 The standard working hours for all construction activities will be from:

- 08.00 – 18.00 Monday to Friday; and
- 08.00 – 13.00 Saturdays.

3.3.2 No continuous 24-hour activities are envisaged at this stage and any working on Sundays or Bank Holidays will be subject to reasonable notice. Any change to working hours will be agreed in advance with LBRut/RBK.

- 3.3.3 These hours will be strictly adhered to unless or in the event of:
- An emergency demands continuation of works on the grounds of safety;
 - Fitting out works are being carried out within the containment of the building envelope; and
 - Completion of an operation that would otherwise cause greater interference with the environment / general public if left unfinished.

3.4 Haulage Routes

- 3.4.1 Haulage routes will be agreed with LBRuT/RBK and TfL prior to any work commencing, full details will be provided in the CMS.
- 3.4.2 It is expected that a clear signage strategy will be implemented to ensure that construction traffic utilises designated routes to minimise the effect on the surrounding road network. HGV movements will be restricted as far as reasonably possible so as to avoid peak traffic flow periods (i.e. from 08h00-09h00 and 17h00-18h00).
- 3.4.3 All construction traffic entering and leaving the Site will be closely controlled and during delivery times, traffic marshals will be positioned at the site entrance. Deliveries will be on a 'just-in-time' basis.

3.5 Road and Footpath Closures

- 3.5.1 It is not anticipated that any road closures will be required. In the unlikely event any temporary road closures are required, they will be agreed with the Highways Authority, LBRuT/RBK and the local police. Notices will be posted to alert the public to any planned road closures and / or diversions.

3.6 Site Accommodation and Welfare Facilities

- 3.6.1 All staff will benefit from full site accommodation and welfare facilities. Details on the location of these facilities will be provided in the CMS.

3.7 Material Storage and Compound Areas

- 3.7.1 A secure and bunded storage area will be located on-site and will be provided for the duration of the construction period.
- 3.7.2 Plant and equipment would be stored in areas which are less susceptible to possible pollution incidents, or in dedicated areas of hard standing. A spill kit will be available for use of in the event of an incident.
- 3.7.3 All deliveries will be supervised by a responsible person. Any fuel deliveries will take precautions to ensure that the fuel storage tanks are checked before and during delivery to prevent overfilling.
- 3.7.4 Details on the location of these facilities will be provided in the CMS.

3.8 Waste and Materials Management

- 3.8.1 Waste produced on site will be subject to the Duty of Care under the Environmental Protection Act (1990). Liaison with the Environment Agency will be undertaken to ensure that waste and materials handling on-site will be conducted appropriately.
- 3.8.2 The transportation of waste to and from the Site will comply with the Duty of Care requirements. These include ensuring waste is transported by registered carriers, disposal to appropriately licensed sites and maintenance of appropriate waste transfer documentation.
- 3.8.3 Berkeley will audit waste carriers and disposal facilities and maintain documentary evidence that these requirements are being met, including a register of waste carriers, disposal sites (including transfer stations) and relevant licensing details for each waste stream. Waste contractors who remove waste will be registered with the Environment Agency.

3.9 Security On-site

- 3.9.1 Only authorised persons will be allowed on the Site. Details relating to on-site security will be provided in the CMS.

3.10 Health and Safety Arrangements On-site

- 3.10.1 Barriers, platforms and hoardings will be erected, adapted and maintained throughout the construction phase to completely segregate the public from construction activity. Details on the On-Site Health and Safety Arrangements will be provided in the CMS.

3.11 Emergency Procedures

- 3.11.1 Procedures will be set in place to respond to any emergency incidents which may occur on Site. A Site Pollution Incident Response Plan will be developed by the Principal Contractor prior to works commencing on Site.
- 3.11.2 All appropriate staff will be trained and made aware of the spill contingency plan set in place. In the event of any incident both Berkeley's Sustainability and Health & Safety team will be notified. Additionally, the Environment Agency and any other interested bodies will be notified as required.
- 3.11.3 Details on the emergency procedures will be provided in the CMS.

4 Key Significant Environmental Issues

4.1 Potential Significant Environmental Effects

4.1.1 A schedule of potential environmental effects relating to each activity is provided in Table 4.1 below.

Table 4.1: Potential Environmental Effects during Construction Works

| Topic | Potential Environmental Effect |
|----------------------|--|
| Transport | <ul style="list-style-type: none"> ■ Increase in HGV movements; ■ Increase in congestion on the local road network; ■ Increased risk of accidents due to construction works on the existing road network; and ■ Transfer of mud and materials by vehicles onto the public highway. |
| Noise & Vibration | <ul style="list-style-type: none"> ■ Noise arising from the construction works; ■ Increase in noise levels generated by the increase in road traffic as a result of the construction vehicles; and ■ Increase in vibration levels due to construction works, particularly piling and drilling work. |
| Local Air Quality | <ul style="list-style-type: none"> ■ Increase in dust deposition at nearby sensitive receptors during certain construction activities; and ■ Exhaust fumes from construction vehicle movements. |
| Water Quality | <ul style="list-style-type: none"> ■ Degradation in groundwater quality as a result of spills during construction. |
| Townscape & Visual | <ul style="list-style-type: none"> ■ Erection of temporary site fencing; ■ Establishment of site compound and storage areas; ■ Establishment of temporary lighting and signage associated with the works; ■ Construction traffic movements to and from the Site; and ■ General building infrastructure including views of large machinery and cranes. |
| Hazardous Substances | <ul style="list-style-type: none"> ■ Risk of spillage of hazardous substances; and ■ Potential exposure of site workers to hazardous material. |

5 Environmental Control Measures

5.1 Environmental Procedures

5.1.1 In order to avoid / mitigate against any significant environmental effects, a series of Project Environmental Procedures (PEP) have been proposed.

5.1.2 Proposed responsibilities for the implementation of each PEP have been assigned to specific members of the project team, which it is envisaged will comprise:

- Berkeley (Principal Contractor) (site based);
- SEM (site based); and
- Environmental Consultant(s) (including air quality and noise specialists).

