

# Environmental Policy 2017



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**Prepared By:**

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## 1. Document Control

### Revision Table

Date	Revisions Made	Reviewed by
August 2008	Initial issue	R Metheringham
April 2011	Revised	J. Davey
Oct 2012	Revised due to SWMP Regulations revoked	G. Chandler
Feb 2015	Updated	G. Chandler
Jan 2016	Updated with reference to EA Pollution Prevention Guidance being withdrawn on 17-12-2015	G. Chandler
Aug 2017	New environmental policy issued to the business in support of obtaining ISO 14001 accreditation	S. Manton
Nov 2017	MD sign off for recent revisions	N Coy

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## 2. Policy Statement

Phelan Construction Limited recognises that the day to day operations can impact both directly and indirectly on the environment. We aim to protect and improve the environment through good management and adopting best practice wherever possible. Phelan Construction Limited will work to integrate environmental considerations into our business decisions and adopt greener alternatives wherever possible, throughout our activities.

The company will:

- Comply fully with all relevant environmental legislation and industry best practice
- At all times protect the environment by preventing pollution to land, air and water
- Reduce water and energy use
- Minimise waste and increase recycling
- Identify and manage environmental risks and hazards
- Encourage Involvement from customers, partners, suppliers and subcontractors in the implementation of our objectives
- Promote environmentally responsible purchasing and sustainable procurement
- Provide suitable training to enable employees to deal with their specific areas of environmental control
- Establish targets to measure the continuous improvement in our environmental performance
- Set objectives and targets in respect to environmental management, in support of this policy

All employees are responsible for working towards the objectives contained within this policy.

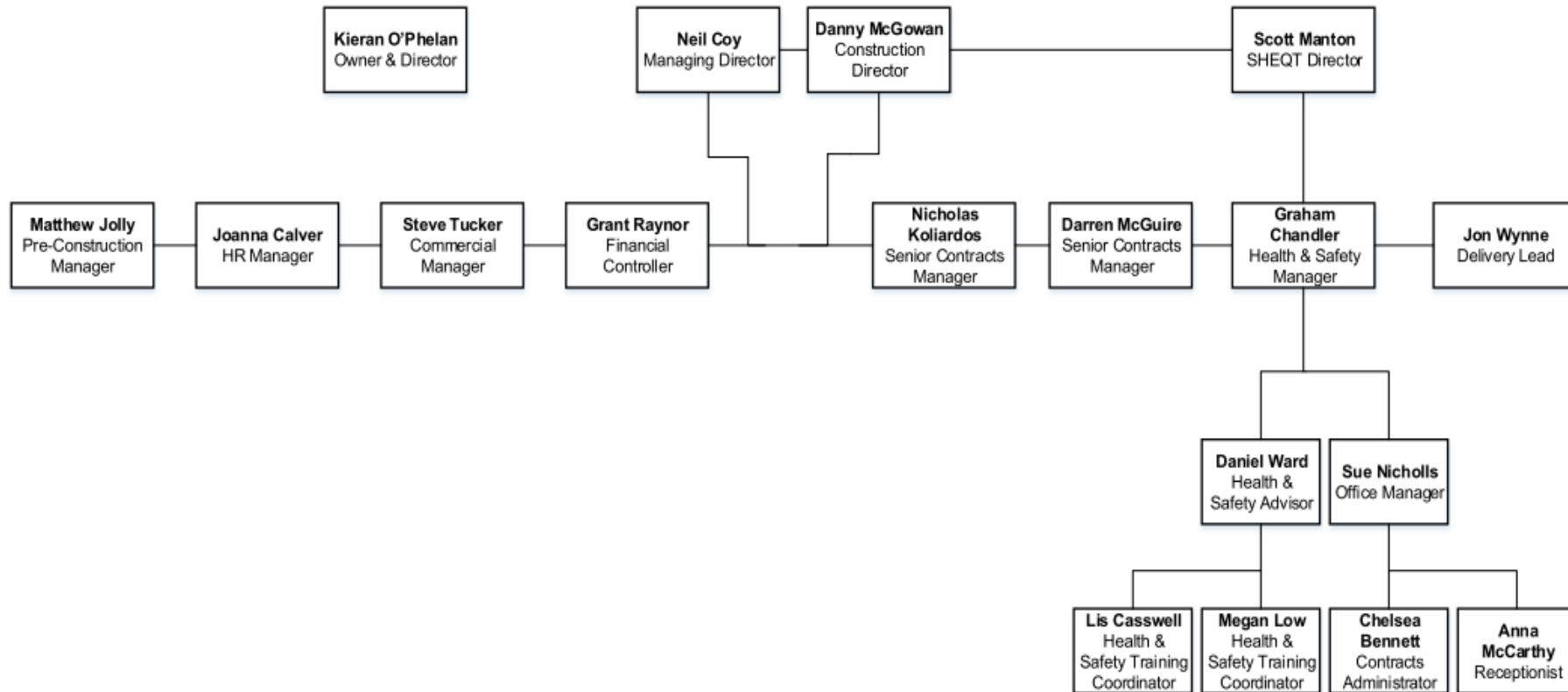
The Managing Director will ensure that this Policy is brought to the attention of all employees.

