



## CROSSRAIL INFORMATION PAPER

### D9 – NOISE AND VIBRATION MITIGATION SCHEME

During Crossrail construction the Promoter will seek, through design and mitigation, to control the effects of surface noise and vibration from within the Crossrail worksites. Nevertheless, there will be circumstances in which noise impacts will arise which will need to be mitigated still further. In certain circumstances, the Promoter will either provide and install free of charge, or provide grant aid for, noise insulation and/or arrange temporary re-housing, or help residents to arrange it for themselves and recoup the costs. This paper explains both how the noise insulation and temporary re-housing schemes work, and what you should do next if you think that you may be eligible for either scheme.

It will be of particular relevance to those in close proximity to the Crossrail surface construction works.

This is not intended to replace or alter the text of the paper itself or any commitments contained in it, and it is important that you read the paper in order to have a full understanding of the subject. If you have any queries about this paper or about how surface noise and vibration might affect you, please contact either your regular Petition Negotiator at CLRL or the Crossrail helpdesk, who will be able to direct your query to the relevant person at CLRL. The helpdesk can be reached at:

Crossrail  
FREEPOST  
NAT6945  
London  
SW1H 0BR

Email: [helpdesk@crossrail.co.uk](mailto:helpdesk@crossrail.co.uk)  
Telephone: 0845 602 3813

**APPROVED**

Version 3 – 20/11/07

## Information Paper

# D9 – NOISE AND VIBRATION MITIGATION SCHEME



**NOTE:** A policy on noise and vibration mitigation (residential property construction noise insulation and temporary re-housing) was originally published in February 2005 and set out again in an Information Paper (IP D9) published in January 2006 (Version 1 – 09/12/05). This revised Information Paper sets out an updated version of the policy and IP D9, reflecting discussions held with the London Borough of Tower Hamlets, the lead local authority on the generic issue of construction noise and vibration mitigation, since January 2006, and replaces them. A technical explanatory note primarily for use by local authority environmental health officers is also available on request.

## 1. Introduction

- 1.1 The construction of Crossrail will cause noise and vibration impacts in some locations.
- 1.2 During construction, the Secretary of State will seek, through design and mitigation, to control the effects of noise and vibration from within the construction site. Nevertheless, there will be circumstances in which noise impacts will arise which will need to be mitigated still further. In certain circumstances, explained below, the Secretary of State or his agent will either provide and install free of charge, or provide grant aid for, noise insulation. In certain cases where the level of noise created by construction activity is predicted to be acute, the Secretary of State or his agent will contact you to arrange temporary re-housing, or help residents to arrange it for themselves and recoup the costs from the Secretary of State or his agent.
- 1.3 The Secretary of State has adopted a set of noise and vibration thresholds in relation to the provision of grant aid for noise insulation and, if appropriate, temporary rehousing. These thresholds follow the precedents established by recent and similar major schemes
- 1.4 The purpose of this information paper (IP) is to explain both how the noise insulation and temporary re-housing schemes work, and what you should do next if you think that you may be eligible for either scheme.

## 2. Definitions

For the purposes of this paper:

“A-weighted”	is the A-weighted level, expressed as “dB(A)”, allows for the frequency dependent characteristics of hearing. Corrections are applied for each octave frequency band, and the resultant values summed, to obtain a single overall level;
“claimant”	means an owner or occupier of an eligible building who makes a request, or is made an offer under the Crossrail Noise and Vibration Mitigation Scheme;
“construction”	includes demolition and execution;

“contiguous façade”	means a façade of a building that is horizontally separated from other facades by a stairwell, corner or some other discontinuity;
“decibel (dB)”	is the ratio of sound pressures which we can hear – a ratio of 10 <sup>6</sup> (one million: one). For convenience, therefore, a logarithmic measurement scale is used. The resulting parameter is the ‘sound pressure level’ (L <sub>p</sub> ) and the associated measurement unit is the decibel (dB). As the decibel is a logarithmic ratio, the laws of logarithmic addition and subtraction apply;
“eligible building”	has the meaning assigned to it in regulation 7 of Statutory Instrument 1996 No. 428, The Noise Insulation (Railways and Other Guided Transport Systems Regulations 1996 excluding that part of regulation 7 (1) which refers to distances from running rail or the nearest apparatus corresponding thereto which is not applicable to noise from construction sites, but does not include any building with respect to which a notice to treat has been or is intended to be served for its acquisition, or with respect to which a vesting declaration for its acquisition has been or is intended to be made;
“eligible room”	means a living room or a bedroom having a qualifying door or a qualifying window in an eligible building;
“equivalent continuous sound pressure level (L <sub>eq</sub> )”	another index for assessing overall noise exposure is the equivalent continuous sound level, L <sub>eq</sub> . This is a notional steady level which would, over a given period of time, deliver the same sound energy as the actual time-varying sound over the same period. Hence fluctuating levels can be
	described in terms of a single figure level. The A-weighted L <sub>eq</sub> is denoted as L <sub>Aeq</sub> .

