

THE CONTROL OF POLLUTION ACT 1975, SECTION 61
CONTROL OF NOISE ON CONSTRUCTION SITES, PRIOR CONSENT
RE; APPLICATION REFERENCE: NVCC SACYR UK- Concrete Powerfloat

Whereas you have made an application for prior consent under Section 61(1) of the Control of Pollution Act 1974 on 26/03/2025 in respect to works carried out at:

New Velindre Cancer Centre, Whitchurch, Cardiff CF14 7BF

Namely:

Consented activities listed;

Power floating of concrete slab

Concrete pours

7am arrival to site to facilitate concrete pouring

Rebar assembly and associated work/lifting and logistics.

Consent is **Hereby Given by** Shared Regulatory Services for Cardiff Council, given to Sacyr UK Ltd, 33-35 Cathedral Road, Cardiff subject to the following conditions:

1. The Best Practicable Means as defined in section 72 of The Control of Pollution Act 1974, and the approved code of practice guidelines in BS:5228:2009+A1:2014, to reduce noise and vibration to a minimum, shall be employed at all times. Notwithstanding this general requirement and the details specified within your application the noise control and dust control measures as outlined in the Wardell Armstrong Construction Management plan shall be complied with at all times.
2. Only equipment and process described in the application form and appendix document V3 shall be undertaken and no further ancillary works without seeking additional consent.
3. A nominated person(s) shall be put forward to receive any complaints from residents for the duration of the work. This person shall either be on site or contactable at all times.
4. This consent shall only be granted and remain permitted for the above listed activities and those detailed in appendix A v3 between the 1 April 2025 and 1 May 2025. At least 48hours notice shall be given to the Local Authority for when activity under this consent is to be undertaken. Any amendments to Appendix A will require prior approval from designated local authority representative.
5. Any emergency deviation from these conditions shall be notified to the nominated officer within Neighbourhood Services, Shared Regulatory Services (Cardiff) without delay and to residents.
6. All conditions of this notice applies to all contractors and sub-contractors.

7. When the applicant anticipates that any works are likely to breach any of the conditions of this consent, the applicant shall notify Shared Regulatory Services. Such notification shall be made as soon as reasonably practicable.
8. Once the works have commenced, and in the event that the applicant believes there to have been a breach of any of the conditions contained within this consent, all details of any and all breaches shall be submitted to Shared Regulatory Services as soon as reasonably practicable, together with a detailed reasoning for any and all such breaches.
9. If a complaint of noise is received from neighbouring premises, an assessment will be carried out by the applicant to determine if the complaint is justified. In the event a complaint is deemed to be justified, all reasonable steps will be taken to reduce noise to within acceptable levels. Wherever practical, noise levels will be reduced at source or during transmission.
10. The applicant shall keep a record of all complaints made to the telephone enquiry line or in person to staff and shall provide details of the number and type of complaints, together with any other reasonable information which Shared Regulatory Services may request.

A consent given under this section shall contain a statement to the effect that the consent does not of itself constitute any ground of defence against any proceedings instituted under section 82 of the Environmental Protection Act 1990

If you knowingly carry out or permit to be carried out the works in contravention of any attached condition you will be guilty of any offence against part III of the Control of Pollution Act 1974 and on summary conviction will be liable to a fine not exceeding level 5 on the standard scales (subject to alteration by order), together in any case with a further fine not exceeding £50 for each day on which the offence continues after conviction.

N.B the person served with this notice may appeal against the notice to a magistrate's court within 21 days from the date of the notice as prescribed in the Control of Noise (Appeals) Regulations 1975 (see overleaf).

If you wish to discuss this matter further, please do not hesitate to contact me on 0300 123 6696 or by email at rhys.morgan@cardiff.gov.uk, rmorgan@valeofglamorgan.gov.uk

Signed;



Rhys Morgan, Pollution Control Supervisor

Date 1/04/2025

Appeals under section 61(7)

6.—(1) The provisions of this regulation shall apply to an appeal brought by any person under subsection (7) of section 61 (prior consent for work on construction sites) in relation to a conditional consent given by a local authority under that section or in relation to an authority's refusal or failure to give a consent within the period specified in subsection (6) of that section.

(2) In this regulation, “conditional consent” means a consent given by a local authority under section 61 in respect of which the authority have attached any condition or imposed any limitation or qualification in pursuance of section 61(5)(a), (b) or (c); and “conditions” includes any limitation or qualification so imposed.

