

# Guidance for Companies on Minimising Noise Nuisance from Planned Out-of-hours Streetworks



**This guidance document should be read  
in conjunction with the**

**GUIDELINES ON NOISE CONTROL  
FOR CONSTRUCTION SITES**

**(available from Health Protection Services  
or downloaded from [www.gov.je](http://www.gov.je)).**

**Observance of this document also forms part of the  
Transport & Technical Services Department's (TTS)  
streetworks planning and implementation requirements.**

*This document has been prepared in conjunction with  
The Transport & Technical Services Department (TTS)*

# Guidance for Companies on Minimising Noise Nuisance from Planned Out-of-hours Streetworks



## *1.0 Introduction*

It is accepted as part of everyday life that work needs to be carried out to Jersey's infrastructure (i.e. mains drains, water, electricity, telecoms, gas and roads) and on occasion, because of safety, practicality, or traffic impact, these works will need to be undertaken out of hours.

Unfortunately the nature of these works can give rise to noise nuisance and therefore complaints; with drilling, cutting, hammering, vibration, compaction and vehicle noise being a particular problem. Out-of-hours noise is also much more disturbing than during normal working hours, as background noise levels drop significantly after 11.00pm, meaning any noise becomes much more noticeable (particularly in the summer months when windows remain open).

Since each workcase is different, it is essential that those responsible for planning out-of-hours work consider the issue of nuisance fully (e.g. are premises nearby, how significant a nuisance will it be?) and ensure that they follow leading practice. Therefore the aim of this document is to provide basic guidance for those planning out-of-hours work on public roads and, in particular, to make them aware of the requirements of the Statutory Nuisances (Jersey) Law 1999 ('the Law').

The Law deals with complaints about noise and issues such as dust, fumes and odours, which if seriously affecting the enjoyment of property or land can constitute a Statutory Nuisance. Where a nuisance exists, or is likely to occur or recur, the Health Protection Service on behalf of the Minister is required to serve an 'Abatement Notice'.

If under the Law an Abatement Notice is served on an organisation or business, it is their responsibility as the 'client' to ensure that contractors and sub-contractors comply with its requirements.

Under the Law organisations or businesses have a defence of 'Best Practicable Means', by which they must show they have done all that is reasonable to mitigate a nuisance occurring. As part of this defence, regard is given to cost and whether the means of reducing the potential for nuisance is generally available. Ideally, a balance needs to be struck between preventing nuisance to those living close to a site and getting the work done safely, with the minimum traffic disruption and within an acceptable budget/period.



## ***2.0 Measures to Minimise Noise Nuisance from Out-of-hours Streetworks***

Typical time limits for noisy construction working are:

- i. 8.00 am to 6.00 pm Monday to Friday
- ii. 8.00 am to 1.00 pm Saturday
- iii. No working on Sundays or Bank Holidays

a. It is accepted, however, that because of the specific constraints of working on public roads, occasions will arise where out-of-hours working is unavoidable. If this is the case it is important that Health Protection Services are notified in advance (except in the case of emergency works) and organisers should follow the guidance set out below.

b. It is essential that Health Protection Services are contacted at the earliest possible opportunity, to ensure our advice or requirements are properly considered during the work planning stage. If requested, we can provide guidance information for inclusion in tender documents to ensure that environmental matters such as noise are considered, costed and planned for.

c. In order to mitigate noise nuisance to those living close to the works, Health Protection Services may recommend, or require, limits to the times of noisy working. In setting any limits we will consider concerns you may have regarding safety, practicality, cost and TTS/Parish traffic-management requirements.

d. Each case will be judged on its particular circumstances: for example in the case of resurfacing roads at night we have previously limited work to:

- i. Monday to Friday, 6.30pm - 2.00am
- ii. Noisy working strictly limited to before 9.00pm

*Note: Noisy works include, but are not limited to, percussive hand tools, sawing, cutting, vibrating/compacting machinery, generators and vehicle noise.*



e. It is good practice to contact residents in the vicinity of planned works if significant or ongoing noise nuisance is anticipated. At least one week’s notice should be given such, as via a letter drop, suitable signage or a flyer; with a point of contact provided in case of emergency (an out-of-hours telephone number is an absolute minimum). In addition, prior to the works starting a personal call is recommended, as people are more tolerant when they fully understand why works are required and this will often negate complaints. Also where there are significant changes required to working times or noise levels during the course of the works, residents in the vicinity should be updated first.

f. We would expect the use of best available technology to limit noise by the use of quiet equipment maintained in good working order.

g. We may set noise levels for works, although this is less likely for smaller jobs, and will depend on the type of works to be carried out and their duration.

h. We may ask you to protect noise-sensitive areas by the use of noise barriers/enclosures.



*Note: As a ready reference you should use British Standard BS 5228 Parts 1, 2 and 4 1997 (further information, telephone BSI 0870242 2345) which relates specifically to construction sites and the noise emitted from such works and the Health Protection Services' 'Guidelines on Noise Control for Construction Sites'.*

i. Health Protection Services recommend that they receive a minimum of 5 working days' notice before significant variations are made to previously approved working hours or methods.

In summary, we require all companies to plan well ahead and consider noise, in particular the hours of operation for noisy work, the plant to be used on site, the site layout and the method of keeping those living close to the works informed. i.e. to ensure compliance with the Statutory Nuisances (Jersey) Law 1999 and Transport & Technical Services Department's streetworks planning and implementation requirements.

For more general information please visit **www.gov.je** and refer to the Department's Guidelines for controlling noise from construction sites.

### HEALTH PROTECTION

Public Health Department  
Health and Social Services Department  
Le Bas Centre  
St Saviour's Road  
St Helier  
Jersey, JE1 4HR  
Tel: +44 (0)1534 443717  
Fax: +44 (0)1534 443720

### TRANSPORT & TECHNICAL SERVICES DEPARTMENT

South Hill Offices  
St Helier  
Jersey, JE4 8UY  
Tel: +44 (0)1534 445509  
Fax: +44 (0)1534 445529

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