
Section 61 of the Control of Pollution Act 1974

Application for Prior Consent

Please complete in black ink using capital letter

I hereby make applications to Elmbridge Borough Council in respect of the
(Demolition) (and) (Construction) works to be carried out under Section 61 of Control
of Pollution Act 1974 at:

Commencing on: _____ Projected Completion: _____

Signed: _____ Print Name: _____ Date: _____

Name of Applicant: _____

Address: _____

Telephone Number: _____

Registered Office: _____

Name of Site/Contract Manager: _____

Address: _____

Telephone Number: _____

Where application is made by a Company Secretary, the signature should be of a
Director or Company Secretary.



Elmbridge
Borough Council

Please continue on a separate sheet if necessary and attach securely to the form.

1. Address or location of the proposed works

2. Name and address of main contractor(s) including telephone numbers:

3. Particulars of works to be carried out:

4. Methods to be used in each stage of development:

5. Proposed hours of work:

6. Steps proposed to minimise noise and vibration:

7. Number, type and make of plant (including heavy vehicles) stating Sound Power Levels where known:

8. Predicted noise levels:

9. Approximate duration of works:

10. Any additional information:

Completed application forms and supporting documents should be submitted at least 28 days before it is intended to start works.

By Email: Envhealth@elmbridge.gov.uk

By Post: Environmental Health and Licensing – Pollution Team

Elmbridge Borough Council

Civic Centre

High Street

Esher

KT10 9SD

Section 61 of the Control of Pollution Act 1974

Application for Prior Consent – Guidance Notes

1. A site location plan must be included to a scale not less than 1:1000. This should detail the location of fixed plant or machinery, areas of significant activity (including haulage routes), site access points and the location of any noise barriers or enclosures.
2. Name and address of main contractor with contact name and number for appropriate contact on site.
3. Details should be provided of the type of work to be carried out at each stage.
4. Method Statements for the work to be carried out at each stage should be provided.
5. Proposed hours of work, including any weekend or bank holiday work.
6. To demonstrate that noise and vibration have been minimised as far as possible, reference should be made to Best Practicable Means (BPM) as defined by the Control of Pollution Act 1974. Reference should also be made to best practice as detailed in British Standard 5228:2009 'Noise and Vibration Control on Construction and Open Sites'.
7. All equipment to be used on site should be listed Sound Power Levels of typical equipment and machinery can be obtained from BS5228 or manufacturers' specifications.
8. Noise levels should be predicted at locations identified on the Site Plan and at any 'noise sensitive receptors' (e.g. residential properties) identified outside the site boundary.
9. A Construction Programme, showing the duration of each phase of work should be provided.
10. Other information may include a Pre-Construction Ambient Noise Survey.

Additional Information

The completed application form and supporting documents should be submitted to Elmbridge Borough Council at least 28 days before it is intended to start work.

A Prior Consent will not be issued if work (other than minor preparatory work) has already commenced.

A response will be provided within 28 days of receipt of the application. Consent will either be:

- Accepted in its entirety
- Accepted but with additional and/or amended conditions imposed
- Refused.

The applicant may appeal to the Magistrates Court on the decision made within 21 days. If an appeal is made, the Court will allow the applicant (or appellant) and the Council to make a representation to it concerning the application made under section 61 (1) of the Control of Pollution Act 1974. This will concern the terms and conditions of any consent which they consider to be appropriate, and the Court shall either:

a) adjourn the appeal to enable the applicant to submit to the authority a new application under section 61 (1) relating to the matters which are the subject of the appeal, or

b) make an order giving consent to the application either unconditionally or subject to such conditions as it thinks fit (having regard to the provisions of section 61(4), (5) and (9) of the Act) and any other matters which appear to the court to be relevant.

Any consent given by an order made under sub-paragraph (b) above shall be final and shall have the same effect as if it were a consent given by Elmbridge Borough Council.