
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 387

The Environmental Noise Regulations (Northern Ireland) 2006

PART 1

GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Environmental Noise Regulations (Northern Ireland) 2006 and shall come into operation on 20 October 2006.

(2) These Regulations apply to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, near schools, hospitals and other noise-sensitive buildings and areas.

(3) These Regulations do not apply to noise that is caused by the exposed person himself, 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.

Commencement Information

II [Reg. 1](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(1) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) Unless otherwise defined in these Regulations, words and terms used in these Regulations and in the Directive have the same meaning as in the Directive.

[^{F1}(2A) For the purpose of these Regulations, a reference to the Directive is to be read as if any reference in that Directive to a member state or competent authority in a provision imposing an obligation on or providing a discretion to a member state or competent authority is to the Northern Ireland department which, immediately before exit day was responsible for compliance with that obligation or exercise of that discretion in Northern Ireland]

(3) In these Regulations—

“agglomeration” means an area identified as an agglomeration pursuant to regulation 3;

“airport operator” means the person for the time being having, in relation to a particular airport, the management of that airport;

“calendar year” means a period of a year beginning on 1 January;

“classified road” means a road which is classified pursuant to Article 13 of the Roads (Northern Ireland) Order 1993⁽²⁾;

“dB(A)” is a measure of sound pressure level (“A” weighted) in decibels as specified in British Standard BS EN 61672-2: 2003⁽³⁾;

[^{F2}“the Department” means the Department of Agriculture, Environment and Rural Affairs;]

“Directive” means Directive 2002/49/EC of the European Parliament and of the Council [^{F3}relating to the assessment and management of environmental noise, as last amended by Commission Directive (EU) 2015/996] ;

“first round agglomeration” means an area identified as a first round agglomeration pursuant to regulation 3;

“first round major railway” means a railway which is identified as a first round major railway pursuant to regulation 3;

“first round major road” means a road which is identified as a first round major road pursuant to regulation 3;

“industrial noise sources” means—

- (a) Part A activities, as defined in Schedule 1 of the Pollution Prevention and Control Regulations (Northern Ireland) 2003⁽⁴⁾, within an agglomeration or first round agglomeration; and
- (b) Ports within an agglomeration or first round agglomeration;

“in the form of Regulations” means in the form of Regulations made under section 2(2) of the European Communities Act 1972;

“L_{day}” has the meaning given in Article 3 and Annex I of the Directive and covers the period 07:00 – 19:00 hours in any 24-hour period;

“L_{evening}” has the meaning given in Article 3 and Annex I of the Directive and covers the period 19:00 – 23:00 hours in any 24-hour period;

“L_{night}” has the meaning given in Article 3 and Annex I of the Directive and covers the period 23:00 – 07:00 hours in any 24-hour period;

“L_{den}” has the meaning given in Article 3 and Annex I of the Directive;

“major airport” means an airport which is identified as a major airport pursuant to regulation 3;

“major railway” means a railway which is identified as a major railway pursuant to regulation 3;

“major road” means a road which is identified as a major road pursuant to regulation 3;

“motorway” means a road that has been designated under Article 15 of the Roads (Northern Ireland) Order 1993;

“quiet area in an agglomeration” means an area which is identified as a quiet area in an agglomeration in accordance with regulation 40;

“relevant agglomerations” means agglomerations identified under regulation 3(2)(a) or 3(3)(a);

“relevant first round agglomerations” means agglomerations identified under regulation 3(1)(a);

“supplementary noise indicator” means a noise indicator as defined in Schedule 3;

(2) S.I. 1993/3160 (N.I. 15)

(3) ISBN 0-580-42224-0

(4) S.R. 2003 No. 46

“the Department” means the Department of the Environment; and

“trunk road” has the meaning given in Article 2(2) of the Roads (Northern Ireland) Order 1993.

[^{F4}(4) In these Regulations any reference to Annex I, II, VI or paragraph 7 of Annex IV of the Directive is to be construed as a reference to that Annex or paragraph [^{F5} as it had effect immediately before exit day] .]

