
STATUTORY INSTRUMENTS

1975 No. 1763

The Noise Insulation Regulations 1975

Offer and acceptance of insulation work or grant

8.—(1) As soon as a highway authority have deposited a map or list pursuant to Regulation 6 the authority shall make an offer in writing in accordance with the provisions of paragraphs (2) and (3) of this Regulation.

(2) An offer shall be made in respect of every eligible building identified on the map or in the list to either—

- (a) the person who is the occupier of, or if the building is unoccupied, is entitled to occupy, the building; or
- (b) the immediate landlord or licensor of that person, if any.

(3) The offer shall—

- (a) identify the building to which it relates;
- (b) offer to carry out or make a grant in respect of the cost of carrying out insulation work in or to every eligible room in the building;
- (c) describe the work required to be carried out for this purpose;
- (d) where the offer is made to the person mentioned in paragraph 2(a) of this Regulation, require that person, if he is not the owner of the building, to notify his immediate landlord or licensor of the terms of the offer;
- (e) where the offer is made to the person mentioned in paragraph 2(b) of this Regulation, require that person to notify the person who is the occupier of, or if the building is unoccupied, is entitled to occupy, the building of the terms of the offer;
- (f) set out the conditions in Regulation 10, subject to which the offer is made; and
- (g) set out the restrictions on acceptance of the offer in paragraphs (4) and (7) of this Regulation.

(4) Subject to paragraphs (7) and (8) of this Regulation, an offer may be accepted by the person to whom it was made or his successor and, if it has not been so accepted, it may after the expiration of three months after the date thereof be accepted by any other person to whom it has or could have been notified pursuant to this Regulation and in that event it shall not thereafter be capable of being accepted by the person to whom it was made or his successor.

(5) An acceptance of an offer under this Regulation shall be in writing and may be an acceptance—

- (a) of the offer to carry out insulation work in or to some one or more or all of the rooms in respect of which the offer was made; and
- (b) of the offer of a grant in respect of the cost of carrying out such work in or to some one or more of the other rooms or all of the rooms in respect of which the offer was made,

but no offer of a grant shall be accepted in respect of any room if an offer to carry out insulation work has been accepted in respect thereof.

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(6) An acceptance of an offer under this Regulation shall claim the benefit of the offer and shall contain the following—

- (a) the name and address of the claimant;
 - (b) particulars identifying the eligible building;
 - (c) a statement of the capacity (whether as occupier, person entitled to occupy, landlord or licensor) in which the claimant accepts the offer;
 - (d) if he is required to notify any person pursuant to paragraph 3(d) or (e) of this Regulation of the terms of the offer, a statement that he has so notified that person, and whether or not that person consents to the carrying out of insulation work;
 - (e) particulars of the rooms (if any) in respect of which he accepts the offered work; and
 - (f) particulars of the rooms (if any) in respect of which he accepts the offered grant.
- (7) No offer shall be accepted except during one of the following periods—

- (a) six months after the date thereof, or
- (b) twelve months after the relevant date;

Provided that the appropriate highway authority may extend the time limited by this paragraph, whether before or after the expiration thereof.

(8) Where insulation work has been carried out in or to an eligible building and completed in accordance with the relevant specifications before an offer is made, an offer under paragraph (2) of this Regulation shall be deemed to be an offer of a grant only, and may be accepted only by the person who incurred the cost of the work.