

CONSULTATION

Round 3 Industry Noise Action Plan drafted pursuant to the Environmental Noise Regulations (Northern Ireland) 2006

**Air and Environmental Quality Unit
Regulatory and Natural Resources
Policy Division**

10 September 2018

Equality Statement

You can obtain a copy of this consultation document in other formats by contacting:

Air & Environmental Quality Unit
Regulatory and Natural Resources Policy Division
Department of Agriculture, Environment and Rural Affairs
Northern Ireland
2nd Floor
Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast
BT7 2JA
Email: amy.holmes@daera-ni.gov.uk
Direct Dial: 028 90 569543

Table of Contents

1	PURPOSE	3
2	HOW TO RESPOND.....	3
3	CONFIDENTIALITY OF CONSULTATIONS.....	4
4	EQUALITY/HUMAN RIGHTS/RURAL PROOFING ISSUES.....	4
5	EUROPEAN DIRECTIVES AND BREXIT.....	6
6	INTRODUCTION TO THE INDUSTRY NOISE ACTION PLAN.....	6
Annex I	INDUSTRY NOISE ACTION PLAN.....	8
ANNEX II	LIST OF CONSULTEES.....	9

1 PURPOSE

This consultation paper seeks your comments on the Department's proposed Round 3 Industry Noise Action Plan which sets out how the Department of Agriculture, the Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA), as the Competent Authority for industrial noise, will deliver their obligations under the Environmental Noise Directive.

2 HOW TO RESPOND

This consultation run for 8 weeks from 10 September 2018 and will close on 5 November 2018.

Please forward your comments on the draft Action Plan to:

Amy Holmes
Air & Environmental Quality Unit
Regulatory and Natural Resources Policy Division
Department of Agriculture, Environment and Rural Affairs
Northern Ireland
2nd Floor Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast
BT7 2JA

Responses should reach us by **5 November 2018**, although earlier responses would be appreciated.

A summary of the responses received will be issued after the consultation has closed and will be published on the DAERA website.

We will not respond individually to points raised nor will we acknowledge receipt of individual responses unless requested.

Additional copies of this consultation paper are available on written request to the address or email above or by telephoning 028 90 569543. It is also available at:

<https://www.daera-ni.gov.uk/consultations/Round3IndustryNoiseActionPlan>

3 CONFIDENTIALITY OF CONSULTATIONS

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, namely the Department in this case. This includes information provided in response to a consultation. The Department cannot automatically consider information supplied to it in response to a consultation to be confidential.

However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response. However, please be aware that confidentiality cannot be guaranteed, except in very particular circumstances. Please note, if your computer automatically includes a confidentiality disclaimer, that won't count as a confidentiality request.

The Department will process your personal data in accordance with the Data Protection Act 1998, should you respond in an individual capacity. This means that your personal information will not be disclosed to third parties should you request confidentiality.

You should be aware that the Department will publish a synopsis of responses to the consultation. This summary will include a list of names of organisations that responded but not people's personal names, addresses or other contact details.

4 Equality/Human Rights/Rural Proofing Issues

Equality Impact Assessment

Under Section 75 of the Northern Ireland Act 1998, public authorities have a statutory duty to promote equality of opportunity. Preliminary screening exercises have been undertaken and there is no evidence that the proposed measures will have any impact on any of the groups specified in Section 75. Therefore, the Department does not consider a full Equality Impact Assessment to be necessary.

Copies of all screened policies are available from the website at:

<https://www.daera-ni.gov.uk/daeras-equality-scheme>

The Equality Commission will receive copies of this consultation document as part of the consultation exercise. Any comments that the Commission might have will be taken into account.

Human Rights Issues

The Human Rights Act 1998 implements the European Convention on Human Rights which makes it unlawful for any public authority to act in a way that is incompatible with these rights. The Department considers that the proposals contained in this consultation paper are compatible with the Human Rights Act 1998.

Rural Proofing

Rural proofing is a process to ensure that all relevant Government policies are examined carefully and objectively to determine whether or not they have a different impact in rural areas from that elsewhere, given the particular character of rural areas. Consideration should be given to the policy adjustments that could be made to reflect rural needs so that, as far as possible, public services are accessible on a fair basis to the rural community. The Department considers that the measures contained within the draft Action Plan are unlikely to have any different impact in rural areas to that within any other sector of the community.

Regulatory Impact Statement

The Department has not carried out a Regulatory Impact Assessment on the implications of the draft Industry Noise Action Plan as it does not consider that the Action Plan will place any financial burden, in addition to that which is imposed by the END itself, on organisations involved in action planning. The Action Plan will have no immediate impact on businesses or the voluntary sector.

The Action Plan follows the approach set out in the Department's Technical Guidance on Noise Mapping and Action Planning, and provides a framework within which the Department of the Environment/Northern Ireland Environment Agency can comply with the requirements of the END.

5 European Directives and Brexit

The referendum on 23 June 2016 resulted in a decision that the UK should leave the European Union. However, until such time as exit negotiations are concluded, the UK remains a full Member of the European Union, and all the rights and obligations associated with EU membership remain in place. EU legislation will continue to be negotiated, implemented and applied during this period. It is the outcome of those exit negotiations that will determine the arrangements that should apply in relation to legislation in the future once the UK has left the European Union.

6 Introduction to the Round 3 Industry Noise Action Plan

The European Parliament and Council Directive relating to the assessment and management of environmental noise (the Environmental Noise Directive 2002/49/EC (END)) was transposed in Northern Ireland through the Environmental Noise Regulations (Northern Ireland) 2006 ("the Regulations").

