

**2002 No. 461**

**PUBLIC HEALTH, ENGLAND**

**The Control of Noise (Codes of Practice for Construction  
and Open Sites) (England) Order 2002**

<i>Made</i> - - - - -	<i>4th March 2002</i>
<i>Laid before Parliament</i> -	<i>4th March 2002</i>
<i>Coming into force</i> - -	<i>25th March 2002</i>

The Secretary of State, in exercise of her powers under sections 71 and 104(1) of the Control of Pollution Act 1974(a), and of all other powers enabling her in that behalf, hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This order may be cited as the Control of Noise (Codes of Practice for Construction and Open Sites) (England) Order 2002 and shall come into force on 25th March 2002.

(2) This Order shall extend to England only.

**Approval of Codes of Practice**

2. The following British Standards Institution Codes of practice are approved as being suitable for giving guidance on appropriate methods for minimising noise:—

- (a) the Code of practice for basic information and procedures for noise and vibration control, numbered BS 5228: Part 1: 1997 incorporating Amendment No. 1, which came into effect on 15th April 1999 (and which is concerned, amongst other things, with the carrying out of works to which section 60 of the Control of Pollution Act 1974 applies);
- (b) the Code of practice applicable to surface coal extraction by opencast methods, numbered BS 5228: Part 3: 1997, which came into effect on 15th May 1997;
- (c) the Code of practice for noise and vibration control applicable to piling operations, numbered BS 5228: Part 4: 1992, which came into effect on 1st May 1992 (and which is concerned, amongst other things, with the carrying out of works to which section 60 of the Control of Pollution Act 1974 applies), as amended by Amendment No. 1 which came into effect on 15th July 1993, and

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(a) 1974 c. 40. The functions of the Secretary of State in relation to Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46), and in relation to Wales were transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(d) the Code of practice applicable to surface mineral extraction (except coal) sites, numbered BS 5228: Part 5: 1997, which came into effect on 15th November 1997.

**Revocation**

3. In relation to England, the Control of Noise (Codes of Practice for Construction and Open Sites) Order 1984<sup>(a)</sup> and the Control of Noise (Code of Practice for Construction and Open Sites) Order 1987<sup>(b)</sup> are revoked.

Signed by authority of the  
Secretary of State for Environment, Food and Rural Affairs

*Michael Meacher*  
Minister of State

4th March 2002

Department for Environment, Food and Rural Affairs

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(a) S.I. 1984/1992  
(b) S.I. 1987/1730

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Under section 71 of the Control of Pollution Act 1974, the Secretary of State may give guidance on appropriate methods for minimising noise (which includes vibration) by approving codes of practice. She is required to approve a code for the carrying out of works to which section 60 of the Act applies. These include building and roadworks, demolition, dredging and other works of engineering construction.

This Order (which applies only to England) approves the four codes mentioned in article 2. The Code of practice for basic information and procedures for noise and vibration control mentioned in article 2(a) covers all construction sites and other open sites.

This Order replaces, in England, the Control of Noise (Codes of Practice for Construction and Open Sites) Order 1984 and the Control of Noise (Code of Practice for Construction and Open Sites) Order 1987.

The approved Codes of practice can be obtained in person or by post from the British Standard Institution at the Customer Services Sales Department, BSI, 389 Chiswick High Road, London W4 4AL; telephone 020 8996 7000.

The ISBN numbers for the approved Codes of practice are as follows:

BS 5228: Part 1: 1997 (with Amendment 1)	ISBN 0 580 26845 4
BS 5228: Part 3: 1997	ISBN 0 580 26874 8
BS 5228: Part 4: 1992 (with Amendment 1)	ISBN 0 580 20381 6
BS 5228: Part 5: 1997	ISBN 0 580 28306 2

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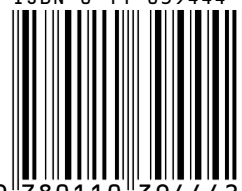
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