

**Scottish Government
Environment & Forestry
Environment Quality & Circular Economy**

Consultation on draft Noise Action Plans

**Environmental Noise (Scotland)
Regulations 2006**

12 October 2018



Scottish Government
Riaghaltas na h-Alba
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Introduction

1. The European Noise Directive (END) was adopted in 2004 and requires member states to bring about measures which are intended to avoid, prevent or reduce, on a prioritised area basis, the harmful effects, including annoyance due to the exposure to environmental noise. The Directive was transposed through the Environmental Noise (Scotland) Regulations 2006.

This consultation applies to Scotland only and seeks the views of those individuals and / or organisations that hold an interest in noise pollution.

Definition of Environmental Noise

2. The definition of environmental noise is defined as unwanted or harmful outdoor sound created by human activities, including noise omitted by means of transport, road traffic, rail, air traffic, and from noise sites of industrial activity. The Environmental Noise Directive does not apply to a noise caused by the person exposed to the noise, noise from domestic activities, noise created by neighbours, noise at work places, or noise inside means of transport or due to military activities in military areas. These are dealt with through separate pieces of legislation.

Measuring Noise

3. The European Commission's advisory group on environmental noise recommends that Member States use computer modelling rather than measurements when measuring noise.

There are several technical and practical reasons why noise maps are normally produced using computer predictions rather than from noise measurements. This is because to produce a map based on measurements would require many measurements to be undertaken over long periods; this would be prohibitively expensive. In most cases, the noise at a location is produced by a combination of different sources. These might be, for example, a mixture of, say, roads and railways. Normal noise monitoring cannot distinguish the contribution from each of these different sources and so noise action planning deciding which source or sources to tackle to reduce the overall noise level is not straightforward. Noise maps produced by computer prediction can be used to show the noise from individual noise sources.

Noise measurements can also be affected by the weather in several ways. Firstly, the source itself might be affected, traffic noise for example has a different characteristic when the road surface is wet and the direction of take-off at an airport might be affected by the wind direction. Secondly, the measuring equipment can itself be affected high winds can generate noise at the microphone. Finally, high winds and heavy rain can themselves be sources of noise from their action on trees and buildings surfaces and these can affect the levels of measured noise. Weather conditions therefore impose a real constraint on the number of days (or nights) when measured noise levels can be relied on.

Reason for Consultation

4. The Environmental Noise Directive requires, on a five yearly cycle, the Scottish Government to produce strategic noise maps and thereafter prepare noise action plans based on the results of the noise mapping and then consult the public on these action plans. This is Round 3 since the introduction of the Environmental Noise Directive. The third round of noise mapping took place during 2017 and was published on the SE website link: - <https://noise.environment.gov.scot/> Noise maps and action plans relating to Round 1 and Round 2 are also found on the noise section of the SE website. There are four main areas of focus in Scotland (referred to as agglomerations), they are; Aberdeen, Dundee, Edinburgh and Glasgow.

Scottish Environmental Noise Steering Group

5. To oversee the action planning process the Scottish Environmental Noise Steering Group (SGENDSG) was set up during the first round of END and it has continued to oversee delivery of Round 2 and now Round 3. The group is chaired by the Scottish Government and membership includes the chair of each agglomeration working group together with Transport Scotland (as chair of the transportation working group) representatives from Jacobs and the relevant airports. The Scottish Environment Noise Steering Group (SGENDSG) provides a forum for discussion.

The group will consider action plans for round 4 within the next five year cycle.

Responsible Authorities

6. The Scottish Government together with Transport Scotland have responsibility for the delivery of noise maps and noise action plans. The action planning functions relating to major transport systems out-with the agglomerations is the responsibility of Transport Scotland via the transportation working group. For airports, the airport operator is the competent authority for strategic noise maps and action plans, but a representative for the Airports sits on the steering group and can be involved in action plans for agglomerations if relevant.

