



Department
for Environment
Food & Rural Affairs

www.gov.uk/defra

Consultation on draft Noise Action Plans

**Environmental Noise (England) Regulations 2006,
as amended**

**Summary of Responses and Government
Response**

January 2014

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Contents

Background.....	4
Summary of consultation responses and Government response.....	6
Conclusion and next steps.....	13
List of respondents	14

Background

1. On 23rd July 2013, Defra published a public consultation seeking views on the draft revisions to the Noise Action Plans, prepared to meet the terms of the Environmental Noise (England) Regulations 2006, as amended, which transpose the Environmental Noise Directive in England. This document provides a summary of the responses to that consultation and the Government's response to the key issues raised.
2. The Environmental Noise Directive (Directive 2002/49/EC) (END) requires, on a five year cycle, the production of strategic noise maps, the presentation of information to the public, the preparation of Action Plans based on the results of the noise mapping, and consultation with the public on the contents of these Action Plans.
3. The draft revised Action Plans, which cover large urban areas (agglomerations¹), roads (including major roads) and railways (including major railways), are designed to manage environmental noise and its effects, including noise reduction if necessary, and preserve existing areas of quiet. A suite of Noise Action Plans was previously adopted following the first round of strategic noise mapping. These Action Plans included details of the process for identifying Important Areas (noise 'hotspots') and an outline approach for identifying and managing quiet areas in agglomerations.
4. The second round of noise mapping occurred during 2012 and the previous Action Plans were revised based on the results of that mapping. The consultation sought views on those revisions. In the consultation we described how Important Areas for road and railway sources were to be identified. We also defined in more detail, the process for identifying and managing quiet areas in agglomerations, and proposed a new simplified structure for the Action Plans.
5. The consultation asked three questions:
 - Question 1: Do you agree with the overall approach being proposed for identifying Important Areas? If not, what alternative approach would you advocate?

¹ An agglomeration is an urban area with a population in excess of 100,000 persons and a population density equal to or greater than 500 people per km².

- Question 2: Do you agree with the approach being proposed for identifying and preserving quiet areas in agglomerations? If not, what alternative approach would you advocate?
 - Question 3: We have restructured and aimed to simplify the Noise Action Plans covered by this consultation, so that there are three in total covering all roads, all railways and all agglomerations. Are you content with the approach?
6. The consultation applied to England only and was open for 14 weeks, closing on 29th October 2013.
7. Further details of the consultation may be found at:
<https://consult.defra.gov.uk/communications/https-consult-defra-gov-uk-environmentalnoise/>.

Summary of consultation responses and Government response

8. The consultation received 23 responses:

- 8 from members of the public and community groups
- 9 from local and public authorities
- 2 from transport authorities (Highways Agency and Office of Rail Regulation)
- 4 from other interested organisations, including the UK Noise Association.

9. This section summarises the key issues raised in relation to each question, followed by the Government's response, including any amendments made to the Action Plans resulting from comments received.

Question 1: Do you agree with the overall approach being proposed for identifying Important Areas?

Yes	No	No view expressed
12	4	7

10. The consultation described the methods that Defra has used to identify 'Important Areas' (or noise 'hotspots') for investigation and, where appropriate, further mitigation treatment by the relevant transport authorities. It was proposed that the Important Areas with respect to noise from roads and railways will be where the top 1% of the population that are affected by the highest noise levels from sources are located according to the results of the strategic noise mapping.

Summary of responses:

11. The proposed approach to identifying Important Areas was supported by the majority of respondents who expressed a view.

12. A minority of respondents, however, disagreed with aspects of the process for identifying Important Areas. The view was expressed that restricting Important Areas to the 'top 1%' of those affected would overlook a significant proportion of the population exposed to relatively high levels of transport noise. Four respondents proposed extending the definition of Important Areas to encompass

a higher percentage of the population; with suggestions ranging from the top five to the top 20%. One respondent also considered that the threshold for First Priority Locations (defined in the previous Action Plans as a subset of Important Areas to be prioritised for investigation) was too high and that 65dB(A) would be more appropriate.