Textual Amendments

- F1** Reg. 2(2A) inserted (31.12.2020) by The Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/584), regs. 1, **30(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 2(3) substituted (31.12.2018) by The Environmental Noise (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/190), regs. 1(1), **2(2)(a)(ii)**
- F3** Words in reg. 2(3) substituted (31.12.2018) by The Environmental Noise (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/190), regs. 1(1), **2(2)(a)(i)**
- F4** Reg. 2(4) added (31.12.2018) by The Environmental Noise (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/190), regs. 1(1), **2(2)(b)**
- F5** Words in reg. 2(4) substituted (31.12.2020) by The Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/584), regs. 1, **31**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I2** Reg. 2 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

Identification of noise sources

3.—(1) No later than 31st December 2006 the Department shall prepare maps identifying all—

- (a) first round agglomerations;
- (b) first round major roads;
- (c) first round major railways; and
- (d) major airports.

(2) No later than 31st December 2011 the Department shall prepare maps identifying all—

- (a) agglomerations;
- (b) major roads;
- (c) major railways; and
- (d) major airports.

(3) In any relevant year the Department shall prepare maps identifying all—

- (a) agglomerations;
- (b) major roads;
- (c) major railways; or
- (d) major airports;

as necessary if it considers that the most recent maps produced pursuant to paragraph 2 are no longer appropriate.

(4) In paragraph (3) “relevant year” means 2016 and every fifth year thereafter.

(5) When discharging its duty under paragraph (1)(a) to identify first round agglomerations the Department shall identify areas—

- (a) having a population in excess of 250,000 persons and a population density equal to or greater than 500 people per km²; and
 - (b) which it considers to be urbanised.
- (6) When discharging its duty under paragraph (2)(a) or (3)(a) to identify agglomerations the Department shall identify areas—
- (a) having a population in excess of 100,000 persons and a population density equal to or greater than 500 people per km²; and
 - (b) which it considers to be urbanised.
- (7) When discharging its duty under paragraph (1)(b) to identify first round major roads the Department shall identify roads which—
- (a) are—
 - (i) trunk roads;
 - (ii) motorways; or
 - (iii) classified roads; and
 - (b) have more than six million vehicle passages a year.
- (8) When discharging its duty under paragraph (2)(b) or (3)(b) to identify major roads the Department shall identify roads which—
- (a) are—
 - (i) trunk roads;
 - (ii) motorways; or
 - (iii) classified roads; and
 - (b) have more than three million vehicle passages a year.
- (9) When discharging its duty under paragraph (1)(c) to identify first round major railways the Department shall identify railways which have more than 60,000 train passages per year.
- (10) When discharging its duty under paragraph (2)(c) or (3)(c) to identify major railways the Department shall identify railways which have more than 30,000 train passages per year.
- (11) When discharging its duty under paragraph (1)(d), (2)(d) or (3)(d) to identify major airports the Department shall identify civil airports which have more than 50,000 movements per year (a movement being a take-off or a landing), excluding those purely for training purposes on light aircraft.
- (12) Certified copies of maps prepared pursuant to paragraphs (1), (2) 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.

Commencement Information

I3 Reg. 3 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

PART 2
STRATEGIC NOISE MAPS
CHAPTER 1
GENERAL REQUIREMENTS FOR STRATEGIC NOISE MAPS

Strategic noise maps: general requirements

4.—(1) Any strategic noise map made or revised under this Part shall satisfy the applicable requirements in Schedule 1.

(2) A competent authority under regulations 7, 10, 13, 16 or 21 shall apply—

- (a) the noise indicators L_{den} and L_{night} as referred to in Annex I of the Directive; and
- (b) the supplementary noise indicators in all cases listed as examples in paragraph 3 of Annex 1 of the Directive;

when making or revising strategic noise maps under this Part.

[^{F6}(3) The values of L_{den} , L_{night} and the supplementary noise indicators shall be determined by computation (at the assessment position) and by means of the assessment methods set out in Annex II of the Directive.

(4) In this Regulation, “assessment position” means the assessment height in paragraph 7 of Annex IV of the Directive.]