Signed: *Neil Coy* (signature removed for security purposes)

Dated: *2/11/17*

**Neil Coy** Managing Director

### 3. Environmental Organisation Chart



## 4. Environmental Management– Responsibilities & Duties

### Director in charge of Environmental Issues

The Director in charge of Environmental Policy – Neil Coy is responsible for the overall effectiveness of the Company's Environmental Policy and the annual review and amendment of the Policy, or as may be necessary in the light of correct development. He will ensure that regular reports are made regarding the Company's environmental performance and of any significant events affecting or arising out of the Company's operations.

He is also responsible for the assessment of requirements, non-conformance, loss or damage, risks and liabilities relating to the Company's operations and the adequacy of insurance cover.

Ensuring adequate resources including finances: are made available for environmental measures.

Management of Environmental Issues: Responsible for providing adequate provisions within the Company for the assessment and evaluation of the Company's environmental impact, preventive and reduction measures, protection, emergency procedures, adequate Environmental surveillance and provide employees with information and training regarding environmental issues.

Environmental Planning: Consideration will be given to good, safe environmental principles throughout the Company's operations and projects to minimise the impact on the environment.

Competency of Personnel: To ensure that Senior Management's competency is adequate for the duties required of them for environmental arrangements and controls, which will include appropriate training and support from Environmental Specialists.

Managers and Employees Environmental Awareness: To ensure that management and employees are competent in environmental issues and are aware of all environmental arrangements about the Company's operations and projects.

Environmental Risk Management Steering Group: To allow for provisions and an internal Environmental Risk Management Steering Group to be formulated by a cross section of Management and Employees and encourage communication with and assistance from external Environmental Specialists and Steering Groups and supporting Trades and Suppliers to develop environmental knowledge and to improve environmental performance within the Company.

## Managers

**General Requirements:** Responsible for the effectiveness of incorporating the Phelan Construction Ltd. Environmental Policy and procedures and any agreed environmental contract requirements. They are to apply the principles of the Policy and contract requirements to the operations under their control and ensure that any defects or faults brought to their notice are suitably corrected.

They are to co-operate and liaise with the Local Environmental Health Officers and any other Authorities necessary with regards to environmental measures. They are required to report regularly or as often as necessary to the Director in charge of Environmental issues on the Company's performance and compliance.

**Managers Awareness of Environmental Standards:** To be familiar with ISO 14001 and to observe all Environmental Regulations, Codes of Practices and Standards applicable to their work and related industries.

**Company Environmental Policy:** Responsible for ensuring that the Company's Environmental Policy is observed by the employees, sub-contractors and suppliers under their control and that all requirements necessary for effective compliance are provided.

**Environmental Appraisal:** Responsible for ensuring the Company's procedures for Environmental Appraisals are carried out satisfactorily utilising the Environmental Aspects / Impacts Register (contained in the Appendices Section of this Policy) for the Contracts and activities under their control. This also includes carrying out Environmental Appraisals for Sub-Contractors, self-employed persons and supplier's environmental arrangements to ensure that their arrangements are in order.

**Protecting the Public:** Ensure the general public are not put at any undue risk from the Company's operations.

**Environmental Inspections / Audits:** Institute an inspection procedure to ascertain that all activities under their jurisdiction are undertaken in a controlled manner with due regard for statutory obligations and approved Codes of Practices, utilising the Environmental Inspection Record section of the health and safety inspection form.

**The Reporting of Environmental non-compliance:** Ensure details of non-compliance incidents that may occur are recorded on Company records, utilising the Environmental Incident Report Form (contained in the Appendices Section of this Policy). They are to ensure that all non-compliance incidents are investigated thoroughly and that suitable remedial measures are taken to prevent re-occurrence. For guidance on action to be taken in the event of an incident, contact the Company's Health, Safety & Environmental Department immediately.

**Client's Environmental Requirements:** Ensure that the workforce under their control



are Inducted into activities and contracts environmental requirements. This will include any issues raised in the Environmental Aspects / Impacts Register for a process or project, any Client's Environmental Policy and any Conditions of Contract.

**Discipline:** Reprimand and discipline any employees and Sub-Contractors who are careless about environmental issues.

**Competency of Personnel:** Responsible for ensuring that Company personnel, including Sub- Contractors and Self-employed persons under their control, are adequately competent to carry out the work required of them.

**Environmental Induction & Training:** Responsible for ensuring that the Company workforce under their control, which includes sub-contractors and self-employed persons, etc., receive Induction before starting work, then to record names of attendees. Responsible for identifying environmental training needs where necessary for employees under their control. They are also responsible for recording and regularly reviewing environmental training records for personnel under their control, workforce competency and ensuring that such records are maintained on site and at head office.

**Assessments:** Responsible for ensuring Environmental Assessments are carried out for the operations under their control. Environmental risks must be reduced to a practical minimum. These Assessments shall be the basis to formulate Method of Work Statements. For guidance and assistance contact the Company's Health, Safety & Environmental Department

**Method of Work Statements, Data Sheets, Engineering Designs and Drawings etc:** To instruct employees in precise terms as to work methods. This should outline environmental issues associated with the job and detail any provisions required.

