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Subject: Highways England - Response to Further Written Questions
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Attachments: [image001.png](#)

Good afternoon

In respect of Further Written Questions, Question DCO.2.24 Highways England can advise that we have no comments on the constructions hours. However, in Requirement 14 (2), see image below, where it states “.....notification of that emergency must be given to the relevant planning authority as soon as practicable.” We consider that this should be amended to “.....notification of that emergency must be given to the relevant planning authority **and Highway Authority** as soon as practicable.” because if there is an emergency with construction beside or under the SRN then Highways England would need to be swiftly notified.

Construction hours

14.—(1) Subject to Requirements 14(3) and 14(4), construction works must only take place between ~~07000800~~ and ~~19001800~~ on weekdays and Saturdays except in the event of an emergency.

(2) In the event of an emergency, notification of that emergency must be given to the relevant planning authority as soon as practicable.

(3) The following operations may ~~where reasonably necessary continue on an exceptional basistake place~~ outside the working hours referred to in Requirement 14 paragraph (1)—

- (a) ~~tunnel boring (including associated spoil movement within the Order limits) and trenchless construction techniques which cannot be interrupted;~~
- (b) filling, testing, dewatering and drying;
- (c) dewatering activities;
- (d) works required to mitigate delays to the construction of the authorised development due to extreme weather conditions; and
- (e) commissioning of the pipeline works.

(4) Nothing in ~~requirement 14 paragraph (1) above~~ precludes—

- (a) ~~the receipt of oversize deliveries to site, the arrival and departure of personnel to and from site, on-site meetings or briefings, and the use of welfare facilities and the undertaking of non-intrusive activities; and~~
- (b) start-up and shut-down activities up to an hour either side of the core working hours.

(5) In this Requirement—

- (a) “emergency” means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action; and
- (b) “non-intrusive activities” means activities which would not create any discernible light, noise or vibration outside the Order limits.

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