[^{F7}[^{F8}(5)] For the purposes of paragraph (2)(a), a reference to Annex 1 to the Directive is to be read as if, in paragraph (1) of the Directive, in the second subparagraph, in the first indent, the words from “The Member” to the end were omitted]

Textual Amendments

- F6** Reg. 4(3)(4) substituted for reg. 4(3)-(5) (31.12.2018) by [The Environmental Noise \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/190\)](#), regs. 1(1), **2(3)**
- F7** Reg. 4(6) inserted (31.12.2020) by virtue of [The Environment \(Miscellaneous Amendments\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/584\)](#), regs. 1, **32**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Reg. 4(6) renumbered (31.12.2020) by [The Agriculture, Environment and Rural Affairs \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1101\)](#), regs. 1(2)(b), **4**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I4** [Reg. 4](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Interpretation

5.—(1) In this Part—

“input data” means all the data and related information used to produce the numerical data in electronic form required by paragraph 3(2)(b) or 4(2)(b) (as appropriate) of Schedule 1; and

“metadata” means such elements of Section 2 of the “SPIRE Data Standard, Version 1.0” (DEFRA, 25 November 2004)(5) as are required to describe the—

- (a) input data; and

- (b) information and data required by paragraph 3(2) or 4(2) (as appropriate) of Schedule 1;
- (2) Any requirement in this Chapter to submit input data to a competent authority is a requirement to submit that input data in a format that—
- (a) is electronic;
 - (b) allows electronic manipulation; and
 - (c) does not require manipulation in order to reproduce the numerical data in electronic form required by paragraph 3(2)(b) or 4(2)(b) (as appropriate) of Schedule 1.

Commencement Information

I5 Reg. 5 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

CHAPTER 2

STRATEGIC NOISE MAPS - MAJOR ROADS

Application

6. This Chapter applies to noise from major roads.

Commencement Information

I6 Reg. 6 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

Competent authority

7. The competent authority for this Chapter is [^{F9}the Department for Infrastructure] .

Textual Amendments

F9 Words in **reg. 7** substituted (31.12.2018) by **The Environmental Noise (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/190)**, regs. 1(1), 2(4)

Commencement Information

I7 Reg. 7 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

Duty to make, review and revise strategic noise maps: major roads

- 8.—(1) No later than 31 October 2006 the competent authority shall—
- (a) identify all major roads for the preceding calendar year; and
 - (b) submit this data to the Department.
- (2) No later than 31 October 2011, and thereafter every five years, the competent authority shall—
- (a) identify all major roads for the preceding calendar year; and
 - (b) submit this data to the Department.
- (3) No later than 31 March 2007 the competent authority shall—
- (a) make a strategic noise map showing the situation in the preceding calendar year for all first round major roads; and

- (b) submit that map with input data and metadata to the Department.
- (4) No later than 31 March 2012, and thereafter every five years, the competent authority shall—
 - (a) make a strategic noise map showing the situation in the preceding calendar year for all major roads; and
 - (b) submit that map with input data and metadata to the Department.
- (5) Whenever a major development occurs affecting the existing noise situation, the competent authority shall—
 - (a) review; and
 - (b) if necessary revise;any strategic noise map made pursuant to paragraph (3) or (4) and adopted pursuant to regulation 46.
- (6) The competent authority shall submit any strategic noise map revised pursuant to paragraph (5)(b), with input data and metadata, to the Department within three working days of its revision.

Commencement Information

I8 Reg. 8 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 3

STRATEGIC NOISE MAPS – MAJOR RAILWAYS

Application

- 9. This Chapter applies to noise from major railways.

Commencement Information

I9 Reg. 9 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I10 Reg. 10 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Duty to make, review and revise strategic noise maps: major railways

- 11.—(1) No later than 31 October 2006 the competent authority shall—
 - (a) identify all major railways for the preceding calendar year; and
 - (b) submit this data to the Department.
- (2) No later than 31 October 2011, and thereafter every five years, the competent authority shall—
 - (a) identify all major railways for the preceding calendar year; and
 - (b) submit this data to the Department.
- (3) No later than 31 March 2007 the competent authority shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all first round major railways; and
 - (b) submit that map with input data and metadata to the Department.
- (4) No later than 31 March 2012, and thereafter every five years, the competent authority shall—
- (a) make a strategic noise map showing the situation in the preceding calendar year for all major railways; and
 - (b) submit that map with input data and metadata to the Department.
- (5) Whenever a major development occurs affecting the existing noise situation, the competent authority shall—
- (a) review; and
 - (b) if necessary revise;

any strategic noise map made pursuant to paragraph (3) or (4) and approved pursuant to regulation 46.