5.1.3 A list of the key PEPs is provided in Table 5.1 below. Further details relating to each PEP are contained within **Appendix A** of this document.

Table 5.1: Project Environmental Procedures

| Procedure (Appendix C) | Title | Procedure Relevant to: | | |
|---------------------------|----------------------------|-------------------------|-----|-----------------------------|
| | | Principal Contractor | SEM | Environmental Consultant |
| PEP/01 | Waste Management | ✓ | ✓ | |
| PEP/02 | Noise & Vibration | ✓ | ✓ | ✓ |
| PEP/03 | Dust and Air Quality | ✓ | ✓ | ✓ |
| PEP/04 | Vehicles Management | ✓ | ✓ | |
| PEP/05 | Pollution Incident Control | ✓ | ✓ | |

5.2 Transport

5.2.1 Traffic management will be agreed with LBRuT/RBK and TfL prior to any work commencing full details will be provided in the CMS.

5.3 Noise and Vibration

5.3.1 A Section 61 consent will be sought by Berkeley, which will include predictions of noise generated during construction and will identify a number of mitigation measures to minimise the potential disturbance to local residents. The construction works will comply with *BS 5228: Noise and Vibration control on construction and open sites* and the following mitigation measures will be considered:

Plant and Equipment

- Plant will be certified to meet relevant current EU legislation and should be no noisier than would be expected based on the noise levels contained in Annex C and Annex D of *BS 5228-1: 2009 Noise and Vibration Control on Construction and Open Sites*.
- Equipment and vehicles to be shut down when not in use;
- Semi-static equipment is to be sited and oriented as far as is reasonably practicable away from noise sensitive receptors and will have localised screening if deemed necessary; and
- Where possible, mains electricity to be used instead of generators.

Methods of Working

- Where ground conditions permit, first preference shall be given to reaction piling methods ('silent piling'). Otherwise vibratory piling methods, together with pre-augering, shall be used. Percussive piling shall only be considered where ground conditions preclude the use of other methods and prior agreement should be sought from the local authority;
- Where practicable, pile caps will be cut and then broken with hydraulic rams to minimise the use of heavy air-powered breakers;
- Burning equipment will be used in preference to cold cutting where possible;
- Large concrete pours (for which an extension of working hours may be necessary) will commence as early as possible within normal working hours so that activities can be completed within normal working hours as far as possible;
- Loading and unloading of vehicles, dismantling of equipment such as scaffolding or moving equipment or materials around the site will be conducted in such a manner as to minimise noise generation;
- Deviation from approved method statements will be permitted only with prior approval from the Principal Contractor and other relevant parties. This will be facilitated by formal review before any deviation is undertaken; and
- A contact number which the public may use shall be displayed prominently on the site board and any noise complaints will be reported to the Principal Contractor and immediately investigated.

5.4 Local Air Quality

5.4.1 Industry best practice will be implemented to minimise the nuisance and impact arising from dust produced during construction. These may include the following:

- Vehicles carrying loose aggregate and workings to be sheeted at all times;
- Implementation of design controls for construction equipment and vehicles and use of appropriately designed vehicles for materials handling;
- Regular inspection and, if necessary, cleaning of local highways and along the Site boundaries to check for dust deposits (and removal if necessary);
- Minimise surface areas of stockpiles (subject to health and safety and visual constraints regarding slope gradients and visual intrusion) to reduce area of surfaces exposed to wind pick-up;
- Where appropriate, windbreak netting / screening will be positioned around material stockpiles and vehicle loading / unloading areas, as well as exposed excavation and material handling operations, to provide a physical barrier between the Application Site and the surroundings;

- Where practicable, stockpiles of soils and materials will be located as far as possible from sensitive properties, taking account of prevailing wind directions and seasonal variations in the prevailing wind;
- During dry or windy weather, material stockpiles and exposed surfaces will be dampened down using a water spray to minimise the potential for wind pick-up (though not to the point where significant run-off is caused);
- Use of dust-suppressed tools for all operations;
- Ensuring that all construction plant and equipment is maintained in good working order and not left running when not in use;
- Burning of any material prohibited anywhere on-site;
- Establishing wheel washing facilities at all access points into the Site, minimising the transfer of dust and particulate matter onto surrounding highways;
- Construction vehicle access arrangements shall be designed to avoid sensitive streets or narrow, congested roads;
- Materials deliveries and vehicle access to the Site should be timed to avoid the need to queue outside the site prior to opening or whilst other deliveries are completed.

5.5 Water Quality

- 5.5.1 All construction activities will be undertaken in accordance with legislation and the Environment Agency Pollution Prevention Guidance (PPG) and other relevant documents, in particular:
- PPG 1: General Guide to the Prevention of Pollution of Water Resources (Environment Agency, reviewed 2007);
 - PPG 2: Above Ground Oil Storage Tanks (Environment Agency, 2004);
 - PPG 3: The Use and Design of Oil Separators in Surface Water Drainage Systems (Environment Agency, 2006)
 - PPG 5: Works and Maintenance In or Near Water (Environment Agency, 2007);
 - PPG 6: Working at Construction and Demolition Sites (Environment Agency, 2004);
 - PPG 7: Refuelling Facilities (Environment Agency, 2004);
 - PPG 8: Safe Storage and Disposal of Used Oils (Environment Agency, 2004);
 - PPG 13: High Pressure Washer and Steam Cleaners (Environment Agency, 2007); and
 - PPG 21: Pollution Incident Response Planning (Environment Agency, 2004).
- 5.5.2 Implementation of an appropriate temporary drainage system will be required in order to minimise the potential risk of increased sediment reaching nearby surface waters.
- 5.5.3 Contractors must take precautions during the construction phase to protect the entire drainage system from siltation or pollution.

5.6 Townscape and Visual

- 5.6.1 The following measures may be considered during the construction works to ensure protection of the existing townscape setting and views to the Site:

- Temporary screening to the sensitive visual receptors through the implementation of solid construction hoardings;
- Use of attractive hoardings to screen low-level 'clutter';
- Tidy site management to reduce the visual clutter associated with building works; and
- Cranes, batching plants and similar large plant should be located away from the most sensitive receptors, where there are viable alternative locations.

