
STATUTORY INSTRUMENTS

1975 No. 1763

The Noise Insulation Regulations 1975

Power to carry out insulation work or to make grants

4.—(1) Subject to and in accordance with the provisions of these Regulations, where the use of a highway to which this paragraph applies causes or is expected to cause noise at a level not less than the specified level the appropriate highway authority may carry out or make a grant in respect of the cost of carrying out insulation work in or to an eligible building.

(2) Paragraph (1) of this Regulation applies to—

- (a) a highway, and
- (b) a highway for which an additional carriageway has been or is to be constructed,

if the highway or additional carriageway was first open to public traffic after 16th October 1969 and before 17th October 1972;

- (c) an altered highway, and
- (d) a highway to which Regulation 3 applies before any duty under Regulation 8 has arisen in respect thereof.

(3) Where a highway becomes a highway maintainable at the public expense as defined in section 295(1) of the Highways Act 1959 within three years after the relevant date the highway authority for the highway may carry out or make a grant in respect of the cost of carrying out insulation work in or to an eligible building if a duty under Regulation 3, or a power under Regulation 4(1), to do so would have arisen had the highway been a highway so maintainable at the relevant date and had the construction of the highway or an additional carriageway therefor, or the alteration thereof, as the case may be, been carried out by a highway authority.

(4) Where the appropriate highway authority are required by Regulation 3 or empowered by paragraph (1) or (3) of this Regulation to carry out or make a grant in respect of the cost of carrying out insulation work in or to an eligible building, they may also carry out or make a grant in respect of the cost of carrying out insulation work in or to an eligible building in respect of which no duty under Regulation 3 or power under Regulation 4(1) or 4(3) has arisen, if the facades of both buildings are contiguous or form part of a series of contiguous facades.

(5) The provisions of these Regulations shall, so far as applicable, apply to the carrying out of insulation work or the making of grants under this Regulation subject to any necessary adaptations or modifications, as if the authority were acting in execution of a duty arising under Regulation 3 save that Regulation 6 shall not apply so as to require the preparation of any map or list or to require any map or list which is prepared—

- (a) to identify any building other than a building in respect of which an offer pursuant to Regulation 8 is to be made, or
- (b) to be prepared before any date.