**Environmental Monitoring:** Instigate their own monitoring procedure for works under their control in accordance with the Company Policy and any Contract arrangements. Ensure that Site Agents / Foremen and Safety, Health & Environmental Advisors audit environmental standards, ensuring that reports are collectively reviewed and appropriately acted upon to ensure environmental standards are maintained sufficiently.

## Employees / Self-Employed

**Environmental Regulations:** Employees are required to comply with Environmental Regulations and Local Authority requirements.

**Company Environmental Policy:** Ensure you read and understand the Company's Environmental Policy and carry out work in accordance with the Policy and any agreed Client requirements.

**Environmental Induction:** Ensure that you have received Induction before you start

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work for the Company. This should be given to you by your immediate superior who will include details of the Company's Environmental Policy and details regarding the environmental requirements of your job.

**Method of Work Statement:** Ensure you understand the Method of Work for the tasks you undertake.

Whenever you are not sure of particular environmental requirements, ask your Superior for clarification.

**Control of Substances Hazardous to Health:** Before using substances that could be hazardous to your health or others, ensure you understand the requirements of the safety data sheets and COSHH Assessments that should be given to you by your Superior before you start.

**Reporting Environmental Issues:** Report any environmental issues to your Superior immediately.

Breach of Environmental Policy, Rules, Procedures or Responsibilities may constitute an offence within the Company's disciplinary rules and if of a serious nature, could lead to dismissal.

## Sub-Contractors

**General Environmental Requirements:** To carry out their works efficiently and safely and strictly in accordance with Legal requirements, Approved Codes of Practices of the Company's Environmental Policy and agreed Contract requirements. Produce procedures for their operations incorporating their own Environmental Policy.

**Carry out Environmental Assessments:** For the works that they will be engaged to carry out.

**Environmental Controls and Method of Work Statements:** Are required to be produced and submitted to Phelan Construction Ltd. Contract Management Team detailing appropriate environmental controls in their Method of Work Statements.

**COSHH:** Provide full COSHH Assessment information on any hazards associated with equipment or materials they use, or any processes they carry out, before starting work for the Company.

**To Appoint an Environmental Supervisor for the Contract:** Who will ensure that works are carried out in accordance with Legal requirements and agreed environmental standards for the contract, which includes any Local Authority requirements. The Environmental Supervisor is required to maintain agreed and suitable environmental practices when undertaking their works.

**Co-operation:** To co-operate with Phelan Construction Ltd. Management, the

Company's Health, Safety & Environmental Department and the Client's personnel in the furtherance of their duties.

**Competency of Personnel:** To ensure that the activities under their control are carried out by suitable and competent operatives who understand the Contract environmental requirements.

**Site Environmental Induction:** Phelan Construction Ltd. requires all employees of Sub- Contractors to receive Induction before they start work.

**Discipline:** To reprimand and discipline any of their employees who do not comply with environmental arrangements and report the matter to Phelan Construction Ltd who will not hesitate to instruct the removal of offenders from the works for any serious breach.

**Reporting Environmental Issues:** Report any environmental issues to Phelan Construction Ltd Management immediately.

**Environmental Inspections / Audits:** Institute an inspection procedure to ascertain that all activities under their jurisdiction are undertaken in a controlled manner with due regard for statutory obligations and approved Codes of Practices.

## Safety, Health & Environmental Department

Phelan Construction Ltd. House their own internal Safety, Health & Environmental department to advise Management when requested on matters relating to environmental safety requirements, i.e., relevant Legislation, Codes of Practices and guidance material.

**Environmental Inspections:** To monitor by inspection of the workplaces and operations, , the environmental performance of the Company's operations and to provide regular feedback on such inspections to Senior Management when requested.

**Investigate and Report Environmental Incidents:** To investigate and report on incidents to Phelan Construction Ltd. Management Team when requested.

**Promoting Good Environmental Standards:** To promote good working relationships with the Environmental Health Authorities and to strive at all times to achieve with the co-operation of Management, compliance with current Legislation.

## Other Environmental Specialists

Phelan Construction Ltd. will obtain assistance from other Environmental

Specialists in relation to energy efficiency, energy saving, ethical sourcing and sustainability.

## 5. Noise

Baseline noise surveys will be initiated to establish formally acceptable noise levels for each specific site where necessary. These noise levels will be included in any formal agreements with the Local Environmental Health office for the project in compliance with The Environmental Protection Act 1990.

The noise criteria will be utilised in determining the method of work, type of plant to be used and noise mitigation measures for each construction site.

Where appropriate the Local Council will be informed of the works in accordance with current Legislation.

The application will contain particulars of the works, work methods and details of the measures proposed to minimise noise nuisance resulting from the works in accordance with the current British Standard and relevant Environmental Legislation.

The Company will comply with the recommendations set out in the current Code of Practice for Noise Control on Construction, Demolition and Open Sites, Code of Practice for Basic Information and Procedures for Noise Control, and Guide to Noise Control Legislation for Construction and Demolition.

While it is recognised that the current British Standard (BS 4142), Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas, is not applicable to construction works, the philosophy of this document may be referred to in assessing degrees of nuisance.