5.6.2 The hoarding to be erected around the Site will visually contain many of the construction activities from the surrounding character areas in terms of influencing their visual setting.

5.7 Hazardous Substances

5.7.1 Materials used in the construction process such as oil, fuel, solvents, paints etc. have the potential to cause serious pollution incidents. Therefore, the Environment PPG's and other relevant guidance will be followed during the handling and storage of such materials.

5.7.2 All the workers on-site will be made aware of potential contamination issues on the Site and will use best practice techniques during the construction phase. The operation of construction vehicles and the handling, use and storage of hazardous materials will be undertaken as follows:

- Construction vehicles and plant will be regularly maintained and supplied with spill kits and drip trays to reduce the risk of hydrocarbon contamination;
- Refuelling would be undertaken in specified areas where there is non-permeable hardstanding and drainage passes through an oil interceptor prior to discharge. Drip trays will be installed to collect leaks from diesel pumps;
- Adequate bunded and secure areas with impervious walls and floors, with a capacity of 110% of substance volume, are to be provided for the temporary storage of fuel, oil and chemicals on site during construction;
- Oil interceptor(s) will be installed on discharge points from any temporary oil storage/refuelling areas; and
- Development of site pollution control procedures in line with Environment Agency's PPG's, and appropriate training for all construction staff. Provision of spill containment equipment such as absorbent material on site.

5.7.3 Hazardous materials already present on-site, or proposed to be used during the construction works will be identified and an appropriate Control of Substances Hazardous to Health Assessment carried out.

6 Monitoring

6.1 Monitoring, Continual Improvement and Review

- 6.1.1 The SEM will hold the responsibility for maintaining a register of all environmental monitoring, which should be made available for auditing and inspection.

6.2 Reporting

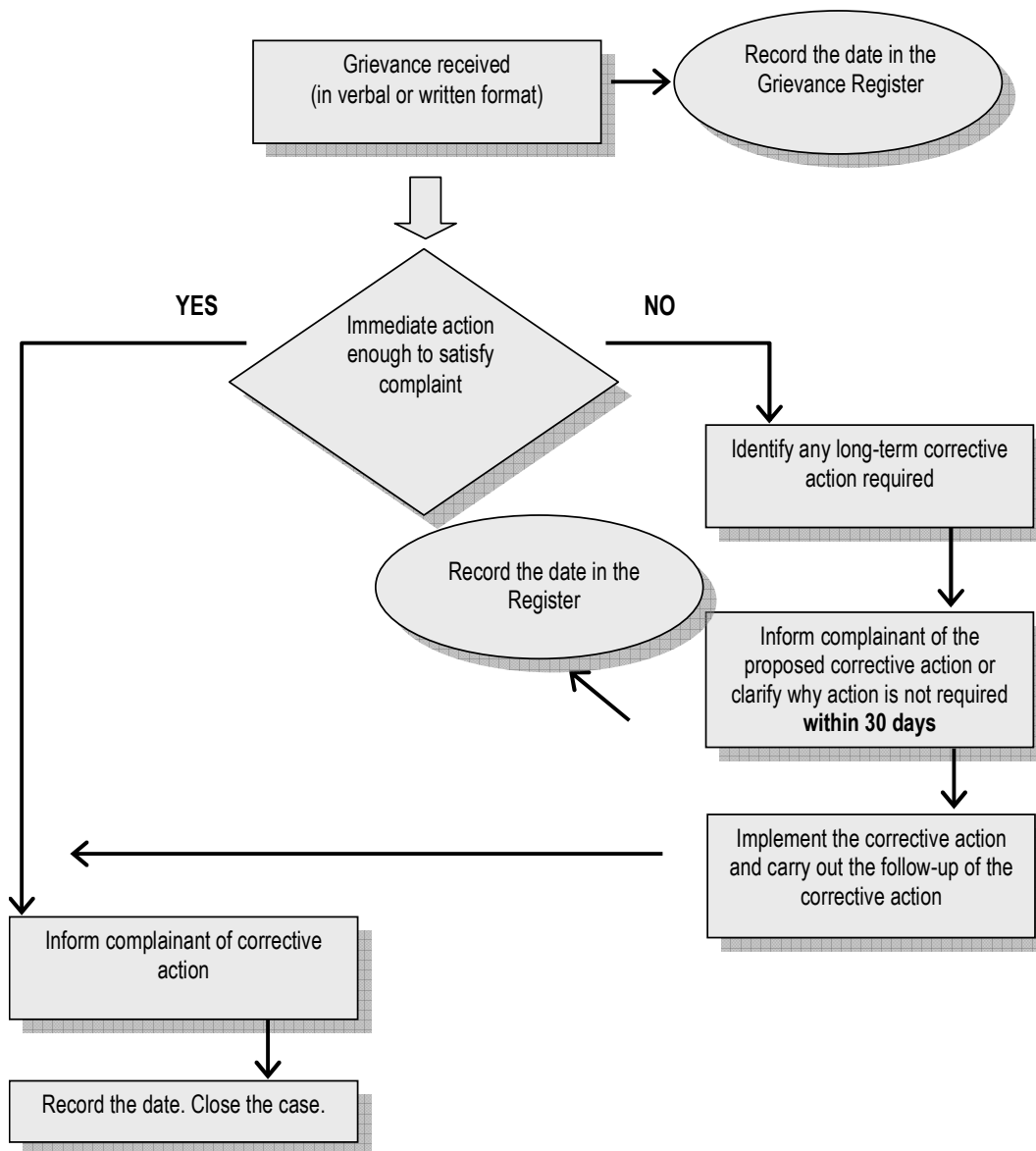
- 6.2.1 Reporting procedures will be defined by the SEM who will hold overall responsibility for providing feedback to Berkeley on the environmental performance of the construction works.

6.3 Environmental Complaints and Incidents

- 6.3.1 Berkeley will define procedures for managing incidents. A centralised register of all reported complaints and incidents should be maintained by the Site Manger.