(6) The competent authority shall submit any strategic noise map revised pursuant to paragraph (5)(b), with input data and metadata, to the Department within three working days of its revision.

Commencement Information

I11 Reg. 11 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 4

STRATEGIC NOISE MAPS – MAJOR AIRPORTS

Application

12. This Chapter applies to noise from major airports.

Commencement Information

I12 Reg. 12 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I13 Reg. 13 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Duty to make, review and revise strategic noise maps: major airports

14.—(1) No later than 31 October 2006, and thereafter every five years, the competent authority shall—

- (a) identify whether an airport qualifies as a major airport for the preceding calendar year; and
- (b) submit this data to the Department.

(2) No later than 31 March 2007, and thereafter every five years, the competent authority shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all major airports; and
 - (b) submit that map with input data and metadata to the Department.
- (3) Whenever a major development occurs affecting the existing noise situation, the competent authority shall—
- (a) review; and
 - (b) if necessary revise;

any strategic noise map made pursuant to paragraph (2) and approved pursuant to regulation 46.

(4) The competent authority shall submit any strategic noise map revised pursuant to paragraph (3)(b), with input data and metadata, to the Department within three working days of its revision.

Commencement Information

I14 Reg. 14 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 5

STRATEGIC NOISE MAPS – INDUSTRY

Application

15. This Chapter applies to noise sources from industry.

Commencement Information

I15 Reg. 15 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I16 Reg. 16 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Duty to make, review and revise strategic noise maps: industry

17.—(1) No later than 31 December 2006 the competent authority shall identify all industrial noise sources within first round agglomerations in the preceding calendar year.

(2) No later than 31 December 2011, and thereafter every five years, the competent authority shall identify all industrial noise sources within agglomerations.

(3) No later than 30 June 2007 the competent authority shall make a strategic noise map showing the situation in the preceding calendar year for industrial noise sources within first round agglomerations.

(4) No later than 30 June 2012, and thereafter every five years, the competent authority shall make a strategic noise map showing the situation in the preceding calendar year for industrial noise sources within agglomerations.

(5) Whenever a major development occurs affecting the existing noise situation, the competent authority shall—

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

any strategic noise map made pursuant to paragraph (3) or (4).

Commencement Information

I17 Reg. 17 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 6

STRATEGIC NOISE MAPS – AGGLOMERATIONS

Application

18. This Chapter applies to noise from sources within agglomerations.

Commencement Information

I18 Reg. 18 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Duty to make, review and revise strategic noise maps: agglomerations

19.—(1) No later than 31 March 2007 the competent authority under regulation 7 shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant first round agglomerations; and
- (b) submit that map with input data and metadata to the Department.

(2) No later than 31 March 2012, and thereafter every five years, the competent authority under regulation 7 shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant agglomerations; and
- (b) submit that map with input data and metadata to the Department.

(3) No later than 31 March 2007 the competent authority under regulation 10 shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant first round agglomerations; and
- (b) submit that map with input data and metadata to the Department.

(4) No later than 31 March 2012, and thereafter every five years, the competent authority under regulation 10 shall—

- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant agglomerations; and
- (b) submit that map with input data and metadata to the Department.

(5) No later than 31 October 2006, and thereafter every five years, an airport operator shall—

- (a) identify any airport to be mapped within any relevant first round agglomeration or any relevant agglomeration;
- (b) act as the competent authority for that airport; and

- (c) submit this data to the Department.
- (6) No later than 31 March 2007 the competent authority under paragraph (5) shall—
- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant first round agglomerations; and
 - (b) submit that map with input data and metadata to the Department.
- (7) No later than 31 March 2012, and thereafter every five years, the competent authority under regulation 13 shall—
- (a) make a strategic noise map showing the situation in the preceding calendar year for all relevant agglomerations; and
 - (b) submit that map with input data and metadata to the Department.
- (8) Whenever a major development occurs affecting the existing noise situation, the competent authority under regulation 7, 10, 13, 16 or paragraph (5) shall—
- (a) review; and
 - (b) if necessary, revise;
- any strategic noise map made pursuant to paragraph (1), (2), (3), (4), (6) or (7) and adopted or approved pursuant to regulation 46.
- (9) Any strategic noise map revised pursuant to paragraph (8)(b) shall be submitted with input data and metadata to the Department within three working days of its revision.

