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1<sup>st</sup> December 2008

Dear Consultee

**CONSULTATION ON THE DRAFT NORTHERN IRELAND  
ENVIRONMENTAL NOISE DIRECTIVE ACTION PLAN AND COMPETENT  
AUTHORITY NOISE ACTION PLAN GUIDANCE.**

I am writing to advise you that the Department has issued a Consultation document on a draft Northern Ireland Environmental Noise Directive Action Plan and draft Competent Authority Noise Action Plan guidance.

The purpose of the Action Plan is to describe how designated Competent Authorities under the Environmental Noise Regulations (Northern Ireland) 2006, propose to deliver their obligations under the Environmental Noise Directive. The European Parliament and Council Directive for Assessment and Management of Environmental Noise 2002/49/EC, more commonly referred to as the Environmental Noise Directive (END), was published in the European Commission Official Journal of the EU in July 2002. This directive deals with noise from road, rail, and air traffic, and from agglomerations. It focuses on the impact of such noise on individuals, complementing existing EU legislation, which sets standards for noise emissions from specific sources.

The purpose of the draft Competent Authority Noise Action Plan guidance is to provide assistance in setting out the proposed mechanisms and arrangements for the development of Action Plans during the action planning process.

The consultation documents may be found on the Departments website

[http://www.doeni.gov.uk/index/protect\\_the\\_environment/local\\_environmental\\_issues/noise.htm](http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/noise.htm)

Alternatively if you respond to this letter by providing an e-mail address, I will arrange for a version to be e-mailed to you. If you do not have e-mail facilities

and prefer a hard copy arrangements can be made to have one posted to you.

You can also request a copy by telephone (028 90544523) by fax (028 90544599) or in writing. Should you require a copy of the document in an alternative format, it can be made available on request in large print, disc, Braille or audiocassette. The document may also be available on request in minority ethnic languages to those who are not proficient in English.

The aim of the END is to define a common approach across the European Union with the intention of avoiding, preventing or reducing, on a prioritised basis, the harmful effects, including annoyance, on human health due to exposure to environmental noise. This is to involve the following actions:

- The determination of exposure to environmental noise through noise mapping;
- Ensuring that information on environmental noise and its effects is made available to the public.
- The adoption of Action Plans by Member States, based upon noise-mapping results, with a view to preventing and reducing environmental noise and to preserve environmental noise quality where it is good;

The aim of Action Plans is to prevent and reduce environmental noise where necessary, where exposure levels can induce harmful effects on human health and to preserve environmental noise quality where it is good.

The Competent Authority must draw up an Action Plan in 2008, 2013 and every five years thereafter, based on the results of the noise mapping. The Regulations also require the Action Plans to be reviewed and revised if necessary from time to time and whenever a major development occurs affecting the existing noise situation.

We would like to hear the views of any stakeholders interested in the draft Northern Ireland Environmental Noise Action Plan and draft Competent Authority Noise Action Plan guidance. You are therefore invited to provide your comments on the proposals. Responses should be sent to the Department to arrive no later than **26th January 2009**.

To email: [dan.kennedy@doeni.gov.uk](mailto:dan.kennedy@doeni.gov.uk)

Alternatively if you do not have access to email you can send your response to:

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When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

The Department would be grateful if you could clearly indicate in your response which part or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

The draft Action Plan and Competent Authority Action Plan Guidance enforcement regulations have been assessed by DOE for equality, human rights and rural impacts and have not been found to have any impact on these areas.

## **FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS**

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:-

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see the website at: <http://www.informationcommissioner.gov.uk/>).

Yours sincerely

Dan Kennedy

Department of the Environment  
Planning and Environmental Policy Group.