

EUROPEAN DIRECTIVE 2002/49/EC - ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL NOISE

Background

1. As previously reported this Directive, often known as the Environmental Noise Directive (END), came into effect in June 2002.
2. 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, due to exposure to environmental noise”. This involves:
 - informing the public about environmental noise and its effects;
 - the preparation of strategic noise maps for large urban areas (known as 'agglomerations'), major roads, major railways and major airports as defined in the END; and
 - preparing action plans based on the results of the noise mapping exercise.

The action plans will aim to manage and reduce environmental noise where necessary, and preserve environmental noise quality where it is good.

UK Progress

3. The END should have been transposed into law by all Member States of the EU by 18 July 2004. However, because of the large number of complex technical details which had to be resolved, DEFRA found it impossible to comply with this deadline in the UK and it was not until September 2006 that the *Environmental Noise (England) Regulations 2006 (SI 2006/2238)* were laid before Parliament. They came into force on 1 October 2006. The Regulations can be seen on the website of the OPSI¹ and DEFRA has produced a useful Q & A sheet².
4. At Annex A is a useful Note produced by the Department of Transport for the Gatwick Airport Consultative Committee Airport (GATCOM). The technical guidance referred to can be seen on the Department's website³. It will be seen that at the non-designated airports the first noise maps should have been produced and submitted to the Department of Transport by 31st March this year. At the designated airports (Heathrow, Gatwick and Stansted) the maps are required by 30th June 2007.
5. The next step is the formulation of action plans which are required by mid 2008. It will be noted that Defra will be consulting on their proposals for the action plans later this year. One area for consideration is the format of the plan - for example rather than a free standing document, the action plan could form part of an airport operator's master plan. The format of these plans, and their content, will of course, be matters of considerable interest to Consultative Committees.
6. As indicated in the Department's Note, the END is being separately implemented in Scotland and Wales but it is understood the impact is much the same as in England.
7. The emergence of END noise contours among those with which we are already familiar gives rise to a risk of confusion. To avoid this consultative committees will need to ensure that the contours used in any particular context are fully defined and understood. In this context the note at Annex B produced (for another purpose) by GATCOM's technical adviser Ros Howell may be helpful.

¹ <http://www.opsi.gov.uk/si/si2006/20062238.htm>

² <http://www.defra.gov.uk/environment/noise/pdf/envnoiseregs2006-qanda.pdf>

³ <http://www.defra.gov.uk/environment/noise/pdf/airport-techguidance06.pdf>

Conclusions

8. It would be interesting to hear from members from the non-designated airports:
 - about the process adopted by the airport operator for the production of the noise maps and whether the 31/03/07 deadline was met;
 - whether the maps have been seen by the Consultative Committee; and, if so
 - how the maps were received – did the new contours give rise to any significant issues of concern to members of the Consultative Committee
9. It may be that the Liaison Group should respond collectively to the forthcoming DEFRA consultation on the action plans and, if so, the meeting might like to commission the Working Group to manage the process. Members might also like to contribute any initial ideas they may have as to the form and content of the actions plans. One Consultative Committee has already asked :
 - how the action plans would fit in with the noise mitigation measures in force at the Airport under planning powers including s.106 agreements; and
 - in such circumstances, the role of the local planning authority in relation to action plans.

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May 2007

Annex A **European Noise Directive (2002/49/EC) -** **Note by Department for Transport**

Background

1. The purpose of the END Directive, which was published in June 2002, is to "define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise"
2. The Directive has been transposed into UK law through the Environmental Noise (England) Regulations 2006 which came into force on 1 October 2006. It has been implemented separately in England, Scotland, Wales, Northern Ireland and Gibraltar.

Implications for airports

3. Under the Directive, Member States must produce strategic noise maps for 2006 for the first round of mapping and 2011 for the second round. These are required to be submitted to the Department for Transport by 31 March 2007 for non designated airports and 30 June 2007 for the three London designated airports (including Gatwick). Complementary action plans are required by mid 2008. Defra will be consulting on their proposals for action plans later this year. One area for consideration is the format of the plan - for example rather than a free standing document, the action plan could form part of an airport operator's master plan.
4. The CAA's Environmental Research and Consultancy Department (ERCD) will producing noise maps for the designated airports (Heathrow, Gatwick and Stansted). For the non designated airports, the relevant airport operator is required to produce the noise map.
5. Defra have issued technical guidance for preparation of the noise maps by the non designated airport operators. The key points are that the maps must be produced in terms of Lden, Lnight, Laeq16th, Lday and Levening to enable the position for an annual average 24 hour period in 2006 to be shown. The generated map should show aircraft

noise levels down to 50dB(A) for Lden, Lnight, Laeq16th, Lday and Levening and down to 45d(B(A) for Lnight.

Scope of Directive

6. The coverage of the Directive extends to noise from all transport modes, industry and significant population clusters ("agglomerations"). In addition to airports, the following transport modes are specifically covered:-
 - Major roads (regional, national and international) with more than 3 million vehicle passages - 6 million in first round)
 - Major railways with more than 30 000 train passages - 60 000 for first round mapping
7. Urban areas with a population of more than 100 000 (250 000 for first round) are also covered. Furthermore in urban areas, all road, rail and air traffic must be mapped as well as noise from ports and certain other industrial installations

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Annex B Note on Noise Contours by Ros Howell (Technical Adviser to GATCOM)

The END has nothing to do with existing noise insulation schemes except to cause possible confusion. For instance, the Gatwick Noise Insulation Scheme for Homes consultation document uses 66dBALeq and 90dBA SEL contours (and the 500m boundary approximates to the 45 dBALeq contour). Note that Leq is an average noise over a specified period.

The familiar "Summer 16hr noise contours" produced for the designated airports are presented in Leq, representative of the aircraft noise averaged over the 92 day, 16hr period. However, END Leq contours will be an average of aircraft noise for a 24hr day 365-day year. Since Summer is a busier period than Winter (and day busier than night), it is easy to work out that the Summer 66dBALeq contour will be larger than the END 66dBA Leq contour - although they will both be captioned "66dBA Leq".

The key message to the Consultative Committees is that they ensure that whatever Leq contours are used in their noise insulation schemes they should be fully defined and understood to avoid future argument and confusion. For instance, Gatwick did not identify how the Leq contours used in their consultation were derived and the need for clarification was made by a number of local authorities in their response to the consultation.

Also, since the END process calls for public information and consultation on noise maps and noise action plans, the potential for confusion with the Summer 16-hr day contours will arise in these processes too.

The END noise action plans need to manage and mitigate the impact of noise so a noise insulation scheme could be seen as a mitigation action in this context (although perhaps using different 66dBALeq contours!).