Before the commencement of the works at any site, the Company will submit to the Local Authority the following information: -

A Method Statement (in accordance with the current British Standard), stating precisely the type of plant to be used and the proposed noise control methods.

A programme of work indicating the sound power level and location for each activity on the programme.

Documentation from manufacturer's literature establishing the sound power level of plant.

Calculations of LAeq and maximum levels at specified buildings as requested by the Local Authority.

Any changes with regards to the type of plant or programme of work, the proposed alteration and information will be submitted to the Local Authority in advance for approval.

The use of any plant or equipment required for any emergency which causes a departure from the agreed site working practice shall be notified to the Local Authority as soon as is practicable. The Company will accordingly advise the Local Authority if previously agreed noise levels are likely to be exceeded due to the adoption of alternate working methods.

Noisy plant or equipment will be sited as far away as is practicable from sensitive buildings. Use of barriers, e.g. Soil mounds, site huts, acoustic sheds or partitions to deflect noise away from noise sensitive areas will be employed whenever practicable.

Care will be taken when loading or unloading vehicles or dismantling hoists or moving materials, etc., to reduce impact noise.

The company recognises and understands that the Environmental Health Officers are bound by their duties and powers by the Current Environmental Legislation to investigate and secure abatement of any noise nuisance, regardless of the prediction work and use of any mitigation measures.

If levels are set, they will normally relate to a 10hr, LAeq, but may also include 1hr LAeq, 1min LAeq or other period as may be required by The Local Authority.

## 6. Vibration

The Company will ensure that measures are taken to: -

Protect the residents, users of buildings close by and passers-by from nuisance or harm.

Protect buildings and their contents from physical damage in accordance with item (b) below.

In establishing these measures the Company will consider the following factors: -

a) Human exposure.

The Company will comply with the current British Standard (BS 6472), Evaluation of Human Exposure to vibration in Buildings (1Hz to 80Hz). The standards for vibration assessment are defined in this British Standard.

b) Protection of Structures and Contents.

The companies' operation activities will be carried out so that vibration arising will not damage adjacent structures and their contents.

The following criteria are intended as a guide, however compliance with these criteria will not absolve the Company from a duty of care.

a) Comfort Criteria:

1mm per sec ppv residential properties.

3mm per sec ppv commercial properties.

b) Damage Criteria (DIN 4150):

3mm per sec ppv residential.

5mm per sec ppv commercial.

Additional safeguards or tighter controls will be necessary near or in sensitive locations, e.g., hospital, educational establishments, etc.

## 7. Hours of working

Hours of company operations will be restricted to comply with Local Authority restrictions. Generally, they are as follows: -

0800 - 1800 Monday to Friday

0800 - 1300 Saturday

No Sunday or Bank Holiday working.

Any works outside the permitted hours are to be by prior approval of The Local Authority and require 14 days' notice.

The Company understands that Approval will not be granted other than in exceptional circumstances and will be conditional on the Company informing residents of the proposed activity.

The Company recognises that certain works that do not cause a disturbance to local occupiers can be undertaken outside the Core Working Period. In such situations, these will be a general standard that noise should not be perceived at sensitive facades because of these works.

## 8. Plant

Fixed items of operational plant may have to be electrically powered and not diesel or petrol driven. Where this is not practicable, suitable attenuation (noise suppression) measures will be provided.

Vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated to minimise noise emissions, in accordance with the British Standard (BS 5228:1997). For each item of plant used in the works, the values quoted in the relevant current European Community Directive or UK Statutory Instrument, for example: SI1984/1992, when measured in accordance with the Directive or Statutory Instrument, shall not be exceeded where reasonably practicable.

Plant muffling should be in accordance with the recommendations set out in the relevant current British Standard (BS 7385). NB. Plant muffling should be in accordance with the procedures set out in the current DoE Advisory Leaflet "Noise Control on Building Sites".

On sites where environmental disturbance may arise: -  
compressors will be "sound reduced" models fitted with properly lined and sealed acoustic covers which will be kept closed whenever the machines are in use, and Pneumatic percussive tools will be fitted with mufflers or silencers of the type recommended by the manufacturers.

Machines in intermittent use will be shut down in the intervening periods between work or throttled down to a minimum. Noise emitting equipment that is required to run continuously may have to be housed in a suitable enclosure (See relevant current British Standard).

Equipment that breaks concrete by bending rather than by percussion, or other equipment as approved by  
The Local Authority, will be used as far as is practicable.

Where practicable, rotary drills and busters actuated by hydraulic or electrical power will be used for breaking hard materials.

## 9. Dust

The Company will take all necessary measures to avoid creating a dust nuisance and will submit a statement to The Local Authority for approval identifying proposed measures before work commences where required.

Measures to prevent dust will include the following practices: -

The provision of easily cleaned hard standings for vehicles.

The enclosure of material stockpiles at all times and damping down of dusty materials and buildings to be demolished using water sprays during dry weather.

The hard surfacing of heavily used areas will be kept clean by brushing and water spraying regularly.

Control of cutting or grinding of materials on the site.

The complete sheeting of the sides of all vehicles carrying waste and other dusty materials.

