



Crossrail Act 2008

2008 CHAPTER 18

Noise

20 Control of construction sites: appeals

- (1) In the Control of Pollution Act 1974 (c. 40), sections 60 (control of noise on construction sites) and 61 (prior consent for work on construction sites) shall have effect, in relation to works carried out in exercise of the powers conferred by this Act, with the following modifications.
- (2) In subsection (7) (appeal against failure to give consent or the giving of qualified consent), for “a magistrates' court” there shall be substituted “the Secretary of State”.
- (3) After that subsection there shall be inserted—

“(7A) If within seven days of the giving of notice of appeal under subsection (7) of this section the appellant and the local authority so agree, the appeal shall, instead of being determined by the Secretary of State, be referred to arbitration.”
- (4) The Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Transport acting jointly may, in relation to appeals which are referred to arbitration under subsection (7A) of section 60 or 61 of the Control of Pollution Act 1974 (c. 40), by regulations made by statutory instrument make any such provision as may be made by regulations under section 70 of that Act in relation to appeals under Part 3 of that Act to the Secretary of State.
- (5) A statutory instrument containing regulations under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Modifications etc. (not altering text)

- C1** S. 20 applied (with modifications) (E.W.S.) (11.3.2014) by [The Crossrail \(Paddington Station Bakerloo Line Connection\) Order 2014 \(S.I. 2014/310\)](#), arts. 1, 18, [Sch. 6 paras. 1-3](#)

Changes to legislation: There are currently no known outstanding effects for the Crossrail Act 2008, Section 20. (See end of Document for details)

C2 S. 20 applied (21.4.2015) by The Crossrail (Plumstead Sidings) Order 2015 (S.I. 2015/781), art. 1, **Sch. 4 para. 1(a)**

Changes to legislation:

There are currently no known outstanding effects for the Crossrail Act 2008, Section 20.