“façade”	means an outer wall of a building;
“insulation work”	means work carried out to insulate an eligible building against noise which will include adequate ventilation and may include blinds;
“Nominated Undertaker”	means the organisation or organisations which will be appointed by the Secretary of State to design, construct, operate and maintain Crossrail;
“pre-existing ambient noise”	means the level of ambient noise, expressed as a level of $L_{Aeq}$ determined with respect to the relevant time period and the relevant $L_{Aeq}$ averaging time, prevailing one metre in front of relevant windows or doors in a façade of a dwelling, immediately before the placing of a contract for the construction of the relevant part of the Crossrail works;
“qualifying door”	means an external door opening directly into an eligible room which is in that part of the façade in respect of which the relevant noise level satisfies the requirements of Appendix A of this Information Paper or meets the criteria for a contiguous façade as set out in Appendix B;
“qualifying window”	means a window in an eligible room which is in that part of the façade in respect of which the relevant noise level satisfies the requirements of Appendix A of this Information Paper or meets the criteria for a contiguous façade as set out in Appendix B;
“the Regulations”	means the Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996;
“the relevant specifications”	means the items in Part I of Schedule 1 to the Regulations except where they are amended by the provisions of this Information Paper, such of the items in Part II of Schedule 1 to the Regulations as may be approved by the Secretary of State and such of the specifications set out in Part III of Schedule 1 to the

Regulations as are applicable in the circumstances of the case or items whose performance is equivalent thereto;

“ the works” is the construction works required for Crossrail which fall within the remit of the Crossrail Construction Code.

## 2. Am I eligible for the scheme?

2.1 Construction noise insulation and temporary re-housing arrangements apply to dwellings and other buildings lawfully used for residential purposes.

2.2 To be eligible you must own or occupy a private dwelling and the dwelling must be one in which the predicted or actual construction noise exceeds the relevant “noise trigger level” (as shown in Appendix A) for:

- a period of 10 or more days of working in any 15 consecutive days; or
- for a total of 40 days or more in any 6 consecutive months.

The rooms to which this scheme applies, eligible rooms, are defined as living rooms or bedrooms having a qualifying door or a qualifying window in any eligible building. On your behalf the Secretary of State or his agent will prepare the predictions and monitor the actual noise levels in consultation with the relevant local authority.

2.3 Initially eligibility for the scheme depends on the predicted noise level following the assessment that will be carried out for that purpose once detailed construction plans are in place. If those noise predictions indicate that a property is eligible, the offer of noise insulation will be made and, if accepted and all necessary approvals obtained, the insulation installed before the works commence. However, the actual noise may turn out to be more or less than the prediction and therefore the noise levels will be monitored as work progresses. If it is found that noise levels are not as high as expected, the insulation package will not be removed. If it is found that the noise levels are higher than expected and meet the thresholds set out in this Information Paper, you will be informed and the provisions set out in paragraphs 9.5 to 9.11 will apply. Full details of the noise trigger levels, for both noise insulation and temporary re-housing are set out in **Appendix A**.

2.4 Some buildings and/or their occupants will be treated as special cases:

- Mobile homes (e.g. the travellers site at Eleanor Street in east London) and houseboats will be treated on a case by case basis. Given that noise insulation does not represent a viable option for mobile homes, where eligibility is confirmed, appropriate alternative mitigation measures will be adopted. The sorts of measures that will be considered include works management methods (eg adopting quiet times, rescheduling works, and imposing noise limits), or where this is not effective or appropriate, temporary re-housing will be offered even if the Temporary Re-housing thresholds are not exceeded.
- Night workers, those needing a particularly quiet home environment to work in, or those that have a medical condition which will be seriously aggravated by construction noise, will also be considered on a case by case basis. Whilst these

discretionary arrangements only apply to residential properties, buildings which may be particularly sensitive to noise (including, commercial, educational and community) will be subject to individual consideration by the Secretary of State or his agent on the application of any body or person responsible for, or holding a legal interest or estate in, any such building.

### 3. What is the Noise Insulation Package?

3.1 The package will consist of:

- Secondary glazing or thermal double glazing (see also sections 5.1, 5.2 and 5.5) for living room and bedroom windows on eligible facades, plus additional ventilation if required under the relevant specifications.

- Blinds, for south facing windows.

- Insulation treatment for external doors on eligible facades.