The three main objectives of the Directive are:

- To determine the noise exposure of the population through noise mapping;
- To make information on environmental noise available to the public; and
- To develop 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 required Member States to produce Strategic Noise Maps for the main sources of environmental noise, namely, roads, railways, airports and industry in agglomerations with more than 250,000 persons (Greater Belfast) in 2007 (Round 1 noise mapping). Further strategic maps for smaller roads, railways, airports and

industry in agglomerations with more than 100,000 persons were made in 2012 (Round 2) and 2017 (Round 3). Maps are to be prepared every 5 years thereafter.

In Northern Ireland the following entities were appointed under the Regulations as the Competent Authorities responsible for preparing the Noise Maps and Action Plans for each noise source:

- Road noise – Roads Service, DfI;
- Railway noise – Translink (Northern Ireland Transport Holding Company);
- George Best Belfast City Airport noise - George Best Belfast City Airport;
- Belfast International Airport noise - Belfast International Airport; and
- Industrial noise –DAERA/NIEA.

The Round 3 Industry Noise Action Plan (Annex I) sets out how DEARA/NIEA, as the Competent Authority for industrial noise, will deliver their obligations under the Environmental Noise Directive.

This Round 3 Industry Noise Action Plan is prepared pursuant to the Regulations. The Plan follows the approach set out in the Department's Technical Guidance on Noise Mapping and Action Planning issued in 2013, and provides a framework within which DAERA/NIEA can comply with the requirements of the END.

The Action Plan analyses the results of the noise mapping in terms of the area, number of properties and number of individuals exposed to various levels of noise. The Plan identifies the numbers of people affected by the highest levels of industrial noise in the Belfast agglomeration and targets the top 1% for further investigation.

Section 2 (above) sets out the process for providing comments on the Round 3 Industry Noise Action Plan.

Annex I

See separate document

Annex II List of Consultees

Leaders of Parties in the Assembly
Other Northern Ireland Parties not in the Assembly
MPs/MEPs who are not Party Leaders or MLAs
Members of the NI Assembly
Speaker of the Assembly
Assembly Business Office
The Environment Committee of the Northern Ireland Assembly
Northern Ireland Assembly Library
Central Management Unit
North South Ministerial Council
Office of the Attorney General for Northern Ireland
Northern Ireland Office
NSMC – NI Secretariat
Legal Deposits Library
Departmental Library
The Chief Executive of the Inn of Court of Northern Ireland
Belfast Solicitors Association
The Law Society of Northern Ireland
School of Law, Queens University Belfast
School of Law, University of Ulster
Northern Ireland Court Service
HM Council of County Court Judges
Courts and Tribunal Service
Civil Law Reform Division
Law Centre (NI)
Northern Ireland Law Commission
Equality Commission for Northern Ireland
Judge McKibbin, District Judge
Human Rights Commission
Northern Ireland Ombudsman
Confederation of British Industry
The Consumer Council for Northern Ireland
Federation of Small Businesses
Northern Ireland Chamber of Commerce
Northern Ireland Chamber of Trade

NI Association of Citizens Advice
Food Standards Agency
NIC/ICTU
The NI Council for Voluntary Action
Society of Local Authority Chief Executives
Northern Ireland Local Government Association
Northern Ireland Judicial Appointments Commission
Ministry of Defence
Community Relations Council
NI Association of the Care and Resettlement of Offenders
Participation and the Practice of Rights Project
Catholic Bishops of Northern Ireland
Information Commissioner's Office
Disability Action
HM Revenue and Customs
Lord Chief Justice Office
Roads Service
Translink
Belfast International Airport
George Best Belfast City Airport
Belfast City Airport watch
Belfast International Airport Consultative Committee
Civil Aviation Authority
Derry city Airport
Rail Passengers Council
Irish Branch of Acoustics
Planning NI
Quarry Products Association
Manufacturing NI
Farming and Wildlife Advisory Group
Friends of the Earth
General Consumer Council NI
NI Chamber of Commerce and Industry
NI Environment Agency
NI Environment Link
NI Local Government Association
NI Public Health Agency

NI Tourist Board
Ulster Farmers Union
Ulster Wildlife Trust
WWF

Section 75 Consultees

Age

Age NI
Commissioner for Children and Young People

Disability

Action on Hearing Loss
Royal National Institute of Blind People
Barnados NI (and all other section 75 groups)

Race

An Munia Tober
Chinese Welfare Association
Indian Community Centre
Belfast Islamic Centre
Northern Ireland Council for Ethnic Minorities
Polish Association Northern Ireland

Religion

Bahai Council for NI
Belfast Hebrew Congregation
Bishop of Down and Connor
Methodist Church in Ireland
Presbyterian Church in Ireland

Sexual Orientation

Belfast Butterfly Club

Marital Status

Bryson Charitable Group (and all section 75 groups)

Gender

NI Women's Aid Federation

People with Dependants

Carers Northern Ireland

All section 75 Groups/General

Community Development and Health Network (NI)

Committee on the Administration of Justice

Equality Commission for Northern Ireland

Law Centre NI

NIPSANI Association for Mental Health

Irish Congress of Trade Unions - NI Committee (ICTUNI)

Health trusts

All District Councils

Chartered Institute of Environmental Health NI

Public Health Agency NI

NIEA

Roads Safety Council of NI

Housing Executive

HSENI