- 6.3.2 The formal procedure for handling project complaints / concerns will be developed and agreed by the Principal Contractor / Site Manager but may include a procedure similar to that detailed below and represented in the flow chart:

- Stakeholders will be able to report any concerns, complaints or other comments to Site Manager in writing, by email or in person at the site offices. Site contacts details should be provided at site entrances, on perimeter hoardings and possibly at appropriate community locations.
- Site Manager (or nominated representative) will take full details of the concerns expressed and ensure that a formal assessment is commenced of the reported concern. They will also issue an initial response to the person who has submitted the complaint / concern confirming its receipt. The Site Manager will record the date and contact information associated with a complaint / concern on a standard form and place a copy in a project grievance register;
- Site Manager (or nominated representative) will undertake an investigation to assess what corrective and preventive action, or further investigation is necessary;
- Site Manager (or nominated representative) will respond within a reasonable timescale (typically not more than 30 days) and place details of the completed corrective and preventive actions within the project grievance register. If a longer term programme is required to provide an adequate solution then this programme will be detailed on the register against the specific issue;
- Site Manager (or nominated representative) will notify the relevant stakeholder of the proposed corrective and preventive actions to be adopted;
- Any corrective measures / actions will be implemented with associated implementation dates being recorded;
- For long term corrective action, the complainant will be informed of proposed action; and
- Following the implementation of the corrective action and agreement with the relevant stakeholder that the complaint has been adequately addressed the case will be closed and date recorded.



- 6.3.3 In the event that a complaint is not resolved to the satisfaction of the complainant directly with the Site Manager the following levels of mediation should be available:
- If the grievance cannot be adequately addressed by the Site Manager, the complaint / concern will be escalated to an appropriate contact within Berkeley; and
 - If the grievance is still not adequately resolved the issue will be taken to LBRuT/RBK for a final decision to be made.

7 Legal Requirements

7.1 Schedule of Environmental Legislation

- 7.1.1 For each significant environmental aspect the relevant applicable environmental legislation and regulations will be identified from, but not limited to the list provided in **Appendix B**. The list of relevant legislation and its applicability to the Site and the construction works will be reviewed and updated where necessary.

8 Summary

8.1.1 This CEMP has been developed to outline measures to minimise and mitigate the environmental effect of the Proposed Development during construction, to ensure industry best practice is followed and to discharge the planning conditions imposed by LBRuT/RBK. It outlines the specific measures that will be adopted in order to minimise the environmental effects associated with construction processes.

8.1.2 The following key environmental issues will require consideration / protection during the construction works:

- Emissions to air quality of dust from the construction works and pollutants from construction vehicle movements;
- Increase in noise levels as a result of the construction works and construction vehicle movements;
- Community disturbance; and
- Changes to the character and views of the Site.

8.1.3 The expectation is that a condition will be imposed on the planning permission requiring a CMS to be submitted to the Councils for approval. This will document the proposed construction works which are expected to comprise enabling works and the construction of the Proposed Development.

Appendix A: Framework Project Environmental Procedures (PEP)

| | |
|-------------------|---|
| PROCEDURE: | WASTE AND MATERIALS MANAGEMENT |
| REF: | PEP/01 |
| Action By: | Principal Contractor and Site Environmental Manager |
| Purpose: | Management of the storage, handling, movement and disposal of waste materials. |
| Procedure: | <p>Classification:</p> <ul style="list-style-type: none"> ■ The amount of waste, its classification and disposal route will be identified at site set-up to facilitate separation and correct disposal. <p>Segregation:</p> <ul style="list-style-type: none"> ■ Waste materials will be segregated by type. A separate skip for special waste will be used. <p>Storage:</p> <ul style="list-style-type: none"> ■ All waste will be stored in designated areas which are isolated from surface drains; ■ Waste will be stored in such a manner as to prevent its escape. This may be achieved through secondary containment as necessary; ■ Stored waste will be clearly identified and its stability monitored; ■ Sufficient equipment will be provided to staff on site to enable the safe storage and containment of waste; and ■ Skips should be covered and regularly checked to see if they are full. <p>Hazardous wastes:</p> <ul style="list-style-type: none"> ■ Used oil should be stored in bunded area for collection. <p>Waste licensing and Duty of Care:</p> <ul style="list-style-type: none"> ■ A full audit of materials leaving the site will be made; ■ Licences of waste carriers, contractors and final disposal sites and consignment notes will be inspected and the results recorded; ■ Waste management registers will be maintained in line with current legislation; ■ Checks will be made to ensure the accurate completion of transfer notes; and ■ Checks will be made to ensure waste reaches the destination detailed on the transfer note. <p>Records</p> <ul style="list-style-type: none"> ■ All records for waste disposal will be maintained for a minimum of three years after the completion of the contract, or any such period necessary to comply with relevant legislation. |
| References: | <p>Waste Transfer Notes Special Waste Transfer Notes</p> <p>Controlled Waste (registration of Carriers and Seizure of Vehicles) Regs 1991 Environmental Protection (Duty of Care) Regs 1991 Environmental Protection Act 1990: Part 2 – Waste on Land The Hazardous Waste Regs 2005</p> |