During demolition of wall claddings and floor surfaces operations, watering at rubble chutes, covering skips and screening of buildings with debris screen/sheets, as appropriate.

Materials should be stored away from the site boundary whenever possible.

Unsurfaced roads and verges to receive regular damping down and cleaning where located close to sensitive locations. In certain cases, permanent surfacing will be considered.



Establishment and enforcement of an appropriate speed limit over unmade surfaces to reduce dust.

Completed earthworks to be sealed and / or replanted when practicable.

Mixing of large quantities of cement and other adhesives to be carried out in enclosed / shielded areas where necessary.

Provision shall be made for wheel cleaning facilities on-site and road/pavement cleaning near the site entrances and exits.

The effectiveness of these measures will be monitored frequently by the Company and reviewed at least weekly, and will be inspected by the Company's Safety department.

## 10. Asbestos

Phelan Construction Ltd. do not carry out any work associated with asbestos. There is no asbestos contained within the Company premises. There may be the possibility of asbestos being present in working environments, therefore all personnel involved in the Company operations have been made aware in the Company Health & Safety Policy of the different types of asbestos and where asbestos is likely to be found, as well as the main requirements of The Control of Asbestos At Work Regulations 2012. Any asbestos related work will be carried out by authorised Licensed Contractors.

## 11. Legislation

The Health & Safety At Work Etc., Act 1974.

The Control of Pollution Act 1974.

The Special Waste Regulations 1996.

The Control of Asbestos Regulations 2012 and Approved Code of Practice (2nd Edition). Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004.

Approved Code of Practice: Work with Asbestos Insulation, Asbestos coating and Asbestos Insulating Board (2nd Edition).

The Personal Protective Equipment Regulations 2002.

The Construction (Design and Management) Regulations 2015.

British Standards BS 5415 Industrial cleaning appliances.

## 12. Air Pollution

Burning of materials on the site will NOT be permitted.

The Company will take all necessary precautions to prevent the occurrence of smoke emissions or fumes from the site and plant or stored fuel oils for safety reasons, and to prevent such emissions or fumes drifting into residential areas. In

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particular, plant should be well maintained and measures taken to ensure that nothing is left running for long periods of time when not in use.

The Company will comply with the provisions of the current Control of Pollution Act 1974; The Health and Safety at Work Act 1974; the Clean Air Act 1993; The Environmental Protection Act 1990; The Control of Substances Hazardous to Health (Amendment) Regulations 2004 and the Health and Safety Executive Guidance Notes 'Occupational Exposure Limits'.

The Company will comply with the lead in air standards that are set out in the current Health and Safety Commission Approved Code of Practice supporting the Control of Lead at Work Regulations 2002.

### 13. Contaminated / Hazardous Materials

A general site investigation will be carried out and will include an examination of the sites where the presence of contaminated materials is suspected from information listed in any environmental statement and other available information.

From the results of this site investigation and other sources of information, handling and disposal procedures will be developed by the Company for each work site in agreement with the Health and Safety Executive and the Environment Agency. These may include the separate temporary storage on the site for contaminated and uncontaminated materials.

The Company will comply with the provisions of the current Control of Pollution Act and the Control of Pollution (Special Waste) Regulations 1996. The removal and disposal of contaminated materials will be conducted under a strict consignment note system. Disposal sites will be agreed with the Environment Agency.

The Company will comply with the current Control of Substances Hazardous to Health (Amendment) Regulations 2004 and the current Guidance Note 'Occupational Exposure Limits' to ensure that contaminated materials are handled and disposed of safely and properly.

The Company will take measures to prevent the contamination of water courses and aquifers during works.

The Company will comply with the current Health and Safety Executive Guidance Note, Health and Safety in Demolition Work; Preparation and Planning; Legislation; Techniques and Health Hazards, and ensure that contaminated and hazardous materials are handled and disposed of safely and properly in accordance with The Control of Substances Hazardous to Health (Amendment) Regulations 2004.

The Company will ensure that materials and waste are not deposited in any surface

water course. Any water that has come into contact with contaminated materials must be disposed of in accordance with the current Water Acts, any other relevant disposal regulations and to the satisfaction of the Environment Agency. For any discharge into a watercourse or river, approval will be required from the Environment Agency and for any discharge into a sewer, a trade effluent consent will be required from the local Water Company.

If materials containing lead are encountered, the company will comply with the current Control of Lead at Work Regulations and the Health and Safety Commission Approved Code of Practice and will be disposed of properly.

## 14. Site Boundaries / Hoarding

The Company will normally be in control of the site boundaries, inclusive of its own premises, but will advise the Principal Contractor where boundary requirements are insufficient. The location of fencing will take into account the requirements to keep adequate access for pedestrians and disabled persons etc., free from all tripping hazards. All work sites should be completely fenced from public access by one of the following methods: -

a) The Minimum Case.

A post chain link / mesh fence where appropriate for minimum security.

b) Standard Hoardings.

A 2.4m minimum height, plywood faced, timber framed boundary hoarding of a surface density of not less than 6kg/m<sup>2</sup> for normal security and noise limitation requirements.