3.2 Depending on the type of window you already have, **secondary glazing** will usually comprise another pane of glass in its own frame (wood, metal or plastic) 100-200 mm inside the existing window. This can be opened for cleaning or ventilation.

3.3 Secondary glazing works best when closed – so **additional ventilation** is usually required. The package includes an electric ventilator fan in a slim metal cover, fitted inside the room in question, to an outside wall (a 75-100 mm hole is drilled through the wall, through which the fan draws in air from the outside).

3.4 On a south facing window secondary glazing may make the room too hot. As set out under the relevant specifications, subject to the agreement of the claimant, **blinds** will be fitted between the main window and the secondary glazing to minimise this effect. If the claimant chooses not to accept blinds as part of the noise insulation package the possible impacts of this will be explained to them, blinds will not be retrofitted post installation of the noise insulation package should the claimant change their mind at a later date.

3.5 The Secretary of State or his agent may be able to install a “**secondary**” door to improve noise insulation. If the design of your house prevents this, other methods can be used, such as sealing strip between the existing door and its frame.

3.6 There may be circumstances in which it is not possible to fit secondary glazing. Such cases will be considered on a case by case basis. Where eligibility is confirmed, appropriate mitigation measures will be adopted. The sorts of measures that will be considered include works management methods (eg adopting quiet times, rescheduling works, and imposing noise limits), or temporary re-housing even if the Temporary Re-housing thresholds are not exceeded.

### 4. Who does the Insulation work and on what terms?

4.1 Once the Secretary of State or his agent has conducted an initial survey and the details of the insulation for your house are agreed with you, the Secretary of State or his agent will either offer to do the work at his expense, or offer grant aid for you to carry out the works.

4.2 The Secretary of State asks you to ensure that you provide adequate access for the survey and installation; and if you should incur expense in arranging access, the Secretary of State or his agent will reimburse you provided he has agreed the amount before the cost is incurred.

4.3 In the cases where the Secretary of State or his agent offer you a grant so that you can have the work done yourself, the grant would be made on the following conditions:

- i. You must first obtain 3 independent written quotations.
- ii. The work must comply with the relevant specifications.
- iii. You must select the quote that represents the best price for complying with point ii, above.
- iv. The amount of the grant will be for whichever is the lesser amount of either your selected quote, or the actual cost of the installation.
- v. The Secretary of State or his agent may pay 10% of the estimated cost in advance, and the balance when the work is satisfactorily completed.
- vi. The work must be completed within 12 months of any advance payment, or before completion of the Crossrail construction works for which insulation is needed, whichever is the earlier. If this condition is not complied with, no further grant will be paid, and any payments already made will have to be repaid to the Secretary of State or his agent.
- vii. You must obtain the consent of any other person or body that may be required to permit the carrying out of insulation work (e.g. your landlord if you are a tenant, or any consents required from your local authority).

4.4 Please note that the Scheme can not be used for work needed to remedy existing building defects.

4.5 The scheme also covers the making good of the existing fabric and decoration (not including curtains) after the installation of double windows, ventilation equipment, and second doors, including the adaptation of any existing pelmet and curtain rack.

## **5. Frequently Asked Questions relating to Noise Insulation**

### ***5.1 Is secondary glazing the same as double glazing?***

No. Secondary glazing is a separate pane of glass installed 100 – 200 mm inside the existing window, and the existing window remains in place. Double glazing consists of two panes of glass in the same casing, typically around 20mm apart which replace the existing window.

### ***5.2 What if I already have double glazing?***

The noise assessments are based on the expected noise immediately outside the building so the type of glazing you currently have installed would not affect your eligibility under the scheme (subject to 5.4 below). You are not obliged to accept the offer of insulation if you do not think you need it. The Secretary of State or his agent will provide advice as to the effectiveness of any currently installed double glazing in

terms of attenuation of external noise compared to the offer of secondary glazing. You may, at your own discretion, and accepting the reduced level of noise attenuation, choose only to have ventilation units and blinds installed.

***5.3 What if I choose not to accept the offer of noise insulation but subsequently wish to adopt it?***

A decision to accept an offer of noise insulation must be made within a certain timeframe. Specifically an offer must be accepted no later than 6 months after the date it is made in writing to you or one month before the Secretary of State or his agent intends to install the other noise insulation at eligible properties affected by the same Crossrail construction works, whichever is the sooner. In the latter case, you will receive notice of the cut-off date for acceptance at the time the offer is made or shortly thereafter. If you do not respond within the time-frame due to circumstances beyond your control, the secretary of state will give due consideration to your case but the construction works will continue as programmed. If you choose not to accept the offer of noise insulation there is no scope to change your mind later. However, if the noise levels change during the course of the works such that you would be eligible for temporary re-housing, then the process set out in paragraphs 9.5 to 9.11 will apply.

