
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 387

The Environmental Noise Regulations (Northern Ireland) 2006

PART 3

ACTION PLANS

CHAPTER 1

GENERAL

Duty to publish criteria or limit values

23. No later than 31 October 2007 the Department shall publish guidance setting out limit values or other criteria for the identification of priorities for action plans.

Action plans: general requirements

24.—(1) Any action plan drawn up or revised under this Part shall—

- (a) meet the objectives and requirements in Schedule 4;
- (b) be designed to manage noise issues and effects, including noise reduction if necessary;
- (c) aim to protect quiet areas in agglomerations against an increase in noise;
- (d) address priorities which shall be identified by having regard to guidance published pursuant to regulation 23; and
- (e) apply in particular to the most important areas as established by strategic noise maps approved or adopted pursuant to regulation 46.

(2) Paragraph (3) applies to—

- (a) any action plan; and
- (b) any revision of an action plan;

drawn up under this Part for an agglomeration.

(3) An action plan and any revision of an action plan shall be based upon and apply in particular to the most important areas as established by—

- (a) all strategic noise maps that—
 - (i) are made or revised pursuant to regulation 8, 11, 14, 17 or 19 and approved or adopted pursuant to regulation 46; and
 - (ii) concern any part of the area addressed by the action plan; and
- (b) a consolidated noise map compiled pursuant to regulation 22 to the extent that it concerns any part of the area addressed by the action plan.

CHAPTER 2
ACTION PLANS – ROADS

Application

25. This Chapter applies to noise from roads

Competent authority

26. The competent authority for this Chapter is the Department for Regional Development.

Duty to draw up, review and revise action plans: major roads

27.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near first round major roads; and
- (b) submit that action plan to the Department.

(2) No later than 30 April 2013 the competent authority shall—

- (a) draw up an action plan for places near major roads; and
- (b) submit that action plan to the Department.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.

(4) The competent authority shall—

- (a) review; and
- (b) if necessary, revise;

the action plan.

(5) An action plan revised pursuant to paragraph (4)(b) shall be submitted to the Department within three working days of its revision.

Duty to draw up, review and revise action plans: agglomerations

28.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near roads within any relevant first round agglomeration; and
- (b) submit that action plan to the Department.

(2) No later than 30 April 2013 the competent authority shall

- (a) draw up an action plan for places near roads within any relevant agglomeration; and
- (b) submit that action plan to the Department.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.

(4) The competent authority shall—

- (a) review; and

(b) if necessary, revise;
the action plan.

(5) An action plan revised pursuant to paragraph (4)(b) shall be submitted to the Department within three working days of its revision.

CHAPTER 3

ACTION PLANS – RAILWAYS

Application

29. This Chapter applies to noise from railways

Competent authority

30. The competent authority for this Chapter is the Northern Ireland Transport Holding Company.

Duty to draw up, review and revise action plans: major railways

31.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near first round major railways; and
- (b) submit that action plan to the Department.

(2) No later than 30 April 2013 the competent authority shall—

- (a) draw up an action plan for places near major railways; and
- (b) submit that action plan to the Department.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.

(4) The competent authority shall—

- (a) review; and
- (b) if necessary, revise;

the action plan.

(5) An action plan revised pursuant to paragraph (4)(b) shall be submitted to the Department within three working days of its revision.

Duty to draw up, review and revise action plans: agglomerations

32.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near railways within any relevant first round agglomeration; and
- (b) submit that action plan to the Department.

(2) No later than 30 April 2013 the competent authority shall—

- (a) draw up an action plan for places near railways within any relevant agglomeration; and
- (b) submit that action plan to the Department.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and

(b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.

(4) The competent authority shall—

- (a) review; and
- (b) if necessary, revise;

the action plan.

(5) An action plan revised pursuant to paragraph (4)(b) shall be submitted to the Department within three working days of its revision.

CHAPTER 4

ACTION PLANS – AIRPORTS

Application

33. This Chapter applies to noise from airports

Competent authority

34. The competent authority for this Chapter is the airport operator.

Duty to draw up, review and revise action plans: major airports

35.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near a major airport; and
- (b) submit that action plan to the Department.

(2) Paragraph (3) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.

(3) The competent authority shall—

- (a) review; and
- (b) if necessary, revise;

the action plan.