It may be necessary to increase the minimum height to protect buildings from noise.

c) Special Circumstances.

Where a particular appearance or acoustic rating is needed.

The provisions of the current Health and Safety at Work Act will be followed in all cases.

Hoardings resulting in poorly lit walkways must have bulkhead lights fitted to provide adequate illumination.

Gates in the fencing or hoarding should, as far as is practicable, be positioned and constructed to minimise the noise transmitted to nearby noise sensitive buildings from the work site or from plant entering and leaving the site.

Hoardings will be provided and maintained by the Company for the duration of the project where the company has been contracted to do so.

As a minimum requirement, the site hoarding will display publicity material including information on the site programme, the telephone contacts for the receipt of complaints and/or enquiries and the name of the site representative who should be contacted. In addition, warning signs will be displayed in accordance with The Health & Safety (Safety Signs & Signals) Regulations 1996.

The Company recognises site hoardings containing advertisements may require consent under the current Town and Country (Control of Advertisements) Regulations 1992. Prior consultation should take place with the Local Council.

## 15. Site Activities

Rubbish will be removed at frequent intervals and the site kept clean and tidy.

Where the Company is in control of hoardings and boundary fencing, it will be frequently inspected, repaired and repainted as necessary.

Lorries will enter and exit the site in a forward direction except where space restrictions do not allow this. These conditions will be subject to prior discussions with the Highway Authority and the Police before implementation.

All loading and unloading of vehicles will take place off the public highway whenever this is practicable.

Provision will be made:- for easily cleaned hard standings for vehicles entering, parking and leaving the site, and wheel washing facilities including, where practicable, mechanical wheel spinners. The wheel washing facilities will be brushed clean frequently.

Lorries that cannot immediately enter or leave sites must switch off their engines.

Mud on roads is regarded as one of the main environmental nuisance problems arising from construction/demolition sites. The Company will take strict measures to minimise the problem.

Toilet facilities will be kept clean.

## Recyclable or Reusable materials

The Company is committed to recycle or reuse redundant building materials. Surplus materials from a project will be returned to the yard as stock for use on future projects, returned to the Supplier, or sold on to a Specialist Merchant, or Reclaim Company, likewise with reclaimed materials such as bricks, roofing tiles

and hardcore etc.

Scrap metal will be collected and sold to Local Scrapyards.

Paper, glass, wood will be disposed of at Local Recycling Centres.

Topsoil will be re-used on site where possible, or sold on to a Merchant.

## 16. Waste Disposal

Prior to the removal of any waste from site, the Company will obtain all necessary Certification and Licences from the Waste Carrier.

All site waste will be segregated into various containers, e.g., fluorescent tubes, wood, scrap metal etc.

Gyproc plasterboard products will be segregated if the total content of any skip exceeds 10% Gyproc material.

The Company, as Waste Producers, will obtain a receipt from the Waste Carrier identifying the disposal point for the waste. Upon disposal, the Waste Carrier will obtain a receipt from the Disposal Point to confirm the waste has been disposed of in accordance with The Hazardous Waste Regulations 2005.

The Site Manager will ensure that the Waste Note issued by the Disposal Point matches the original receipt from the Waste Carrier.

Disposal of asbestos waste will be carried out in accordance with Section 7 above.

## 17. Urban Ecology

### Protection of Habitat

The Company will comply with the provisions of the current Wildlife and Countryside Act, with the requirements of the Unitary Development Plan and any conditions attached to planning permissions. The first priority is to maintain habitats intact and undisturbed, and if possible to make improvement to enhance natural habitats. Planning conditions and agreements may include:

Measures to prevent any encroachment onto valuable habitats during the construction/demolition process.

Compliance with standards of dust and air pollution control as set out elsewhere in this code of practice.

Precautionary measures to prevent the entry of pollutants into any bodies of water.

Where it is demonstrably impossible to maintain habitats in their existing condition then the species will need to be either:

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relocated / transplanted to a suitable local site, or disturbed habitats will be properly restocked to an equivalent or richer status after construction/demolition work ceases.

In either of these instances, the Company must consult with the London Ecology Unit and the Directorate of Leisure Services, Parks Services Section, before the commencement of the works.

Standards of dust and air pollution control, as set out in this document, will be applied at all demolition sites to protect adjacent wild life habitats.

### Mature Trees

The Company will follow the specific requirements agreed with The Local Authority. No mature trees shall be interfered with without written consent from the Council.

Adverse effects on mature trees within the vicinity of work sites will be minimised by the adoption of suitable mitigation measures, including, but not limited to the following (where appropriate):-

Selective removal of lower branches in an approved manner to reduce mechanical damage by construction plant;

The use of matting around the root zone to prevent excess soil compaction;

The use of chestnut paling around the trunk to prevent damage.

If any protected trees on the site dies or are damaged because of the demolition process, a replacement tree of agreed species and age will be planted.

## 18. General

Emergency telephone numbers for key personnel will be provided by the Company for use by officers of the Local Authority, should the need arise.

Lighting to site boundaries will be provided with illumination sufficient for the safety of the passing public, including the physically disabled. Precautions shall be taken to avoid shadows cast by the site hoarding on surrounding footpaths and roads.