Commencement Information

I19 Reg. 19 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

CHAPTER 7

CONSOLIDATION OF STRATEGIC NOISE MAPS

Application

20. This Chapter applies to noise from sources within agglomerations.

Commencement Information

I20 Reg. 20 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

Competent authority

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

Commencement Information

I21 Reg. 21 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

Duty to make, review and revise a consolidated strategic noise map: agglomerations

22. No later than the 30 June 2007, and thereafter every five years, the competent authority shall make a consolidated strategic noise map for all noise sources within the agglomeration, using the strategic noise maps submitted under regulations 17 and 19.

Commencement Information

I22 [Reg. 22](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I23 [Reg. 23](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I24 [Reg. 24](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 2

ACTION PLANS – ROADS

Application

25. This Chapter applies to noise from roads

Commencement Information

I25 [Reg. 25](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I26 [Reg. 26](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I27 [Reg. 27](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I28 [Reg. 28](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 3

ACTION PLANS – RAILWAYS

Application

29. This Chapter applies to noise from railways

Commencement Information

I29 [Reg. 29](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I30 [Reg. 30](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I31 Reg. 31 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

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.

Commencement Information

I32 Reg. 32 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

CHAPTER 4

ACTION PLANS – AIRPORTS

Application

33. This Chapter applies to noise from airports

Commencement Information

I33 [Reg. 33](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Competent authority

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

Commencement Information

I34 [Reg. 34](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I35 [Reg. 35](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I36 Reg. 36 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

CHAPTER 5

ACTION PLANS – INDUSTRY

Application

37. This Chapter refers to noise sources from industry.

Commencement Information

I37 Reg. 37 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

Competent authority

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

Commencement Information

I38 Reg. 38 in operation at 20.10.2006 with application in accordance with, see reg. 1(2)

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.

Commencement Information

I39 [Reg. 39](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I40 [Reg. 40](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

CHAPTER 7
CONSOLIDATED ACTION PLANS

Competent authority

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

Commencement Information

I41 [Reg. 41](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I42 Reg. 42 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I43 Reg. 43 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

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.

Commencement Information

I44 Reg. 44 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

PART 4

COOPERATION WITH EXTERNAL COMPETENT AUTHORITIES

Cooperation with external competent authorities

45.—(1) When necessary in order to meet its obligations under these Regulations, a competent authority shall use all reasonable endeavours to secure the cooperation of an external competent authority.

(2) A competent authority—

- (a) when requested to do so by an external competent authority; and
- (b) if necessary to meet that external competent authority’s obligations arising under [F10relevant EU-derived domestic legislation] ;

shall cooperate with that external competent authority.

(3) In this Part “external competent authority” means a competent authority in the Republic of Ireland, England, Scotland or Wales designated for the purposes of [F11 the relevant EU-derived domestic legislation] .

Textual Amendments

- F10** Words in **reg. 45(2)(b)** substituted (31.12.2020) by **The Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/584)**, regs. 1, **33(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in **reg. 45(3)** substituted (31.12.2020) by **The Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/584)**, regs. 1, **33(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I45 Reg. 45 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

PART 5

ADOPTION OR APPROVAL OF STRATEGIC NOISE MAPS AND ACTION PLANS

Adoption or approval of strategic noise maps

46.—(1) If the Department considers that a strategic noise map—

- (a) submitted to it pursuant to regulation 11, or 14;
- (b) submitted to it pursuant to paragraph (6);

meets the requirements of regulation 4, it shall approve the map.

(2) If the Department considers that a strategic noise map submitted to it pursuant to regulation 11, or 14 or paragraph (6) does not meet the requirements of regulation 4 it may—

- (a) amend and approve the map; or
- (b) reject the map.

(3) If the Department considers that a strategic noise map—

- (a) submitted to it pursuant to regulation 8, or 19;
- (b) submitted to it pursuant to paragraph (6); or
- (c) made or revised by it;

meets the requirements of regulation 4, the Department shall adopt the map.