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| | <p>The Waste Management Licensing Regs 1994 (as amended) Control of Substances Hazardous to Health (COSHH) Regs 1999</p> <p>PPG8: Safe storage and disposal of used oils (Environment Agency) Waste Management Guidance Notes (Environment Agency) CIRIA, Waste minimisation in construction, Special Publications 133, Site Guide, 1997</p> |
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| PROCEDURE: | NOISE AND VIBRATION |
| REF: | PEP/02 |
| Action By: | Principal Contractor, Site Environmental Manager and Noise Consultant |
| Purpose: | Monitoring and control of noise and vibration |
| Procedure: | <p>Licensing:</p> <ul style="list-style-type: none"> ■ It will be ensured that where appropriate a Section 61 consent is in place prior to work starting (in accordance with the Control of Pollution Act 1974). <p>Identification of sensitive receptors:</p> <ul style="list-style-type: none"> ■ Local receptors to noise and vibration nuisance will be identified; and ■ Interested parties will be pre-notified of noise and vibration levels associated with activities on Site through the Construction Liaison Plan. <p>Plant maintenance:</p> <ul style="list-style-type: none"> ■ All plant will be maintained in accordance with the manufacturers' or suppliers' instructions; ■ All machines in intermittent use will be shut down when not in use; and ■ Where possible all plant will be placed away from the site boundaries to reduce the effect on the local community. <p>Noise and vibration abatement measures:</p> <ul style="list-style-type: none"> ■ Working hours will be limited to those agreed with RBKC to minimise disruption to neighbours; ■ All vehicles, plant and other equipment will be fitted with the appropriate silencers, mufflers or acoustic covers as applicable; ■ Neighbours will be kept informed of the times and dates of any potential noise nuisances; and ■ Noise barriers, e.g. mounds of earth, fences, etc. will be put in place where necessary early in the construction works. |
| References: | <p>Control of Pollution Act (COPA) 1974 Environmental Protection Act (EPA) 1990: Part 3 – Statutory Nuisance Countryside and Rights of Way Act 2000 Noise and Statutory Nuisance Act 1993 Noise Act 1996</p> <p>BS5228: Noise and vibration control on construction and open sites, Parts 1 & 2 (1997), Part 4 (1992) – BSI, London HSE, Noise in construction, 1992 Ground borne vibrations arising from piling, CIRIA Technical Note 142, 1992</p> |

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| PROCEDURE: | DUST AND AIR QUALITY |
| REF: | PEP/03 |
| Action By: | Principal Contractor, Site Environmental Manager and Air Quality Consultant |
| Purpose: | Control of dust and atmospheric emissions affecting local air quality |
| Procedure: | <p>Sensitive receptors:</p> <ul style="list-style-type: none"> ■ Identify potential receptors: <ul style="list-style-type: none"> • Residents • Pedestrians • Neighbouring tenants • Local transport infrastructure • Drainage systems • Controlled waters ■ Regular communication with local residents and businesses will be established <p>Dust risk register:</p> <ul style="list-style-type: none"> ■ Site activities causing dust problems and existence of sensitive receptors will be identified to assess the risk of nuisance caused by dust; and ■ Identify and record activities and receptors and any control or protection measures put in place. <p>Wind:</p> <ul style="list-style-type: none"> ■ Wind speed and direction will be observed prior to conducting dust-generating activities to determine the potential for dust nuisance to occur when wind direction may carry dust into sensitive areas and avoiding dust-generating operations during periods of high or gusty wind. <p>Equipment:</p> <ul style="list-style-type: none"> ■ All construction plant and dust abatement equipment will be maintained in good working order and will not be used if it is not in full working order. <p>Construction:</p> <ul style="list-style-type: none"> ■ Cutting and grinding will be conducted using dust suppressed equipment and water sprays will be used to minimise dust emissions; ■ On-site cement and concrete batching will be undertaken in enclosed areas with suitable water dowsing and wind shielding; ■ On-site aggregate handling will be carried out in enclosed areas where practicable; ■ The height from which materials will be tipped or dropped during transfer will be minimised; and ■ The mixing of large quantities of concrete or bentonite slurries shall take place in enclosed or shielded areas where practicable. <p>Vehicles:</p> <ul style="list-style-type: none"> ■ Haul roads and associated vehicle waiting areas will be regularly inspected and kept clean of all materials (including dust); ■ Wheel washing will be undertaken on vehicles leaving the Site; ■ General site traffic will be restricted to watered or treated haul roads; and ■ Local highways and site boundaries will be regularly inspected for dust deposits and, if necessary, cleaned. <p>Smoke nuisance:</p> <ul style="list-style-type: none"> ■ No burning of rubbish or any other activity likely to give rise to dark smoke on or off the site shall be undertaken. |

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| PROCEDURE: | DUST AND AIR QUALITY |
| REF: | PEP/03 |
| References: | PEP/04: Vehicles Management Environmental Protection Act 1990 (EPA) Clean Air Act 1993 Environment Act 1995 Part 4 Road Vehicles (Construction and Use) Regulations 1986 (as amended) |

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| PROCEDURE: | VEHICLES MANAGEMENT |
| REF: | PEP/04 |
| Action By: | Principal Contractor and Site Environmental Manager |
| Purpose: | Minimisation of the effect of vehicles on site |
| Procedure: | <p>Traffic Management:</p> <ul style="list-style-type: none"> ■ Permitted access routes for HGV movements will be clearly signed and compliance with these restrictions regularly monitored; ■ Speed limits will be set within the Site which are appropriate to the various activities which are required to be undertaken; ■ Delivery routes will be clearly marked; and ■ Plant crossings, access and egress points will be kept clean in order to avoid the deposition of debris, mud or other materials which could cause nuisance to other road users. <p>Control of dust and other materials:</p> <ul style="list-style-type: none"> ■ Haul roads and associated vehicle waiting areas will be regularly inspected and kept clean of all dusty materials; ■ General site traffic will be restricted to watered or treated haul roads; ■ Local highways and site boundaries will be regularly inspected for dust deposits and, if necessary, cleaned; and ■ Refer to Procedure PEP/03: Dust and Air Quality. <p>Fuel handling:</p> <ul style="list-style-type: none"> ■ Refuelling will be carried out as far away as feasible from any drain or other sensitive receptor, only in designated areas on impermeable surfaces; ■ Refuelling equipment will be regularly inspected with maintenance and repair as appropriate; ■ Spill kits, locks and other suitable security devices will be provided; and ■ Fuel bowsers and stores will be secure and as far as possible vandal-proof. <p>Washing vehicles:</p> <ul style="list-style-type: none"> ■ Where required, wheel-washing facilities will be provided at main construction access and crossing points; ■ Hardstanding areas will be used for all plant maintenance and washing off; ■ These areas will be sited away from any drain or watercourse; and ■ Water released from this area will be directed to a temporary drainage system or pumped for off-site disposal. <p>Avoidance of nuisance from exhaust emissions:</p> <ul style="list-style-type: none"> ■ No vehicle or item of equipment emitting visible black smoke, other than during ignition, will be used on any construction site or public highway; ■ Combustion engines on all plant and equipment shall not be left running unnecessarily; ■ All vehicle and equipment engines and exhaust systems will be maintained so that the exhaust emissions do not breach statutory limits for the vehicle/equipment type and mode of operation; ■ All vehicles and equipment shall be maintained in accordance with the manufacturers' and suppliers' recommendations; and ■ Exhausts of vehicles and equipment used for construction shall be positioned at a sufficient height to ensure dispersion of exhaust emissions. |
| References: | PEP/02: Noise and Vibration PEP/03: Dust and Air Quality |

