

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

**Department of the Environment  
Planning and Environmental Policy Group**

**December 2008**

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## Section 1 – Introduction

### 1.1 Background

This consultation invites views on the draft Northern Ireland Environmental Noise Action Plan and draft Competent Authority 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<sup>1</sup>. It focuses on the impact of such noise on individuals, complementing existing EU legislation, which sets standards for noise emissions from specific sources.

The three main actions that fall out of the Directive are as follows:

- to determine the noise exposure of the population through noise mapping;
- to make information on environmental noise and its effects available to the public;
- to establish Action Plans based on the mapping results, to reduce noise levels where necessary, and to preserve environmental noise quality where it is good.

The Directive was implemented in Northern Ireland by the Environmental Noise (Northern Ireland) Regulations 2006 (the Regulations) which outline a number of stages to manage and, where necessary, improve environmental noise. The first two of these are listed in table below.

Stage	Detail	Due Completion Date
1	Produce the first round of strategic noise maps for major roads, rail, airports, and agglomerations	31 <sup>st</sup> March 2007
2	Competent Authorities to draw up first round Action Plans to manage noise	30 <sup>th</sup> April 2008 18 July 2008 <sup>2</sup>

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<sup>1</sup> An agglomeration is a urban area with more than 250,000 inhabitants. The only agglomeration that meets these criteria in Northern Ireland is the Belfast Metropolitan Urban Area.

<sup>2</sup> The 18<sup>th</sup> July applies to the industry and consolidated plans.

Stage One, the creation of the first round of strategic noise maps, has been completed and published on the Northern Ireland Noise Map website [www.noiseni.co.uk](http://www.noiseni.co.uk) .

Action plans are a legal requirement under Directive 2002/49/EC and must be produced based on the results of the noise mapping. 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.

The Competent Authorities are;

**Department for Regional Development**

- major roads; and
- roads within the agglomerations;

**Northern Ireland Transport Holding Company.**

- major railways; and
- railways within the agglomerations;

**George Best Belfast City and Belfast International Airports**

- major airports;
- airport within agglomerations

**Department of the Environment**

- industrial sources within the agglomerations;
- consolidated action plans

The Department of the Environment issued draft Action Plan Guidance in June 2008 to the Competent Authorities under regulation 23 and 53 of the Environmental Noise (Northern Ireland) Regulations 2006. Competent Authorities responsible for developing Action Plans must have regard to the guidance when drawing up their Action Plans. The guidance only applies to Action Plans in Northern Ireland for which noise maps were produced under the Environmental Noise (Northern Ireland) Regulations 2006. Separate guidance has been issued for use in Scotland and Wales so far.

## **1.2 How you can respond to this consultation**

Your views are invited in response to this consultation by **26<sup>th</sup> Jan 2009**.

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.

Dan Kennedy  
Air & Environmental Quality  
DOE Planning and Environmental Policy Group  
20-24 Donegall Street  
Belfast BT1 2GP

Fax: 028-905-44599

E-mail: dan.kennedy@doeni.gov.uk

The consultation paper is being made available to relevant stakeholders. All responses will be considered.

## **1.3 Where to obtain further copies of the Consultation Paper**

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.

## **1.4 Impact Assessments**

A screening for Equality Impact Assessment (EIA) has been undertaken and it is not considered that a full EIA is required.

The Department considers that there are no Rural Proofing issues and that its proposals are fully compliant with the European Convention on Human Rights.

## **1.5 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, 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 website at: <http://www.informationcommissioner.gov.uk>). For further information about this particular consultation please contact the address in 1.4 above.