***5.4 What if I already have secondary glazing installed as the result of a grant from another public works scheme?***

If your home has already had insulation work carried out or a grant for such work in respect of another public works scheme (such as a road or earlier railway works) you will not be eligible for further work or grant from Crossrail. However, the existing noise insulation will be inspected to ensure that it is in a state adequate to attenuate the construction noise to the extent that it should. If it is not, the works will be carried out or a grant made to have them carried out to bring the installed noise insulation package up to the appropriate standard.

***5.5 What if I have already had secondary glazing or thermal double glazing installed privately i.e. not as the result of a grant from another public works scheme?***

If you have had a noise insulation package (i.e. secondary glazing or thermal double glazing, plus ventilation units and blinds) installed privately since the Crossrail Bill was deposited in February 2005, it will be inspected to check whether it is in a state adequate to attenuate the construction noise to the extent that it should.

If the Secretary of State or his agent identifies that you are eligible for noise insulation following the procedure set out in section 8 of this IP, **and** the package meets the specification of the works set out in this IP, the person who incurred the cost of those works can receive a grant in respect of the work already done. The amount of that grant will be for the full amount (as qualified by section 4.3 (iv) and, in the case of thermal double glazing, section 5.6), and excluding any element of cost attributable to work in excess of the specification for the works in this IP, if you have followed the procedure for seeking and selecting a quotation set down in sections 4.3 (i) and (iii) of

this IP for private installation. If you have not followed that procedure, the Secretary of State or his agent will make a grant to the amount that he would have offered if the procedure set out in section 8.1 for his carrying out the works had been followed. If the noise insulation package does not meet the specification set out in this IP, the works will be carried out, or a grant made to you to have them carried out, to bring the installed noise insulation package up to the appropriate standard. In addition, the Secretary of State will make a grant to the person who incurred the cost of the work previously carried out to the amount of the difference between:

- The amount he would have offered if the procedure set out in section 8.1 for his carrying out the works meeting the specification had been followed; and
- The cost of the remedial works to bring the installed package up to the appropriate standard.

If the cost of the remedial works is greater than the amount of grant that would have been paid under the procedure set out in section 8.1 then no such further grant will be paid.

#### ***5.6 Can I just have thermal double glazing installed instead of secondary glazing?***

Once an offer of noise insulation has been made pursuant to section 4.1, thermal double glazing can be provided instead of secondary glazing only if it is specifically requested by the claimant. The claimant will be made aware of the potential shortfall in sound insulation performance of the thermal double glazing compared to the secondary glazing.

The amount of the grant payable for the installation of thermal double glazing will be no more than the cost of installing the secondary glazing package specified in this information paper. If you arrange for the work to be carried out yourself, the amount paid to you in reimbursement will be for no more than the cost that would have been incurred if the secondary glazing package specified in this information paper had been installed. The Secretary of State or his agent will calculate the cost that would have been incurred for installing the secondary glazing package using the experience gained from installing it in the nearest similar properties.

Neither secondary nor thermal double glazing can be provided without additional ventilation and or blinds where required to comply with the Noise Insulation (Railways and other Guided Transport Systems) Regulations 1996, Schedule I, Specifications.

#### ***5.7 If I choose to just have thermal double glazing installed instead of secondary glazing and find later that due to the noise impact I would like secondary glazing due to the construction noise can I claim again?***

No. As noted in 5.6, the claimant will be made aware of any potential shortfall insound insulation performance of the thermal double glazing compared to the secondary glazing. If the claimant elects to take a grant for the installation of thermal double glazing no further grant will be made or works undertaken to later install secondary glazing on top of the thermal double glazing.

### **5.8 Can I take the grant and not do the works?**

No. If a grant is offered and you accept it, you must have the works carried out to the specification in the offer. Otherwise you must repay the grant. You are not obliged to accept the offer if you do not think you need it. See also para 4.3 (vi).

### **5.9 What if my landlord / tenant does not want the work carried out, but I do?**

The Secretary of State will try to reach agreement between all parties where possible. In any event, the party wishing to have the work carried out is requested to do all that they reasonably can to reach agreement with all other interested parties that can influence whether or not the work can be carried out.

### **5.10 Will there be a maintenance grant for the noise insulation package?**

No. There will be no obligation to repair, maintain or make any payments in respect of repairing or maintaining any equipment or apparatus installed under the application of this IP or to pay for the running costs, which will be minimal for mechanical ventilation units. Notwithstanding this, should equipment such as the ventilation units fail after installation of the noise insulation package through no fault of the resident, and this occurs during Crossrail construction works, the failed apparatus will be repaired or replaced as necessary.