(4) If the Department considers that a strategic noise map submitted to it pursuant to regulation 8, or 19 or paragraph (6) does not meet the requirements of regulation 4 it may—

- (a) amend and adopt the map; or
- (b) reject the map.

(5) If a strategic noise map is rejected pursuant to paragraph (2)(b) or (4)(b) the Department shall notify the competent authority that submitted it of—

- (a) the reasons why the map was not approved or adopted; and
- (b) the date by which the map shall be revised and resubmitted.

(6) The recipient of a notification under paragraph (5) shall submit the revised strategic noise map to the Department by the date specified in the notification.

(7) Paragraphs (1) to (6) apply to a revised strategic noise map as they apply to a strategic noise map submitted pursuant to regulation 8, 11, 14, or 19.

(8) If the Department amends—

- (a) a strategic noise map; or
- (b) a revised strategic noise map;

it shall take such steps as it considers appropriate to ensure that the map complies with the requirements of regulation 4 and shall notify the competent authority of any amendments made.

Commencement Information

I46 Reg. 46 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

Adoption or approval of action plans

47.—(1) If the Department considers that an action plan—

- (a) submitted to it pursuant to regulation 31(1)(b), 31(2)(b), 31(5), 32(1)(b), 32(2)(b), 32(5), 35(1)(b), 35(4), 36(1)(b), 36(2)(b), or 36(5);
- (b) submitted to it pursuant to paragraph (6);

meets the requirements of regulation 24, it shall approve the action plan.

(2) If the Department considers that an action plan—

- (a) submitted to it pursuant to regulation 27(1)(b), 27(2)(b), 27(5), 28(1)(b), 28(2)(b) or 28(5);
- (b) submitted to it pursuant to paragraph (6);

meets the requirements of regulation 24, it shall adopt the action plan.

(3) Paragraph (4) applies if—

- (a) the Department considers that an action plan submitted to it pursuant to regulations 27(1)(b), 27(2)(b), 27(5), 28(1)(b), 28(2)(b), 28(5), 31(1)(b), 31(2)(b), 31(5), 32(1)(b), 32(2)(b), 32(5), 35(1)(b), 35(4), 36(1)(b), 36(2)(b) or 36(5), does not meet the requirements of regulation 24; or
 - (b) an action plan is not adopted or approved pursuant to paragraphs (1) or (2).
- (4) Where this paragraph applies the Department shall—
- (a) amend, and approve or adopt the action plan; or
 - (b) reject the action plan.
- (5) If an action plan is rejected pursuant to paragraph (4)(b) the Department shall notify the authority that submitted it of—
- (a) the reasons why the action plan was not approved or adopted; and
 - (b) the date by which the action plan shall be revised and resubmitted.
- (6) The recipient of a notification under paragraph (5) shall submit the revised action plan to the Department by the date specified in the notification.
- (7) Paragraphs (1) to (6) apply to a revised action plan as they apply to an action plan submitted pursuant to regulation 27(1)(b), 27(2)(b), 27(5), 28(1)(b), 28(2)(b), 28(5), 31(1)(b), 31(2)(b), 31(5), 32(1)(b), 32(2)(b), 32(5), 35(1)(b), 35(4), 36(1)(b), 36(2)(b) or 36(5).
- (8) If the Department amends—
- (a) an action plan; or
 - (b) a revised action plan;

it shall take such steps as it considers appropriate to ensure that the action plan complies with the requirements of Regulation 24 and notify the competent authority of any amendments made.

Commencement Information

I47 Reg. 47 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

PART 6

POWERS OF THE DEPARTMENT IN RELATION TO THE FUNCTIONS OF OTHER COMPETENT AUTHORITIES

Application

48. This Part does not apply to any functions under these Regulations for which the Department is the competent authority.

Commencement Information

I48 Reg. 48 in operation at 20.10.2006 with application in accordance with, see **reg. 1(2)**

Powers

49.—(1) The Department may at any time require a competent authority to provide information in relation to its functions under these Regulations.