Site lighting shall be positioned and directed so as not to intrude unnecessarily on adjacent buildings and land uses or to cause distraction or confusion to passing drivers on adjoining public highways.

Fly-tipping will not be permitted. Loads will only be deposited at authorised tips or into designated areas.

Deposition will be in accordance with the requirements of the Environment Agency, the current Environment Legislation, and Special Waste Regulations.

The Company will be responsible for all lorries delivering to or exiting from a work site.

The Company will make provisions to ensure that all hazardous substances including oil drums or containers on the Company premises are controlled in accordance with current Control of Substances Hazardous to Health Regulations, are properly banded and that no oil or other contaminants are allowed to reach water courses or ground water, including aquifers.

Fuel oil storage tanks will be contained in impermeable bund walls to contain any spillage.

Wherever possible, oils used by the Company will be recycled. Where this is not viable, oils will be disposed of in accordance with the Local Waste Authorities requirements.

## 19. Synopsis of Legislation

### Control of Pollution Act 1974

This Act covers waste disposal, water pollution, noise and atmospheric pollution, and by a series of commencement orders has repealed the Deposit of Poisonous Waste Act 1972, the Noise Abatement Act 1960, and amended or repealed sections of other acts dealing with the various forms of air and water pollution.

Part III of the Act deals with noise, and in particular: Section 60 applies to the control of noise on construction and demolition sites. The local Authority (in the form of an Environmental Health Officer) has the power to protect people in the locality from excessive noise in accordance with The Environmental Protection Act 1990, Part III, Paragraph 79(g), and may serve a notice which will:-

- i) specify the plant or machinery which may, or may not, be used;
- ii) specify the hours during which work may be carried out;
- iii) specify the maximum noise levels which may be emitted from any particular point or during specified hours;
- iv) provide for any change of circumstances.

The Local Authority must ensure that the best practicable means are employed to minimise noise, and have due regard to BS 5228 Code of Practice for noise control on construction and open sites.

Section 61 allows for anyone intending to start construction (which includes repair and maintenance, road-breaking, etc.) or demolition to make an application for prior consent from the Local Authority. This consent is applied for at Building Regulations approval stage or later, and must contain particulars of the works and methods involved, and the steps proposed to be taken for minimising any resultant

noise.

If a notice is served on a contractor under Section 60, a defence is to prove that the alleged contravention was caused by carrying out works in accordance with a consent given under section 61.

## Hazardous Waste Regulations 2011 (Guidance)

**Overview:** You must deal responsibly with any waste your business produces in England. This is known as your 'duty of care'. Business waste includes any waste that comes from: any commercial activity – including any you run from your home, construction, demolition, industry and agriculture

**How long your duty of care lasts:** Your duty of care lasts from the moment you produce the waste until you give it to a licensed waste business to deal with. You're still responsible to check how that business deals with your waste if you suspect it's not following the duty of care. You should report if another business mishandles your waste.

**Duty of care:** You must: classify your waste and know if it's hazardous or non-hazardous so you can deal with it correctly, register your premises if you produce or store hazardous waste, usually get a permit to store, treat, transport or dispose of your waste yourself, store your waste safely and securely follow the rules for moving waste off your business premises, check that any business you use to deal with your waste is licensed, and keep proof of this – eg take a copy of their licence. You have extra responsibilities if you're dealing with hazardous waste.

**Consider alternatives:** You must consider all other options before you dispose of waste. Consider these 5 steps in order. They're known as the 'waste hierarchy'.

1. Prevent – eg use fewer and less hazardous materials, and use things for longer.
2. Reuse.
3. Recycle.
4. Recover – eg anaerobic digestion or incineration for energy recovery.
5. Dispose – eg landfill and incineration without energy recovery.

**Licences and registration:** Usually you need a permit to store, treat or dispose of waste. You can check if you need to get an environmental permit or registered exemption in England.

**Register as a hazardous waste producer:** You must register your business premises in England if you produce or store hazardous waste. You don't need to register if you produce less than 500kg of waste in any 12 months.

**Sorting and storage:** You must sort and keep separate: hazardous waste and non-hazardous waste, different types of non-hazardous waste, different types of hazardous waste and different types of waste oil. You need to get an environmental

permit to mix waste - read the guidance on mixing waste.

**Store your waste:** You must store waste safely and securely. To do this: store waste in a secure place, use suitable containers that will stop waste escaping, label containers clearly with the type of waste they contain, use covers to stop waste blowing away, use waterproof covers if rain could cause contaminated run-off or prevent the waste from being reused and keep liquid hazardous waste in a dedicated area, with a bund or barrier to stop liquid leaking, eg into a drain.

You have extra responsibilities if you're storing hazardous waste – you must: display written instructions for storing and disposing of it, keep records about it and where it's located, carry out a risk assessment, eg to identify what the risks are and how to control them and regularly check for leaks, deteriorating containers or other potential risks

You may need an environmental permit to store your own or other people's waste. The permit will confirm any extra rules for storing waste on your site.

There are extra responsibilities for certain types of waste – read the technical guidance on waste for more advice about separating and mixing hazardous waste during production, storage, transport, recovery and disposal.