What does the consultation cover

7. The Environmental Noise (Scotland) Regulations 2006 places responsibility on the Scottish Ministers as the competent authority to prepare and approve Noise Action Plans for the four agglomeration areas. This consultation relates to those draft Action Plans for the four agglomerations. It does not cover the action planning functions relating to major transport systems out-with the agglomerations, which is the responsibility of Transport Scotland, nor does it include the Noise Action Plans covering Airports.

Draft Noise Action Plans

8. Action Plans contain information and guidance relating to the process, in which environmental noise will be managed, in accordance with the Regulations. The Scottish Government recognises that environmental noise can be distressing and have an adverse effect on the populations' health and quality of life. Attitudes to noise is changing with people becoming less tolerant of environmental noise around them. Assessment and noise annoyance is a complex with different types of noise affected people in different ways.

This consultation seeks views on the draft Noise Action Plans

The consultation exercise will be held over a six week period commencing on 12th October 2019

What does the consultation include

9. The European Noise Directive defines agglomerations as urbanised areas with a population exceeding 100,000 and requires that noise exposure levels are mapped with agglomeration boundaries and that certain information is made available to the public. The consultation exercise includes draft Noise Action Plans for the four agglomeration areas in Scotland; Aberdeen, Dundee, Edinburgh and Glasgow.

The draft Noise Action Plans for the four Scottish Agglomerations is included within this Consultation exercise. These can be found at Annex A

A separate action plan will be submitted by Transport Scotland shortly, who have responsibility of the planning functions for major transport systems out-with the agglomerations.

Quiet Areas

10. The European Noise Directive requires action plans for the agglomerations to include measure that aim to protect quiet areas against an increase in noise. The regulations require Quiet Areas within agglomerations to be identified. The Transport Research Laboratories (TRL) undertook research for The Department for Environment, Food and Rural Affairs (Defra) on the subject of Quiet Areas. The research reported that defining, identifying and appreciating the benefits of preserving quiet or relatively quiet areas in urban conurbations cuts across many different fields including, health, physical and psycho-acoustics, environmental psychology. An important aspect of the research carried out into Quiet Areas has been to establish the positive effect of the natural sounds have on health and well-being.

Following a final review of the action plans it was noted that the agglomerations were to have assessed all CNMAs by 20th November 2018 and CQAs by 31st January 2019. It was decided to push these anticipated completion dates to 30th April 2019 for CNMA and 31st May 2019 for CQAs.

What happens next

11. The consultation will run for 6 weeks from opening, after which consultation responses will be evaluated and where appropriate the draft noise action plans amended. It is anticipated that the noise action plans will be formally approved early in 2019. Summaries of the formally adopted Noise Action Plans will then be submitted to the European Commission, in line with timetables set out in the Environmental Noise Directive.

The Action Plans will then be valid for five years from the date they are adopted, as set out in the Environmental Noise Directive and the Regulations. If a major development occurs within the five year timeframe, which affects the approved noise Action Plans, the plans will be reviewed and revised if necessary.

Questions for consultation

Question 1 Do you consider there has been anything left out of the action plans? If so, what do you consider has been omitted?

Question 2 Is there anything you consider should be discussed at the Scottish Government Noise Steering Group during the next 5 year cycle for Round 4?

Question 3 Do you consider enough is being done to protect quiet areas?

Question 4 Do you have any views on the overall proposals in the draft Action Plans?

ANNEX A

Please find the attached suite of four Noise Action Plans showing how the Scottish Government along with its partners will deliver their obligations under the Environmental Noise Directive (END).

The Directive was transposed through the Environmental Noise (Scotland) Regulations 2006



Aberdeen Action
Plan.pdf



Dundee Action
Plan.pdf



Edinburgh Action
Plan.pdf



Glasgow Action
Plan.pdf

Responding to this Consultation

We are inviting responses to this consultation by 23/11/18.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at [URL]. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 23/11/18.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form to:

Environmental Quality Division
Scottish Government
3/H South
Victoria Quay
Edinburgh, EH6 6QQ

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at noiseactionplan.consultation@gov.scot.

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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Any enquiries regarding this publication should be sent to us at
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Edinburgh
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