## **6. What is the Temporary Re-housing Package?**

6.1 If, following the assessment that will be carried out for that purpose once detailed construction plans are in place, the predicted or actual (see section 9) construction noise level exceeds the trigger level for temporary re-housing, the Secretary of State will notify you that you are eligible for alternative temporary accommodation. There are two options:

- **Option A** – to arrange temporary alternative accommodation to meet your agreed needs, or
- **Option B** – to provide information and guidance to help you arrange your temporary alternative accommodation.

6.2 If you choose Option A, the services provided by the Secretary of State will include arranging for:

- Temporary alternative accommodation (which, where appropriate, could be a local hotel or guest house).
- Removals.
- Storage and insurance of your personal effects.
- Insurance for the house you vacate.
- Where appropriate your pets to go into kennels, catteries etc.
- Where appropriate the disconnection and later reconnection of gas, water, electricity etc.

6.3 If you choose Option B then, instead of actually identifying the alternative accommodation and making the arrangements for you, the Secretary of State will supply you with information and guidance on all the matters listed above, to enable you to make the arrangements yourself; and the Secretary of State will also help you ensure that the costs you incur can be agreed and paid to you as soon as practicable.

6.4 Whether you choose Option A or Option B, the Secretary of State will bear (or reimburse you with) the reasonable costs associated with your temporary re-housing together with the continuing, unavoidable costs of maintaining your own house whilst you are away. However, these will be paid less the costs that you would have paid if you had stayed in your own house over the same period.

## **7. Frequently Asked Questions relating to Temporary Re-housing**

### ***7.1 Do I have to move?***

No. The acceptance of any offer of temporary re-housing is discretionary. You do not have to move if you do not want to. If you do decide to stay, you cannot claim compensation for disruption due to the noise of the works.

### ***7.2 What happens in relation to my existing tenancy?***

The offer of temporary accommodation will be in addition to your current home. You will still be responsible for the rent, bills and other outgoings at your current home and you will still be a tenant there. The offer will include the additional cost of the relocation accommodation. You are free to visit and use your current home as you wish during the relocation, subject to the terms of your existing tenancy. If your tenancy agreement expires during the relocation you should (if you want to) renew it with your landlord in the normal way. If you choose not to renew your tenancy, grant to meet the cost of the alternative accommodation will cease when your tenancy expires.

### ***7.3 What about insurance, mail redirection etc?***

Most temporary relocations will be short term. In some areas, the relocation may be longer term and you will be reimbursed reasonable additional costs which you incur due to long term absence from your property.

### ***7.4 Will the temporary accommodation offered be of the same quality as my current home?***

The type of re-housing offered will depend on the duration of the relocation. For short durations hotel accommodation may be appropriate. For longer periods, alternative rented accommodation would be more suitable. In all cases account will be taken of your existing accommodation as far as possible.

### ***7.5 How far away will I be moved?***

The accommodation offered will be governed by what is available at the time and your reasonable requirements. Some people may be prepared to move to another area on a temporary basis if they would be nearer friends, family or work. Others may need to stay in the same area.

### **7.6 Can I have noise insulation and temporary relocation?**

This will depend on the circumstances. The noise generated by the works will vary over the course of the job. In some areas, the noise may qualify for temporary relocation for one period, and noise insulation only for a different period. In these circumstances you would receive a temporary relocation offer for one period and a noise insulation offer for the other period. In other areas, a home may qualify for temporary relocation for a given period, but outside that period the noise may not trigger a separate noise insulation offer. In such a case, a temporary relocation offer only would be made and noise insulation would not be offered.

If you qualify for temporary relocation but not noise insulation, you do not have to accept the offer of relocation and may request noise insulation instead. You will be made aware of any shortfall in sound insulation performance of the noise insulation in relation to the thresholds presented in Appendix A and that the degree of disturbance could be high even with the noise insulation in place. If you choose to adopt this approach and noise insulation is provided you will not be able to later request temporary relocation under this scheme.

### **7.7 I am a landlord. Will you compensate me for lost rent if you temporarily relocate my tenant?**

No. Your tenant will remain your tenant and remain liable to pay rent in the normal way.