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| PROCEDURE: | VEHICLES MANAGEMENT |
| REF: | PEP/04 |
| | Anti-Pollution Works Regs 1999 Clean Air Act 1993 Environmental Protection Act 1990 – Part 3: Statutory Nuisance Road Vehicles (Construction and Use) Regs 1996 Road Traffic Regulation Act 1984 Water Industry Act 1991 Water Resources Act 1991 The Groundwater Regulations 1998 PPG6: Working at Construction and Demolition Sites (Environment Agency) PPG7: Refuelling Facilities (Environment Agency) |

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| PROCEDURE: | POLLUTION INCIDENT CONTROL |
| REF: | PEP/05 |
| Action By: | Principal Contractor and Site Environmental Manager |
| Purpose: | Identification, prevention and control of pollution incidents |
| Procedure: | <p>Storage of hazardous materials:</p> <ul style="list-style-type: none"> ■ Stockpiles will be located, as far as is reasonably practicable, away from sensitive receptors such as residential areas, places of public access etc.; ■ On site storage of chemicals, fuels etc will be checked regularly and any container found to be leaking will be removed immediately; ■ Hazardous substances will only be stored in dedicated enclosed areas with an impervious base; ■ Adequate secondary containment (bundling) will be put in place. This should be at least 110% of the capacity of the containers where possible; ■ Secondary containment will be regularly inspected, emptied and maintained; and ■ A COSHH register documenting all materials stored and safe handling requirements will be kept in the site office. <p>Handling hazardous materials:</p> <ul style="list-style-type: none"> ■ Use of potentially hazardous materials will be minimised and quantities stored will be kept to a minimum; ■ Designated access routes for the delivery and transport of such materials will be used; and ■ All site staff will be made aware of risks associated with the handling, storage and use of hazardous materials through training sessions. <p>Spill kits:</p> <ul style="list-style-type: none"> ■ Spill kits with instructions will be sited in areas of high risk and in close proximity to material storage areas; ■ All staff will be trained in the use of spill kits and the correct disposal of used spill control material; ■ Used spill kit equipment should be disposed of as hazardous waste (see PEP/02 Waste Management); and ■ Spill kits will be maintained and periodically inspected. <p>Site drainage and water courses:</p> <ul style="list-style-type: none"> ■ Site drainage plans will be obtained and a copy kept on site; ■ The on-site drainage system will be tested; ■ Abandoned drains will be sealed off or removed to minimise the loss of contaminated water; and ■ The layout of the Site will be designed to minimise the risk of pollution reaching the groundwater or watercourse. <p>Discharge of water:</p> <ul style="list-style-type: none"> ■ Written discharge consents will be obtained prior to any discharge to public sewer from the Environment Agency or the local sewerage undertaker as appropriate; and ■ Consents to discharge will be recorded. <p>Actions in the event of a pollution incident on site:</p> <ul style="list-style-type: none"> ■ Stop work on site immediately and take appropriate safe actions to prevent further pollution occurring; ■ Notify Site Manager / Project Manager of incident, possible environmental effects and impact |

| PROCEDURE: | POLLUTION INCIDENT CONTROL |
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| REF: | PEP/05 |
| | <p>on works;</p> <ul style="list-style-type: none"> ■ Identify nearby potentially sensitive receptors and take appropriate actions to prevent migration of pollutants; ■ Monitor surrounding areas for further contamination / migration of pollutants; and ■ Agree and implement remediation techniques. <p>Pollution incident reporting:</p> <ul style="list-style-type: none"> ■ Reporting form should include the following information: <ul style="list-style-type: none"> • Date, time and location of incident; • The nature of the incident and a description of the events; • The environmental effects of the incident; • Immediate action taken following the incident; and • Corrective action taken and the date closed. ■ The completed form should be signed by the Project Manager and a copy passed to the Principal Contractor for signing. <p>Emergency contact and telephone numbers:</p> <ul style="list-style-type: none"> ■ A list of emergency contacts will be kept on display in the site office and in high risk areas (e.g. oil storage locations), including: <ul style="list-style-type: none"> • Site Environmental Manager; • Environment Agency contacts; and • Approved pollution clean-up contractors. |
| References: | <p>PEP/01 Waste and Material Management COSHH Register Emergency contacts list</p> <p>Water Resources Act 1991 Water Industry Act 1991 Environment Act 1995 Anti-Pollution Works Regulations 1999 Control of Pollution Act (COPA) 1974 The Groundwater Regulations 1998</p> <p>Environment Agency Pollution Prevention Guidelines, including: PPG1 – General guide to the prevention of pollution of controlled waters PPG2 – Above ground oil storage tanks PPG4 – Disposal of sewage where no mains drainage is available PPG5 – Working in or near rivers PPG6 – Working on Construction and Demolition Sites PPG8 – Safe storage and disposal PPG21 – Pollution Incident Response Planning</p> |

