

SCHEDULE 2

Requirements

PART 1

Requirements

Construction hours

15.—(1) Subject to sub-paragraphs (2), (3) and (4), construction works must only take place between 0800 and 1800 on weekdays and 0800 to 1300 on Saturdays (except public and bank holidays), except in the event of an emergency unless a scheme for the carrying of those works specifying the hours in which they may be carried out has been submitted to and approved by the relevant planning authority. Where such a scheme is approved under this requirement, the works set out in that scheme must be carried out in accordance with the approved scheme.

(2) In the event of an emergency, notification of that emergency must be given to the relevant planning authority and the relevant highway authority as soon as reasonably practicable.

(3) The following operations may where necessary continue or take place outside the working hours referred to in sub-paragraph (1)—

- (a) trenchless construction techniques which cannot be interrupted;
- (b) filling, testing, dewatering and drying; and
- (c) commissioning of the pipeline works.

(4) Nothing in sub-paragraph (1) precludes—

- (a) the receipt of oversize deliveries to site and the undertaking of non-intrusive activities;
- (b) start-up and shut-down activities up to an hour either side of the stated working hours and undertaken in compliance with the CEMP;
- (c) works on a traffic sensitive street where so directed by the relevant highway authority; and
- (d) works to make construction sites safe in the event of extreme weather.

(5) In this Requirement—

“emergency” means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action;

“non-intrusive activities” means activities which would not create any discernible light, noise or vibration outside the Order limits;

“trenchless construction techniques which cannot be interrupted” means drilling, tunnelling, boring or similar construction methods used to create an underground route for the pipeline without trenching from the surface, and includes any necessary ancillary activities to that drilling, tunnelling or boring; but does not include operations to prepare for drilling, tunnelling and boring, and specifically does not include works of excavation of pits, or works to remediate the site of pits used for drilling, tunnelling and boring; and

“start-up and shut-down activities” includes personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries, movement to place of work, unloading, maintenance and general preparation work; but does not include operation of heavy machinery for construction, or operation of generators or flood lights at work-fronts.