

## CONSTRUCTION HEALTH & SAFETY CONSENTS, LICENCES AND NOTIFICATIONS

### APPENDIX 3

#### Introduction

The construction Industry operates within an increasingly complex system of legislative permits, consents and approvals. It is essential that these are fully considered and addressed at the earliest stage of each project.

The table lists the primary General Consents and will supplement the Environmental Consents, Licences, Permits and Registrations List contained within Environmental Management Guidance Note 02.

The general consents a list contains the licences or permits that will usually be necessary to acquire in order to carry out routine construction work.

**Table 1.1 Tabular List of General Consents**

Activity / Consent	Details / Legislation	Authority	Notification Period
Health & Safety Plan	Under CDM regs, clients cannot legally permit contractors to commence work on site without a project specific H&S plan being in place.	HSE Client Approves (usually via PS)	Before commencing
F10 Notification of commencement of works	If the Construction phase exceeds 30 days or 500 person days, an F10 notification must be submitted to HSE by the CDM-C.	HSE	Before commencing
Demolition Notification(Section 80)	6 weeks notification for commencement of demolition work with a Section 80. Applications required for disposal of waste, possibly also for noise (Section 61). Drains, sewers and services to be isolated or removed.	Local Authority (LA)	6 Weeks
Asbestos License	Under the Asbestos Licensing Regulations 1983 et seq, removal of Asbestos Containing Materials (not Asbestos Cement) must be notified to HSE before they can be disturbed. Licensed removers required. <a href="#">Asbestos Protocol</a> (Also request Asbestos records from Client / Occupier, allowing 21 days)	HSE	Min.14 Days
Allowable Noise levels	Application for consent for higher noise levels or noise outside working hours	HSE / LA	Usually 28 days

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(Section 60 & 61)	using section 61 under Control of Pollution Act 1974. (Verbal agreement frequently better than formal S 61 application) Environmental Guidance Note 44, Noise & Vibration Control		before commencing
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**Table 1.1 Tabular List of General Consents (Cont'd)**

Activity / Consent	Details / Legislation	Authority	Notification Period
Scaffold/Hoarding Licence	Highways Act 1980 – Section 169 (Any structure, scaffolding or hoarding that is erected on the public highway must have a license. A site visit is required).	Local Authority	Site visit req'd Allow at least 7 working days
Listed building / conservation area consent	Alterations to listed buildings or conservation areas may only take place with consent under Planning (listed buildings & conservation areas) regs 1999. <a href="#">Refer also to Environmental Consents</a>	LA	8 weeks
Explosives  (As used in demolition)	All parties who may be affected must be informed before explosives may be used. For example utility companies, network rail and police. Applications made to Police for permission to use explosives using form COER1.	Police	ASAP
Fire Certification of Premises	Fire Certification regs currently require a fire certificate for premises with more than 20 persons (or 10 persons for temporary accommodation). Note: These requirements intended to be withdrawn, April 2006.	Fire Brigade / LA (Permanent) HSE (Temporary)	Before Commencing
Temporary Traffic Regulation Order	Permission to temporarily close highways under the Road Traffic Regulation Act 1984. The Workplace (Health & Safety at Work) Regulations 1992 place requirements on employers concerning the organisation of traffic routes.  (Max duration varies, usually 6-18 months)	Local Authority, Trunk Roads: Highways Agency	ASAP Allow 8 wks minimum

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Temporary Orders for footpath closure/diversions	Town & Country Planning Act 1990  (Temporary orders can be made for a period of up to 6 months to allow works to be undertaken).	Local Authority	Minimum 6 weeks
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**Table 1.1 Tabular List of General Consents (Cont'd)**

Activity / Consent	Details / Legislation	Authority	Notification Period
Section 278	Highways Act 1980 Essentially a financial agreement to carry out works on roads & highways	Trunk Roads: HA Roads: LA	Before Commencing
Section 106	Town & Country Planning Act Dictates conditions relating to development (also known as Planning Gain)	Local Authority	Conditions dictated by agreement
Disposal of waste	Control of Pollution Act 1974.	EA, SEPA	
Client / User Consents	Additional specific consents may be required by the Client or controller of the premises. These may include service isolation permits, handover certificates or specific permits to work. These requirements must be abstracted from contract documentation and referred to in the Project Plan.	Client Documentation	As agreed
Over Sailing rights / Height Restrictions due to crane operations	Contact to be made with any property holder that may be affected.	Property owners	As Agreed.

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Radio Licences	It is illegal to use an unlicensed radio. New radio networks can be applied for to arrange allocation of frequencies by Ofcom (who replace the Radio communications Agency) within 3 weeks. A UK general license is held for certain frequencies but 14 days notice is advised to Ofcom via Select.	Ofcom (via Select)	21 or 14 days recommended
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