Appendix B: Schedule of Environmental Legislation

| Environmental Legislation | Summary of Relevance to the Site |
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| <u>Hazardous Substances</u> | |
| Asbestos (Licensing) Regulations 1983 (as amended 1998) | Intended to ensure that physical works involving asbestos, such as asbestos removal, are undertaken only by suitably qualified persons. Licences are issued by the Health and Safety Executive detailing specific time restrictions for completing necessary works or, imposing other conditions to ensure the safe removal and appropriate disposal of asbestos material. |
| Control of Asbestos 2006 | Employers are designated various responsibilities to protect employees from potential exposure to asbestos at work, including: <ul style="list-style-type: none"> ■ Identification of asbestos risks within the workplace; ■ Prevention and reduction in the spread of asbestos materials; ■ Implementation of asbestos control and maintenance procedures; ■ The commissioning of licensed contractors to carry out asbestos installation or removal works; and ■ The Regulations are due to be amended to include a requirement for all site owners and operators to maintain a Register of asbestos containing materials. |
| Control of Substances Hazardous to Health (COSHH) Regulations 2002 (and amended 2003, 2004) | The COSHH regulations provide a legal framework for controlling people's exposure to all 'very toxic, toxic, harmful, corrosive or irritant' substances and apply to all places of work. There are various requirements including an assessment of the risk to the health of employees arising from their work and what precautions are needed, introduction of appropriate measures to prevent or control the risk, use of control measures and maintenance of equipment. |
| <u>Waste</u> | |
| Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 | This legislation provides powers to control fly-tipping and prevents the unlicensed transport of waste materials. All carriers of controlled waste including the producers of building waste, are required to be registered with the Environment Agency. Controlled waste is defined as household, industrial or commercial waste other than agricultural, mineral/ quarrying or explosive wastes. This registration must be renewed every 3 years. |
| The Environmental Permitting (England and Wales) Regulations 2010 | The Regulations consolidate the Pollution Prevention and Control and waste Management Licencing regulations to provide a more streamlined approach to environmental regulations, by allowing for a number of different activities to be regulated under one permit by the Environment Agency. |
| Hazardous Waste (England and Wales) Regulations 2005 | The Regulations ensure the sound management, storage and safe disposal of hazardous wastes, to prevent environmental pollution and harm to human health. 'Hazardous' waste applies to wastes which contain any substance which: <ul style="list-style-type: none"> ■ is listed a hazardous waste in the List of Waste Regulations 2005 (see below); ■ is exceptionally classified as hazardous by the Secretary of State or any of the National Executives; or ■ is declared hazardous by virtue of any regulations under section 62 of the Environmental Protection Act (EPA) 1990. All hazardous waste movements require pre-notification to the Environment Agency prior to any hazardous waste being produced (where possible). Producers are required to know and document the quantity, nature, origin and final destination of the Hazardous Waste and to certify that the waste carrier is registered under the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991. Copies of the completed consignment notes must be retained for at least 3 years by all those in the waste chain. |

| Environmental Legislation | Summary of Relevance to the Site |
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| List of Waste (England) Regulations 2005 | <p>The List of Waste Regulations categorises wastes as hazardous, and provides a coding system of waste and hazardous waste.</p> <p>Under the List of Waste Regulations, a set of criteria are provided to determine whether or not a waste is classified as hazardous, e.g. if it has a flash point lower than 55°C.</p> |
| Environmental Protection (Duty of Care) Regulations 1991 | <p>A legal duty of care is imposed on anyone – from producers, to carriers and disposers of waste, to ensure that:</p> <ul style="list-style-type: none"> ■ Waste is not illegally disposed of or dealt with without a licence or in breach of a licence or in any way that causes pollution or harm; ■ Waste is transferred only to an ‘authorised person’, i.e. a local authority, registered carrier or a licensed disposer; and ■ When waste is transferred, it is accompanied by a full written description which forms part of a waste transfer note (or consignment note for hazardous wastes). <p>All persons subject to duty of care are required to ensure that neither they nor any other person commit an offence under the Regulations.</p> |
| Environmental Protection Act (EPA) 1990: Part 2 – Waste on Land | <p>This Act builds on the system put in place by the Control of Pollution Act with stricter licensing controls and other provisions aimed at ensuring waste handling, disposal and recovery operations do not harm the environment. It reorganised Local Authority responsibilities for waste management, introduced a duty of care for producers and handlers of waste and described the offences of unauthorised storage, treatment and disposal of waste.</p> |
| Environmental Protection Act (EPA) 1990: Part 2a | <p>The section of the EPA created by the Environment Act 1995 setting out the legislative framework for identifying and dealing with contaminated land.</p> |
| Environment Act 1995 | <p>Inserted Part ‘2a’ to the EPA 1990 giving powers and responsibilities to Local Authorities regarding contaminated land.</p> |
| Discharges to Water / Land | |
| Anti-Pollution Works Regulations 1999 | <p>Aimed at ensuring that site owners pay for the prevention and remediation of pollution arising from their activities. Notices can be served by the Environment Agency directing a site owner to carry out anti-pollution works where any poisonous, noxious or polluting matter is likely to enter, or to be, or to have been present in any controlled waters.</p> |
| Water Industry Act 1991 | <p>The Act prohibits certain discharges to sewers including:</p> <ul style="list-style-type: none"> ■ Any matter likely to injure the sewer or interfere with the free flow of its contents or to affect the treatment, disposal of its contents; ■ Liquid waste or steam at a temperature higher than 110°F or any other chemical waste which is dangerous, a nuisance or prejudicial to health; ■ Any petroleum spirit; and ■ Calcium carbide. <p>Trade effluents may be discharged into public sewers only with the consent, or by agreement with, the sewerage undertaker (i.e. local water company). The consent may stipulate conditions relating to:</p> <ul style="list-style-type: none"> ■ Nature or composition of the effluent; ■ Maximum daily volume allowed; ■ Maximum daily rate of flow; and ■ Sewer into which the effluent is discharged. |
| Water Resources Act 1991 | <p>The Act requires water abstractions to be licensed, and certain discharges into controlled waters to be subject to Environment Agency consent.</p> <p>It is an offence under the Act ‘to cause or knowingly permit’:</p> <ul style="list-style-type: none"> ■ Poisonous, noxious or polluting matter, or any solid waste matter, to enter controlled waters |