**Moving waste:** There are rules on how to move waste off your business premises. You must use a licensed waste business to collect, recycle, recover or dispose of your waste in England, get a licence to transport your own waste in England and keep to the restrictions if you move waste between countries. You have extra responsibilities depending on whether you're moving hazardous waste and non-hazardous waste.

Waste collectors must set up separate collections of waste for:

1. paper and cardboard
2. plastic
3. metal
4. glass

**Move waste between countries:** You can usually only import or export waste to recover it. You won't usually be able to import or export waste for disposal, eg landfill.

**Disposal:** You have different responsibilities depending on whether you're disposing of: hazardous waste and non-hazardous waste. You have extra responsibilities when you're dealing with electrical waste if you're a distributor.

**Gypsum and plasterboard:** You must keep gypsum and plasterboard separate from other wastes when you send it for disposal. It must not go to landfill mixed with biodegradable waste. You can only send gypsum and plasterboard to a landfill site with a permit to accept it. You can contact the environment organisation in your region if you have questions about disposal or other types of waste.

**Contacts:** Contact the organisation in your region if you have any questions about  
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business and commercial waste.

England Environment Agency  
Email: enquiries@environment-agency.gov.uk  
Telephone: 03708 506 506  
Minicom: 03702 422 549  
Monday to Friday, 8am to 6pm

## Environmental Protection Act 1990

The Environmental Protection Act 1990 and associated legislation relate mainly to the manufacturing, energy and waste disposal industries. The following is therefore a very brief outline of the legislation.

The Act itself provides a framework for a system of control of industrial pollution, whether by release to air, water or land. It establishes a system of integrated Pollution Control (IPC), enforced by the Pollution Inspectorate, to control large scale manufacturing processes with a potential to cause serious damage. Other specified processes controlling emissions to air alone from generally less polluting processes will be regulated by local authorities. The Environmental Protection (Prescribed Processes and Substances) Regulations 1991 list those processes and substances to which IPC will apply and set out a timetable for implementation. The regulations also prescribe those processes subject to air pollution control only. The processes prescribed under IPC may not operate after a date specified in the regulations without authorisation from the Pollution Inspectorate.

One aspect which is likely to affect most construction companies is the matter of "Controlled Waste", which includes all building or demolition waste, contaminated land and any broken, worn out or surplus materials or substances. Producers and carriers of controlled waste have a duty to prevent its escape and to ensure that it is transferred only to an authorised person. When controlled waste is transferred, a transfer note, containing a description of the waste and other information specified in the Environmental Protection (Duty of Care) Regulations 1991, must be completed and copies kept by both parties for two years. The controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 require any company, or self-employed carrier, who transports controlled waste, to register with their waste regulation authority. A vehicle carrying waste may be stopped during transit for examination of the certificate of registration and transfer note. Transporting controlled waste without being registered can result in prosecution and seizure of the vehicle and/or a fine of up to £2,000.

## 20. Complaints

### Purpose

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To define the process for recording and responding to environmental complaints received by the Company.

### Definitions – Environmental complaint

A documented critical observation or query about the Company environmental aspects, policy, management system or performance, from interested parties requesting a response or remedial action, or otherwise worthy of response.

A complaint, verbal or otherwise, from an employee regarding environmental aspects and their management and to which the employee requires a resolution and / or which requires Senior Management consideration.

### Responsibilities

The initial recipient of a complaint is responsible for determining whether the complaint qualifies for action under the provisions of this procedure, in association with the complainant. In the case of dispute, the complainant will refer the complaint to the Director in charge of Environmental Issues for adjudication.

The Director in charge of Environmental Issues is responsible for maintaining a register of environmental complaints and complaint referrals.

The Director in charge of Environmental Issues is ultimately responsible for ensuring appropriate actions are taken to investigate all environmental complaints documented in accordance with this procedure and that where necessary, communications are held with the relevant interested parties (in compliance with the appropriate procedure).

Line Managers and Site Managers are responsible for ensuring that environmental complaints, which relate to their area of responsibility are investigated and the results of investigations forwarded to the Director in charge of Environmental Issues.

All employees are responsible for contributing to the planned resolution of complaints insofar as they relate to matters within their control.

### Procedure

All environmental complaints will be reported and recorded on the Organisation's Environmental Incident Report Form.

A copy of the completed Incident Form will be forwarded to the Director in charge of Environmental Issues.

The complainant will be informed of the actions being taken as a consequence of the complaint within 21 days of the complaint first being received.

The Director in charge of Environmental Issues will confirm receipt of the Incident Report Form which will be recorded in the Organisation's Incident Reporting Records.

Where appropriate, the complaint will be fully investigated by the Director in charge of Environmental Issues or by the Company's Designated Health, Safety & Environmental Department

A summary of environmental complaints will be reported to the Company's Environmental Management Meeting Members during their 6 monthly meetings. A

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summary of environmental complaints will also be reported as part of the annual Management review.

For and on behalf of  
Phelan Construction Ltd.

Neil Coy .  
Director      Date: 1st August 2017

## Appendix 1 – Legal register

## Appendix 2 – Aspect and Impact register