## **8. What is the procedure for Noise Insulation and Temporary Re-housing?**

8.1 The procedure comprises 7 steps.

- i. Secretary of State or his agent will carry out an assessment in every area likely to be affected by Crossrail construction noise, so as to predict what the noise levels will be and will discuss and agree the findings with the relevant local authority.
- ii. The Secretary of State or his agent will then notify owners or occupiers of buildings which, on the basis of the assessment, the Secretary of State or his agent considers qualify, and accordingly which type of assistance (noise insulation or temporary re-housing) they are eligible for. The Secretary of State or his agent will also send an application form at this stage.
- iii. If you receive such a notice and application form, you should complete and return the form to The Secretary of State or his agent. The Secretary of State or his agent will then assess your application and if acceptable notify you in writing.
- iv. The Secretary of State or his agent will then arrange to visit you in order to discuss the application with you generally; view your home and in the case of noise insulation take any necessary measurements; and identify any special issues or requirements (such as any other approvals that may be required in the case of noise insulation).
- v. The Secretary of State or his agent will then assess your case in detail and, if it is accepted, notify you of:

- any further survey likely to be needed at your house, and (in insulation cases) the work the Secretary of State or his agent thinks should be done and his offer to do it; or
- (in re-housing cases) either his proposals to re-house you temporarily or the information and guidance you need to make your own rehousing arrangements. In either case the proposals will be discussed with you and you will not be under any obligation to accept the offer.

vi. Assuming you agree, the noise insulation package or temporary re-housing plan (as the case may be) is then put into effect.

vii. The Secretary of State or his agent reimburses you for any agreed costs, which you have incurred or (in grant cases) pays the balance of the grant. Alternatively, the Secretary of State or his agent pays for noise insulation or removal/re-housing costs where he or his agent has done the work. A noise insulation package will not be offered if the noise trigger level is only exceeded whilst you are in temporary alternative accommodation (however see section 7.6 above).

8.2 Further technical information describing the process for predicting eligibility, particular in relation to cut-off points on long facades such as terraced housing, is presented in **Appendix B**.

## **9 What if I am not initially considered eligible to receive either noise insulation or temporary re-housing but it is found subsequently that I qualify?**

9.1 The following sections address the procedure that will be followed in the case of people who consider themselves affected by construction noise and eligible for noise insulation or temporary re-housing who have not been offered either form of mitigation. Such claims may arise before or after the start of construction work.

### Predictions of eligibility for noise insulation/temporary re-housing

9.2 Predictions will be carried out on behalf of the Secretary of State using the British Standard method of calculating construction noise, based on the contractor's method of working and plant lists.

9.3 Noise levels received at dwellings near the construction site will only vary significantly from the predictions already produced if there has been (i) a significant variation in the method of working or plant used from that currently anticipated or (ii) an error in the predictions.

### Claims Before the Start of Construction

9.4 If a person does not receive notification of eligibility for noise insulation/temporary rehousing according to paragraph 8.1 (ii) above, they may request a copy of the noise predictions on which the determination of the extent of eligibility was based. If they consider there to be any error in the predictions (for example incorrect identification of the claimant's property) they should provide to the Secretary of State or his agent sufficient information concerning the claimed error. The Secretary of State or his agent will then reconsider the matter of eligibility and either make an offer

of noise insulation/temporary re-housing or confirm that the claimant remains ineligible.

#### Claims After the Start of Construction

9.5 The trigger levels for eligibility for noise insulation/temporary re-housing involve both noise levels and durations (temporal criteria). There are two possible cases that may arise:

i. The predictions do not identify that noise insulation/temporary re-housing thresholds will be exceeded, but in practice they are and this is expected to continue for a period of time sufficient to exceed the temporal criteria.

ii. The predictions identify that the noise insulation/temporary re-housing thresholds will be exceeded but will not carry on for a sufficient duration to trigger the temporal criteria. However, in practice the works go on for longer and the temporal criteria are triggered.

In both cases the approach will essentially be the same.

9.6 If a person claims, after the start of construction work, that the noise levels actually experienced are such as to cause eligibility for noise insulation/temporary re-housing where none was predicted, or that received noise levels are sufficient for eligibility for noise insulation/temporary re-housing where this was predicted, and that the noise has continued, or seems to them likely to continue for longer than the temporal triggers where that had not been predicted, the claim will be considered by the Secretary of State or his agent according to the following process.

9.7 A claim after the start of construction will inevitably take the form of a complaint or formal representation to the nominated undertaker. On receipt of the claim, the nominated undertaker will review the works being undertaken that have generated the claim and assess whether it is likely that the claim is valid. Where the nominated undertaker considers there is a potentially valid claim short-term site monitoring will be undertaken to identify whether the noise insulation/temporary re-housing trigger levels are indeed being exceeded. Whether or not monitoring is undertaken the nominated undertaker will discuss the results of the review with the claimant and explain the findings and any actions that have been taken.

9.8 At the same time, the nominated undertaker will inform the local authority that granted the Section 61 consent about the claim and what actions are being taken to address it. If the nominated undertaker considers that works are being carried out in breach of the Section 61 consent, they will ensure that all necessary steps are taken to put it right and inform the local authority of the actions taken. On being informed by the nominated undertaker about the claim and the steps being taken to address it, it is for the local authority to consider whether enforcement action should be taken pursuant to the Section 61 consent.