| Environmental Legislation | Summary of Relevance to the Site |
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| | <ul style="list-style-type: none"> ■ Matter, other than trade or sewage effluent, to be discharged from a sewer in contravention of a relevant prohibition; ■ Trade or sewage effluent to be discharged into controlled waters or through a pipe into the sea (beyond the controlled waters) ■ Trade or sewage effluent to be discharged onto land or into a lake or pond in contravention of a relevant prohibition or; ■ Any matter to enter inland waters so as to cause or aggravate pollution by impeding flow. <p>Pollution from individual discharges into water is controlled by a system of discharge consents which set legal limits on the type, concentration and total volume of discharge which can be released.</p> |
| Water Act 2003 | The Water Act replaces parts of the Water Resources Act 1991, and will be fully implemented by 2012. The Water Act introduces a new abstraction licence system which reduces the number of licences and encourages the development of Catchment Abstraction Management Strategies (CAMS). |
| Groundwater Regulations 1998 | <p>The Regulations transpose the requirements of the Groundwater Directive into UK legislation. The Regulations aim to prevent and limit the pollution of groundwater by certain listed substances or groups of substances. The listed substances are the same as those in the Groundwater Directive. The Regulations aim to prevent entry of List I substances into groundwater and prevent groundwater pollution by List II substances.</p> <p>The direct or indirect discharge of List I or II substances must be subject to prior investigation and authorisation. The Regulations also allow notices to be served to control activities which might lead to an indirect discharge of List I substances or groundwater pollution by an indirect discharge of substances in List II.</p> |
| Control of Pollution (Oil Storage) (England) Regulations 2001 | <p>These Regulations require a person having custody or control of oil to carry out certain works and to take certain precautions and other steps for preventing pollution of any waters which are controlled waters for the purposes of Part III of the Water Resources Act 1991.</p> <p>The Regulations impose general requirements in relation to the storage of oil and the types of container used. Where the Environment Agency considers that there is a significant risk of pollution of controlled waters from the oil in question it has the power to serve a notice on the person having custody or control to minimise the risk.</p> |
| Contaminated Land (England) Regulations 2000 (as amended 2006) | Local Authorities have a duty to inspect land, to identify contamination and to decide whether any such land should be designated a 'special site'. Public registers of contaminated land and special sites are kept by the local authority and the Environment Agency. Following designation of land as contaminated or a special site, the enforcing authority can serve a remediation notice on the appropriate person(s) specifying what needs to be done and the period within which remedial work should be completed. The appropriate person will be the person(s) who caused or permitted the contamination of the land. If this person cannot be identified then responsibility falls to the current occupier or owner of the land. |
| Building Regulations 1991 (as amended 2002) | The Regulations impose requirements upon people carrying out certain building operations, including new buildings, building extensions and a material change of use of land or a building. Building work must comply with schedule 1 of the Regulations which include minimum standards for various aspects including site preparation, toxic substances, drainage etc. |
| Emissions to Air / Noise | |
| Control of Pollution Act (COPA) 1974 (Sections 60, 61) | <p>Section 60 of COPA gives powers to the Local Authority to control noise and vibration from construction sites. The basis of the COPA legislation is that Best Practical Means should be used to control noise and vibration pollution.</p> <p>Control is by service of an abatement notice (under S60) on the person responsible for the noise requiring specific controls to minimise noise and vibration. The notice may specify types of plant and machinery, hours of work, boundary noise levels, etc.</p> |

| Environmental Legislation | Summary of Relevance to the Site |
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| | Section 61 provides for the Contractor to apply to the Local Authority for consent before works commence. This protects the contractor from action by the local authority under S60, but not from individual residents' complaints. |
| Clean Air Act 1993 | The Act prohibits, subject to certain conditions, the emission of dark and black smoke from chimneys serving boilers and other industrial plant. The Local Authority is empowered to undertake an examination of a plant likely to be causing air pollution, taking into account the possible relevance of statutory exemptions. |
| Noise and Statutory Nuisance Act 1993 | This Act amends the Environmental Protection Act (EPA) 1990 to make noise emitted from vehicles, machinery or equipment in the street a statutory nuisance. It gives the Local Authority powers to serve an abatement notice on the person responsible. |
| Noise Act 1996 | Introduces a new procedure for Local Authorities to seize noisy equipment, in relation to statutory nuisance offences under the EPA 1990. |
| Control of Noise at Work Regulations 2005 | Requires that all employers must conduct an assessment of the exposure and therefore of the risk of their employees to noise where they have reason to believe that any of the specified action levels for various noise exposures is or could be exceeded. |
| Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regulations 1985 (as amended) | Provides for examination and certification of construction plant that comply with noise emission standards. The Regulations require that plant is certified by approved bodies. Various types of plant manufactured after the dates of the regulations are to meet noise emission standards and are certified as such. |
| Environmental Protection Act (EPA) 1990: Part 3 – Statutory Nuisance (section 80) | When a complaint of statutory nuisance is made to the Local Authority by a person living in its area, the Authority has to take steps to investigate the nuisance. Statutory nuisances include any premises maintained in such a state to be prejudicial to health or a nuisance; any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance. Noise emitted from premises so as to be prejudicial to health or a nuisance. |
| Vehicles | |
| Road Vehicles (Construction and Use) Regulations 1986 (as amended) | It is an offence to use a vehicle if it is emitting 'smoke, visible vapour, grit, sparks, cinders or oily substances' in such a way as is likely to cause 'damage to any property or injury to any person'. It is an offence to use a vehicle in such a way as to cause excessive noise. |
| Road Traffic (Vehicle Emissions) (Fixed Penalty) Regulations 1997 (as amended 2002) | These Regulations give powers to Local Authorities to enforce vehicle emission standards at the roadside as part of the implementation of the national air quality strategy. Under the Regulations, Local Authorities may issue fixed penalty notices to users of vehicles that do not comply with emissions standards set in the Road Vehicles (Construction and Use) Regulations 1986 as amended. Appropriately trained Local Authority officers can test emissions from vehicles with the help of a uniformed police officer to stop the vehicle. The Local Authority officer may also issue a fixed penalty notice to drivers who leave their engines running unnecessarily. |