(4) An action plan revised pursuant to paragraph (3)(b) shall be submitted to the Department within three working days of its revision.

Duty to draw up, review and revise action plans: agglomerations

36.—(1) No later than 30 April 2008 the competent authority shall—

- (a) draw up an action plan for places near any airport within any relevant first round agglomeration; and
- (b) submit that action plan to the Department

(2) No later than 30 April 2013 the competent authority shall

- (a) draw up an action plan for places near any airport within any relevant agglomeration; and
- (b) submit that action plan to the Department.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
 - (b) at least every five years after the date on which an action plan is adopted or approved pursuant to regulation 47.
- (4) The competent authority shall—
- (a) review; and
 - (b) if necessary, revise;
- the action plan.
- (5) An action plan revised pursuant to paragraph (4)(b) shall be submitted to the Department within three working days of its revision.

CHAPTER 5 ACTION PLANS – INDUSTRY

Application

37. This Chapter refers to noise sources from industry.

Competent authority

38. The competent authority for this Chapter is the Department.

Duty to draw up, review and revise action plans: industry

39.—(1) No later than 18 July 2008 the competent authority shall draw up an action plan for industrial noise sources within any relevant first round agglomeration.

(2) No later than 18 July 2013 the competent authority shall draw up an action plan for industrial noise sources within any relevant agglomeration.

- (3) Paragraph (4) applies—
- (a) whenever a major development occurs affecting the existing noise situation; and
 - (b) at least every five years after 18 July 2013.
- (4) The competent authority shall—
- (a) review; and
 - (b) if necessary, revise;
- the action plan.

CHAPTER 6 QUIET AREAS

Identification of quiet areas

40.—(1) No later than 30 September 2007 the Department shall prepare maps identifying quiet areas in agglomerations.

(2) Paragraph (3) applies if the Department considers that the most recent maps produced pursuant to this regulation are no longer appropriate.

(3) No later than 30 September in any relevant year the Department shall, if it considers it necessary, prepare maps identifying quiet areas in agglomerations.

(4) In paragraph (3) “relevant year” means 2012 and every fifth year thereafter.

- (5) Certified copies of maps prepared pursuant to paragraphs (1) and (3)—
 - (a) shall be available for inspection at such times and in such places as the Department may determine, and information on when and where such copies may be inspected shall be published by the Department in such a manner as they may determine;
 - (b) may be displayed on a website and in such other manner as the Department considers appropriate; and
 - (c) shall be provided by the Department, on request, for a reasonable charge.

CHAPTER 7

CONSOLIDATED ACTION PLANS

Competent authority

- 41. The competent authority for this Chapter is the Department.

Duty to draw up, review and revise a consolidated action plan: agglomerations

- 42. No later than the 18 July 2008, and thereafter every five years, the competent authority shall draw up a consolidated action plan for all noise within the agglomerations, using the action plans submitted under regulations 28, 32, 36 and 39.

CHAPTER 8

ACTION PLANS – PUBLIC PARTICIPATION

Public participation

- 43.—(1) In preparing and revising action plans the competent authorities under regulations 26, 30, 34 and 38 shall ensure that—
 - (a) the public is consulted about proposals for action plans;
 - (b) the public is given early and effective opportunities to participate in the preparation and review of the action plans;
 - (c) the results of that public participation are taken into account;
 - (d) the public is informed of the decisions taken; and
 - (e) reasonable time frames are provided, allowing sufficient time for each stage of public participation.

CHAPTER 9

IMPLEMENTATION OF ACTION PLANS

Implementation of action plans

- 44.—(1) Where an action plan or a revision of an action plan—
 - (a) has been adopted or approved pursuant to regulation 47; and
 - (b) identifies a public authority as responsible for a particular action;that public authority shall treat the action plan as its policy insofar as it relates to that action.
- (2) A public authority may depart from any policy mentioned in paragraph (1) if—
 - (a) it provides—
 - (i) the Department; and

- (ii) the competent authority responsible for the preparation of the action plan or the revision (if not the Department);
with written reasons showing reasonable grounds for departing from that policy; and
 - (b) it publishes those reasons.
- (3) In this regulation “public authority” includes any person who exercises functions of a public nature.