- (2) A request for information pursuant to paragraph (1)—
 - (a) shall be made in writing;
 - (b) shall specify the format in which information shall be provided; and
 - (c) shall specify the period of time within which a response shall be received.
- (3) If an authority receives a request pursuant to paragraph (1) it shall respond—
 - (a) within the time period specified pursuant to paragraph (2)(c); or
 - (b) if no such period is specified, within fourteen days of receipt of the request.
- (4) Paragraph (5) applies where—
 - (a) the Department has consulted the competent authority; and
 - (b) it considers that by reason of any act or omission, or any likely act or omission, by the competent authority—
 - (i) a requirement of these Regulations; ^{F12}...
 - ^{F12}(ii)
is unlikely to be met.
- (5) The Department may exercise such of the functions of the competent authority, as it considers appropriate.

Textual Amendments
F12 Reg. 49(4)(b)(ii) and word omitted (31.12.2020) by virtue of [The Environment \(Miscellaneous Amendments\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/584\)](#), regs. 1, [34](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information
I49 Reg. 49 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Recovery of expenses

- 50.**—(1) Where the Department incurs expenses pursuant to—
 - (a) regulation [46\(2\)](#);
 - (b) regulation [46\(4\)](#);
 - (c) regulation [47\(4\)](#); or
 - (d) regulation [49\(5\)](#);it may recover those expenses from the relevant competent authority as a civil debt.
- (2) In this regulation “relevant competent authority” means—
 - (a) in relation to regulation [46\(2\)](#) and [46\(4\)](#), the competent authority that submitted the strategic noise map pursuant to regulation [8](#), [11](#), [14](#) or [19](#);
 - (b) in relation to regulations [47\(4\)](#), the competent authority that submitted the action plan pursuant to regulation [27\(1\)\(b\)](#), [27\(2\)\(b\)](#), [27\(5\)](#), [28\(1\)\(b\)](#), [28\(2\)\(b\)](#), [28\(5\)](#), [31\(1\)\(b\)](#), [31\(2\)\(b\)](#), [31\(5\)](#), [32\(1\)\(b\)](#), [32\(2\)\(b\)](#), [32\(5\)](#), [35\(1\)\(b\)](#), [35\(4\)](#), [36\(1\)\(b\)](#), [36\(2\)\(b\)](#), [36\(5\)](#); or
 - (c) in relation to regulation [49\(5\)](#), the competent authority whose functions the Department exercises pursuant to that regulation.

Commencement Information

I50 Reg. 50 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

PART 7

INFORMATION TO THE PUBLIC

Competent authority

51. The competent authority for this Part is the Department.

Commencement Information

I51 Reg. 51 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Availability of strategic noise maps and action plans

52.—(1) Any—

- (a) strategic noise map that is made available to the public before it is adopted or approved pursuant to regulation [46](#); or
- (b) action plan that is made available to the public before it is adopted or approved pursuant to regulation [47](#);

shall include prominently displayed wording identifying it as a draft subject to adoption or approval by the Department.

(2) Any—

- (a) strategic noise map approved or adopted pursuant to regulation [46](#); or
- (b) action plan approved or adopted pursuant to regulation [47](#);

shall be published by the competent authority in accordance with the requirements of paragraph (3).

(3) A strategic noise map or an action plan published pursuant to paragraph (2)—

- (a) shall be accompanied by a summary setting out the most important points;
- (b) 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;
- (c) may be displayed on a website and in such other manner as the Department considers appropriate; and
- (d) shall be provided by the Department, on request, for a reasonable charge.

Commencement Information

I52 Reg. 52 in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

PART 8

GUIDANCE

Guidance

53. A competent authority, in exercising any of its functions under these Regulations, shall have regard to any guidance issued by the Department [^{F13}or, formerly, the Department of the Environment] under this regulation.

Textual Amendments

F13 Words in [reg. 53](#) inserted (31.12.2018) by [The Environmental Noise \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/190\)](#), regs. [1\(1\)](#), [2\(5\)](#)

Commencement Information

I53 [Reg. 53](#) in operation at 20.10.2006 with application in accordance with, see [reg. 1\(2\)](#)

Sealed with the Official Seal of the Department of the Environment on 21st September 2006



Ian T. Maye
A Senior Officer of the Department of the
Environment

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Noise Regulations (Northern Ireland) 2006.