13. One respondent suggested that the process for identifying Important Areas should take account of groups that are particularly sensitive to noise and that the action planning process should be weighted to prioritise acoustically sensitive locations such as hospitals and schools.
14. Three respondents felt that Noise Making and Noise Receiving Authorities should separately be able to nominate areas (for example, locations that have generated noise complaints), that have not already been identified as Important Areas, to be included on the list for investigation and, where appropriate, treatment.
15. A number of respondents suggested that the Action Plans should include additional information regarding measures to manage and mitigate transport noise, focussing for example on quieter road surfaces, speed limits, and driving behaviour.
16. A small number of respondents were critical of the existing system for implementing Noise Action Plans as they felt there was a lack of clarity about roles and responsibilities for delivery, a lack of specific and assigned budgets for actions or information on who makes the final decisions on funding and implementation, and insufficient enforcement and progress monitoring – which have resulted in inaction in some areas.
17. Alternative approaches and solutions were also proposed, including the creation of an independent noise monitoring body, and a grant allocation system, administered by Defra, for the treatment of noisier roads.

Government response:

18. We have carefully analysed all consultation responses and reached the conclusions below.
19. We have retained the proposed approach to identifying Important Areas, focussing on the top 1% of those affected by road and railway noise, which was supported by the majority of respondents.
20. We recognise that a number of respondents expressed a preference for an increased number of Important Areas, covering a greater proportion of the population affected by noise. However, we consider that such an aspiration cannot be reconciled with the existing local and transport authority burdens and budgetary constraints.

21. Furthermore, in the original Action Plans provision already existed whereby local authorities could separately identify areas that have not already been identified as Important Areas, and ask the relevant transport authorities to add them to the list for investigation and, where appropriate, further mitigation treatment. This provision remains. Additionally, for clarity, the Roads and Railways Action Plan both now also contain an equivalent provision with respect to the relevant transport authorities being able themselves to add to the list of Important Areas.
22. A number of responses made reference to the process for identifying and investigating First Priority Locations. We would like to clarify that, for simplification purposes, the Round 2 Action Plans do not contain First Priority Locations.
23. Some respondents requested that the Action Plans provide additional detail on noise management and mitigation measures. We consider that sufficient information has already been provided in Appendix B to the Roads and Railways Action Plans, which gives a reasonably comprehensive summary of possible approaches.
24. We received a number of comments highlighting issues with the implementation of the Round 1 Action Plans. Defra’s role in this process is primarily to provide the framework for local liaison and action. The detailed decisions about what actions to take (if any) and when to take them lie with the relevant transport authority, in liaison with the relevant local authority.
25. We consider that the Action Plans already provide sufficient clarity about roles and responsibilities in the action planning process. In particular, these aspects are covered in the process described for investigating Important Areas.

Question 2: Do you agree with the overall approach being proposed for identifying quiet areas?

Yes	No	No view expressed
13	3	7

26. The consultation provided further details of a process to enable the identification of END quiet areas in agglomerations. These are existing quiet spaces that will be protected from an increase from the noise sources covered by the Directive. It is proposed that Defra will invite eligible local authorities (those with land falling within END agglomerations), to nominate a small number of their designated Local Green Spaces (LGS) and, additionally in the case of the London agglomeration, small areas of Metropolitan Open Land delineated in Local or Neighbourhood Plans, for identification as END quiet areas. These spaces will

need to meet centrally set criteria relating to perceived quietness, tranquillity and other factors. Once identified by Defra, local authorities will be expected to implement measures to preserve these quiet areas and aim to protect them from an increase in noise arising from sources covered by the END.

Summary of responses:

27. The majority of respondents who expressed a view supported the proposals on quiet areas. However, some concerns were raised.
28. Four respondents questioned the reliance on the Local Green Space designation to provide the initial pool of sites from which quiet areas would be drawn; the key issue being that the Local Green Space is a novel designation and may take some time to become established. Furthermore, it was felt that some areas that may be quiet and worth protecting might not have much green cover, so may not be designated as Local Green Spaces.
29. It was suggested by one respondent that an 'exceptional' clause be added to the criteria to allow local authorities to propose quiet areas in previously undesignated spaces if such spaces would provide sufficient benefits to local communities.
30. One respondent felt that the proposed threshold for quiet area identification was set too high and that the draft application form was overly complicated and may deter local authorities from applying.
31. A number of respondents requested that consideration be given to identifying quiet areas outside agglomerations.
32. It was noted that the identification and protection of quiet areas may necessitate collaboration between a number of departments within a local authority and that limited resources in these areas may deter the uptake of quiet areas.

Government response:

33. After considering all responses, we have retained the proposed approach to identifying quiet areas, which was supported by the majority of respondents. A number of respondents requested that Defra broaden the criteria to include spaces not designated as Local Green Spaces or Metropolitan Open Land. At this stage we do not intend to extend this qualification. However, we have noted these concerns and have committed to review the process at an appropriate future point after it has been rolled out.
34. It should also be noted that the draft guidance on Local Green Spaces states that a range of 'types' of space may be considered for designation (with the implication that these spaces do not need to be completely green). This point is reiterated in the Agglomerations Action Plan. Therefore linking quiet areas to this

designation should not rule out suitable quiet spaces that do not have a large amount of green cover.