(3) The grounds on which a person to whom a local authority give a conditional consent may appeal under the said subsection (7) may include any of the following grounds which are appropriate in the circumstances of the particular case:—

(a) that any condition attached or imposed in relation to the consent (in this regulation referred to as “a relevant condition”) is not justified by the terms of section 61;

(b) that there has been some informality, defect or error in, or in connection with, the consent;

(c) that the requirements of any relevant condition are unreasonable in character or extent, or are unnecessary;

(d) that the time, or where more than one time is specified, any of the times, within which the requirements of any relevant condition are to be complied with is not reasonable sufficient for the purpose.

(4) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the consent, the court shall dismiss the appeal, if it is satisfied that the informality, defect or error was not a material one.

(5) Where the appeal relates to a conditional consent given by a local authority, on the hearing of the appeal the court may—

(a) vary the consent or any relevant condition in favour of the appellant in such manner as it thinks fit, or

(b) quash any relevant condition, or

(c) dismiss the appeal;

and a consent or condition which is varied under sub-paragraph (a) above shall be final and shall otherwise have effect, as so varied, as if it had been given, attached or imposed in that form by the authority.

(6) Where the appeal relates to a local authority's refusal or failure to give a consent within the period specified in section 61(6), on the hearing of the appeal the court shall afford to the appellant and to the

authority an opportunity of making representations to it concerning the application under section 61(1) to which the appeal relates and concerning the terms and conditions of any consent which they consider to be appropriate thereto, and thereafter the court shall either—

(a) adjourn the appeal to enable the appellant 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), and any other matters which appear to it to be relevant,

and any consent given by an order made under sub-paragraph (b) above shall be final and shall otherwise have effect for the purpose of Part III of the Act as if it were a consent given by the local authority under section 61.

**s61 List of Activities and Timeframes until Easter
ACORN Proposal**

Type:	Technical Note
Title:	s61 List of Activities and Timeframes v3
Date issued:	31/03/2025
Prepared:	Sacyr Construction team – Project Co
Review:	Maria Ortega. Project Director. Sacyr UK, Ltd.
Approved:	Elena Castro. Construction Director. Project Co. ACORN

1) Power floating of 4 zones of concrete slabs (Electrical trenches, water tanks, service yard).

When: after slab concrete pours (on certain working days from 6pm until 8am next day).

Machinery: Power floater (helicopter) managed by an operator.

Reason: the works needs to be carried out inevitably right after the concrete pour.

The exact portion of work, dates and time will be confirmed 48 hours in advance and published for the community information in the [News - Velindre](#) (new Velindre website, news).

2) Early start onsite before the Embargo times in TCAR2.

When: Starting at 7am onsite (an hour before the normal hours).

Machinery: Concrete lorry(s), concrete pump(s) accessing to Velindre site.

Reason: for allowing concrete pours to start before the Embargo times in TCAR2 (8.15 to 8.45) and to be carried out along the Embargo timeframe.

The exact dates will be re-confirmed in advance (48 hours before, in principle) and published for the community information in the [News - Velindre](#) (new Velindre website, news).

3) Low noise activities such as rebar assembly, formwork assembly, logistic matters such as liftings and any concrete pour needed.

When: Saturdays 1pm to 4pm.

Machinery: hand tools, tower crane, minimum vehicle movements accessing and egressing but could be any concrete lorries if concrete pours are carried out.

Reason: To help the programme be managed according to expected progress and minimize health and safety hazards .

4) Punctual liftings/logistics and low noise activities such as rebar assembly, formwork assembly.

When: Monday to Thursday after 6pm until 10pm

Machinery: tower cranes in use, hand tools as wiring tools for the rebar fixing

The exact dates will be re-confirmed in advance (48 hours before, in principle) and published for the community information in the [News - Velindre](#) (new Velindre website, news).

5) Long concrete pours (underground water tanks, certain specific portions of slabs)

Doc Ref:	VCC-ACORN-XX-XX-TE-QA-000060	Rev.: P01	Date: Aug/2024	Parent Doc: Design Quality Plan	Page 1 de 2
Doc Title:	Technical Note			Uncontrolled when downloaded or printed	

***s61 List of Activities and Timeframes until Easter
ACORN Proposal***

When: rare specific dates with 48 hours advance notice, avoiding Fridays after 6pm or Saturdays after 4pm.

Machinery: concrete lorry(s), concrete pump(s), tower cranes, concrete vibrator (s).

Reason: The volume of concrete to be poured in certain elements make it necessary to grant longest windows without stopping in the works. High dependency on the concrete batch plants policies.

The exact dates will be re-confirmed in advance (48 hours before, in principle) and published for the community information in the [News - Velindre](#) (new Velindre website, news).

Doc Ref:	VCC-ACORN-XX-XX-TE-QA-000060	Rev.: P01	Date: Aug/2024	Parent Doc: Design Quality Plan	Page 2 de 2
Doc Title:	Technical Note			Uncontrolled when downloaded or printed	