9.9 If the short-term noise monitoring identifies that the noise insulation/temporary rehousing thresholds are being exceeded, but that operations are being performed in accordance with the terms of the relevant Section 61 consent, the nominated undertaker will identify whether the activities causing those levels will carry on for

longer than a period of 10 or more days of working in any 15 consecutive days or for a total of days exceeding 40 in any six consecutive months. If they are not, then no further action is required. The findings will be made known to the local authority who issued the S61 consent and discussed with them

9.10 If the works causing noise levels above the noise insulation/temporary re-housing thresholds are projected to go on for longer than a period of 10 or more days of working in any 15 consecutive days or for a total of days exceeding 40 in any six consecutive months, but the construction works are being carried out in accordance within the terms of the relevant Section 61 consent, then the nominated undertaker will require action to be taken to reduce the level of noise being caused, or offer noise insulation and/or temporary re-housing to the affected property as appropriate. Works will not cease during the organisation and installation of the noise insulation. However, if appropriate, temporary re-housing will be offered to cover the period during which the noise insulation is installed. The temporary re-housing will be withdrawn:

- once the noise insulation is installed; or
- if the claimant unnecessarily delays obtaining any necessary consents in accordance with paragraph 4.3 (vii). If it is not possible to fit secondary glazing appropriate measures will be considered on a case by case basis (see paragraph 3.6)

9.11 If the complainant is not satisfied by the response of the nominated undertaker following a claim under section 9.7 above, they may register their complaint with the Complaints Commissioner. If they are not satisfied with the response of the Complaints Commissioner, they may refer the matter to the Secretary of State who is the final arbiter for deciding whether an offer of noise insulation and/or temporary rehousing will be made.

## **10. How do I start making a request for assistance?**

10.1 In the majority of cases where residents are eligible, they will receive from the Secretary of State or his agent a notice and application form. Once you receive a notice, you simply complete and return the form.

10.2 If you do not receive a notice, but you believe you may be eligible (e.g. because your neighbours have received notices, or you have some particular reason to think you will be affected by construction noise even if you might not strictly speaking be eligible under the Scheme) please contact the Secretary of State or his agent at the address given below, and he will then consider your position individually. See also section 9.4 above.

10.3 Whilst every endeavour will be made to ensure all those who might be eligible under this policy receive notices and application forms, some properties may be inadvertently missed, particularly in relation to special cases where specific circumstances may not be apparent. Clearly, we would hope that such an occurrence does not occur. The Nominated Undertaker or his agents will liaise with the relevant local authority to minimise the risk of any inadvertent omissions.

10.4 This noise and vibration mitigation scheme will be implemented together with any relevant procedures set down in any detailed community relations plan established by the Secretary of State or his agent to ensure that residents understand how any concerns raised will be made known to the Secretary of State or his agent and the lines of communication available through which action will be initiated.

**11. I have further questions that are not answered here. Where can I get further information?**

Call our helpdesk on 0845 602 3813 (open 24 hours)

Email us at: [helpdesk@crossrail.co.uk](mailto:helpdesk@crossrail.co.uk)

Write to us at:

Helpdesk

Cross London Rail Links Ltd

Portland House

Bressenden Place

London

SW1E 5BH

## APPENDIX A

### 1. Noise Insulation

Where the total noise level due to construction of the railway (pre-existing ambient plus airborne Crossrail construction noise), measured or predicted at a point one metre in front of the most exposed of any windows and doors in any façade of a building which is an eligible dwelling, exceeds whichever is the higher of either: a) any of the following criteria in Table 1:

**Table 1: Noise Insulation Trigger Level Table**

Time	Relevant Time Period	Averaging Time T	Noise Insulation Trigger Level dB LAeq, T
Monday to Friday	07:00 – 08:00	1 hr	70
	08:00 – 18:00	10 hr	75
	18:00 – 19:00	1 hr	70
	19:00 – 22:00	3 hr	65
	22:00 – 07:00	1 hr	55
Saturday	07:00 – 08:00	1 hr	70
	08:00 – 13:00	5 hr	75
	13:00 – 14:00	1 hr	70
	14:00 – 22:00	3 hr	65
	22:00 – 07:00	1 hr	55
Sunday and Public Holidays	07:00 – 21:00	1 hr	65
	21:00 – 07:00	1 hr	55

Or

(b) 5 dB above the pre-existing airborne noise level for the corresponding times of day (ie the Relevant Time Periods presented in column 2 of Table 1); and for a period of 10 or more days of working in any 15 consecutive days or for a total of days exceeding 40 in any six consecutive months.