35. The quiet areas documentation now clarifies that, when preparing quiet area applications, the planning authority may need to liaise with other relevant departments. In addition we have simplified the quiet areas application form and intend to pilot this with a selection of local authorities prior to wider roll-out.

Question 3: We have restructured and aimed to simplify the Noise Action Plans covered by this consultation, so that there are three in total covering all roads, all railways and all agglomerations. Are you content with the approach?

Yes	No	No view expressed
12	2	9

36. The draft Action Plans for Roads and Railways follow a similar structure to the Round 1 “Major Roads” and “Major Railways” Action Plans, but have been expanded to cover not only all major roads and railways, but also other relevant roads and railways inside agglomerations.

37. The structure of the Agglomerations Action Plan was revised to cover all 65 END agglomerations. This streamlines and simplifies the approach previously taken, where individual Action Plans were produced for each of the 23 Round 1 END agglomerations. This overarching Agglomerations Action Plan will be supported by a data Appendix showing individual data for each agglomeration.

Summary of responses:

38. The majority of respondents who expressed a view were content with the proposed restructuring of the Action Plans.

39. A small minority of respondents were concerned that the simplified structure and brevity of the Action Plans made them less clear, which could lead to ambiguity over accountability for their implementation.

Government response:

40. The majority of respondents were content with the new, simplified structure. We have therefore not made any changes to the overall format. However, we have reviewed the Action Plans and added further detail and clarification where necessary.

Other responses / significant comments

41. In addition to answering the consultation questions, respondents raised a number of wider points. These were outside the direct scope of the questions and related to the consultation documentation and noise management policy and procedures more generally. These points and the Government's response are summarised below.

Factual amendments

Comments:

42. A couple of factual inaccuracies in the consultation documentation were noted.

Government response:

43. We would like to thank respondents for highlighting the small number of factual inaccuracies in the consultation documentation. These have been corrected as appropriate in the final versions of the Action Plans.

Frequency of noise mapping

Comments:

44. One local authority respondent considered the five year cycle for noise mapping and action planning to be too frequent.

Government response:

45. We agree that this it is important that the frequency of the noise mapping and action planning cycle does not place unnecessary burdens on relevant authorities. However, the timetable for noise mapping and action planning is set out in the Environmental Noise Directive and cannot be amended unilaterally.

Noise Action Plan Support Tool

Comments:

46. It was noted by a small number of respondents that the liaison between Noise Making and Noise Receiving Authorities on the Noise Action Plan Support Tool was not always effective.

47. In addition one local authority respondent commented that the majority of mitigation works in their area had been completed by the transport authority prior to consultation with the Noise Receiving Authority and that they felt that many of the works had not been cost effective.

Government response:

48. The Noise Action Plans already set out the process for investigating Important Areas, including the anticipated liaison between Noise Making and Noise Receiving Authorities at key points during the investigation process.

Comments:

Implementation of Round 1 Action Plans

49. A number of respondents asked about progress on the implementation of the Round 1 Action Plans, including seeking information on the investigations carried out, the actions undertaken and how these would be taken into account in the second round Action Plans.

Government response:

50. We are publishing a progress report on the implementation of END, including the Round 1 Action Plans, alongside this document.

Conclusion and next steps

51. We would like to thank respondents for their comments on the draft Noise Action Plans. We have implemented a number of textual changes based on the responses to the consultation and are publishing the final Action Plans, which will apply to England only, alongside this document. Summaries of the Action Plans were reported to the European Commission in January 2014 in line with the reporting timetable specified in the END.
52. Alongside this document, we are publishing a progress report on the implementation of the END, including the Round 1 Action Plans. We intend to publish the data derived from the Round 2 noise mapping in 2014, which will include exposure results and details of the Important Areas identified for individual agglomerations.
53. We will liaise with the relevant local and transport authorities to implement the Action Plans and will keep the action planning processes under review.

List of respondents

Members of the public and community groups (x8)

Local/Public Authorities:

- Borough of Poole
- Carlisle City Council
- Health and Safety Executive
- Hertfordshire Country Council
- Northampton Borough Council
- Royal Borough of Kensington and Chelsea
- Sefton Council
- Tonbridge and Malling Borough Council
- Westminster City Council

Transport authorities:

- Highways Agency
- Office of Rail Regulation

Other Interested Organisations:

- Campaign to Protect Rural England
- Environment Protection UK
- Institute of Acoustics
- UK Noise Association