



Control of Pollution Act 1974

1974 CHAPTER 40

PART III

NOISE

Construction sites

60 Control of noise on construction sites.

- (1) This section applies to works of the following description, that is to say—
 - (a) the erection, construction, alteration, repair or maintenance of buildings, structures or roads;
 - (b) breaking up, opening or boring under any road or adjacent land in connection with the construction, inspection, maintenance or removal of works;
 - (c) demolition or dredging work; and
 - (d) (whether or not also comprised in paragraph (a), (b) or (c) above) any work of engineering construction.
- (2) Where it appears to a local authority that works to which this section applies are being, or are going to be, carried out on any premises, the local authority may serve a notice imposing requirements as to the way in which the works are to be carried out and may if it thinks fit publish notice of the requirements in such way as appears to the local authority to be appropriate.
- (3) The notice may in particular—
 - (a) specify the plant or machinery which is, or is not, to be used;
 - (b) specify the hours during which the works may be carried out;
 - (c) specify the level of noise which may be emitted from the premises in question or at any specified point on those premises or which may be so emitted during specified hours; and
 - (d) provide for any change of circumstances.
- (4) In acting under this section the local authority shall have regard—

Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, Section 60. (See end of Document for details)

- (a) to the relevant provisions of any code of practice issued under this Part of this Act;
 - (b) to the need for ensuring that the best practicable means are employed to minimise noise;
 - (c) before specifying any particular methods or plant or machinery, to the desirability in the interests of any recipients of the notice in question of specifying other methods or plant or machinery which would be substantially as effective in minimising noise and more acceptable to them;
 - (d) to the need to protect any persons in the locality in which the premises in question are situated from the effects of noise.
- (5) A notice under this section shall be served on the person who appears to the local authority to be carrying out, or going to carry out, the works, and on such other persons appearing to the local authority to be responsible for, or to have control over, the carrying out of the works as the local authority thinks fit.
- (6) A notice under this section may specify the time within which the notice is to be complied with, and may require the execution of such works, and the taking of such other steps, as may be necessary for the purpose of the notice, or as may be specified in the notice.
- (7) A person served with a notice under this section may appeal against the notice to a magistrates' court within twenty one days from the service of the notice.
- (8) If a person on whom a notice is served under this section without reasonable excuse contravenes any requirement of the notice he shall be guilty of an offence against this Part of this Act.

Modifications etc. (not altering text)

- C1** S. 60 modified (9.11.2001) by [S.I. 2001/3682](#), **art. 32**
- C2** S. 60 modified (18.7.2001) by [S.I. 2001/2870](#), **art. 21**
- C3** S. 60 applied (with modifications) (20.8.1999) by [S.I. 1999/2336](#), **art. 22**
- C4** S. 60 modified (18.12.1996) by [1996 c. 61](#), **s. 29**
- C5** S. 60 modified (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **s. 20**
- C6** S. 60 applied (with modifications) (18.3.2011) by [Forth Crossing Act 2011 \(asp 2\)](#), **ss. 70(1), 80(2)** (with [ss. 69, 78](#)); [S.S.I. 2011/38](#), art. 2, sch.
- C7** S. 60 applied (18.9.2014) by [The A556 \(Knutsford to Bowdon Improvement\) Development Consent Order 2014 \(S.I. 2014/2269\)](#), arts. 1, **32(1)(a)(i)**
- C8** S. 60 applied (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), art. 1, **Sch. 19 Pt. 1 para. 13(3)**
- C9** S. 60 applied (21.10.2014) by [The Central Bedfordshire Council \(Woodside Link Houghton Regis\) Development Consent Order 2014 \(S.I. 2014/2637\)](#), arts. 1, **36(1)(a)(i)**
- C10** S. 60 modified (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\)](#), s. 70(1), **Sch. 27 para. 1(1)**
- C11** S. 60 modified (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 26 para. 1(1)**
- C12** S. 60(7) excluded (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), art. 1, **Sch. 19 Pt. 1 para. 13(2)**

Changes to legislation:

There are currently no known outstanding effects for the Control of Pollution Act 1974, Section 60.