### 2. Temporary Re-housing

Where the total noise level due to construction of the railway (pre-existing ambient plus airborne Crossrail construction noise), measured or predicted at a point one metre in front of the most exposed of any windows and doors in any façade of an eligible dwelling, exceeds whichever is the higher of either:

(a) 10 dB above any of the noise levels in the table above or

(b) 10 dB above the pre-existing airborne noise level for the corresponding time of day (i.e. the Relevant Time Periods presented in column 2 of Table 1); and for a period of 10 or more days of working in any 15 consecutive days or for a total number of days exceeding 40 in any six consecutive months.

### 3. Interpretation of the trigger levels

In interpreting and applying the trigger levels in Table 1, two conventions will be adopted. The first is that in interpreting the noise insulation/temporary re-housing policy where eligibility arises if noise levels in Table 1 are exceeded, a resolution of 0.1 dB will be applied. For example, a value of  $L_{Aeq,T}$  of 55 dB (with pre-existing ambient at least 5 dB lower) will not trigger eligibility. A value of 55.1 dB will trigger eligibility<sup>1</sup>.

The second convention relates to the choosing of minimum one-hour  $L_{Aeq,T}$  levels at night to define the pre-existing ambient, given that a series of survey results often shows different minima over a series of nights. The approach will be to select a 7-day survey period during which favourable weather conditions existed<sup>2</sup> and select the lowest one hourly value from that data set.

---

<sup>1</sup> While the uncertainty associated with noise predications is much greater than 0.1 dB, it is common practice to predict to 0.1 dB resolution.

<sup>2</sup> Wind speed not more than 5/s and no precipitation.

## **APPENDIX B**

### **1. Introduction**

As explained in the main body of this IP, eligibility for noise mitigation arises under the Scheme when three requirements are met (i) the total predicted (or actual) noise level due to construction works (pre-existing ambient plus airborne Crossrail construction noise) exceeds a trigger level (ii) the margin between the construction noise level plus the pre-existing ambient and the pre-existing ambient is at least 5 dB and (iii) the temporal requirements (10 out of 15 days of working etc) are met.

If the eligibility requirements were applied strictly this could lead to anomalies whereby some dwellings in a terrace might be included and not others or it might result in dividing the facades of apartment blocks into eligible and ineligible properties.

The procedure to be followed by the Secretary of State or his agent in implementing the Scheme so as to avoid dividing facades in a manner likely to be contentious for residents is set out below.

### **2. Procedure for Administering the Policy**

While construction noise predictions made using a noise model such as SoundPlan can be presented using contours that will indicate a finite value for any location of interest, the same is not true of eligibility. The principal reason for this is that measured baseline noise levels are of necessity carried out at discrete locations. While interpolation between discrete values is possible in theory, it is in many circumstances impracticable.

The procedure will normally identify a single representative noise measurement location per façade, except for long facades. Sometimes a noise measurement location may serve as a surrogate for other comparable facades as well. Measurement locations should generally be towards the centre of the façade or façade section that they represent. The noise measurements from these locations may well be rounded.

The predicted noise including the contribution from the construction works will then be made for the worst affected window in the façade under consideration.

Whether a property is eligible for noise mitigation or not will then be determined using this predicted level. This determination will be applied to all the dwellings for which the measurement location was taken as representative.

In the case of a very long façade, it may be appropriate to utilise more than one noise measurement location. However, since measured values will vary slightly with quite small movements in position, a protocol needs to be established to avoid anomalous results as described above. The solution is to determine that more than one measurement location will be adopted for the same continuous facade only if the results from different noise measurement locations alongside the same façade differ by at least 3dB. For a façade at right-angles to a noise source such as a road or railway, this broadly means a doubling of distance from the source and would therefore normally only apply to long facades.

### 3. Protocol for Determining Eligibility

- 1) Establish baseline  $L_{Aeq}$  for relevant time of day for appropriate monitoring locations.
- 2) Assign monitoring results to facades according to the following rules:
  - a. Monitoring results to apply to whole façade where there is only one monitoring location for that façade. The monitoring location is to be as near as possible to the centre of the façade.
  - b. Monitoring results to apply to whole façade where another façade is used a surrogate.
  - c. Where more than one monitoring location exists for the same façade, only if the  $L_{Aeq}$  levels for any period differ by 3 dB or more shall the façade be divided, in which case façade areas around the location to be apportioned equally (i.e. as far as practicable each monitoring location to be in the centre of the area assigned to it).
  - d. The definition of a façade of a building is one that is horizontally separated from other facades by a stairwell, corner or some other discontinuity, as set out in section 2 of this IP.
- 3) The predicted noise levels including construction noise to be utilised for the whole facade are those for the worst affected window/door in any façade.