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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 465**

**The Environmental Noise (Scotland) Regulations 2006**

**PART 5**

**ADOPTION OF STRATEGIC NOISE MAPS AND ACTION PLANS**

**Adoption of strategic noise maps**

**21.**—(1) If the Scottish Ministers consider that a strategic noise map—

- (a) submitted to them pursuant to regulation 10 or 11;
- (b) submitted to them pursuant to paragraph (4); or
- (c) made or revised by them,

meets the requirements of regulation 5, they shall adopt the map.

(2) If the Scottish Ministers consider that a strategic noise map submitted to them pursuant to regulation 10 or 11 or paragraph (4) does not meet the requirements of regulation 5 they shall—

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

(3) If a strategic noise map is rejected pursuant to paragraph (2)(b) the Scottish Ministers shall notify the competent authority that submitted it of—

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

(4) The recipient of a notification under paragraph (3) shall submit the revised strategic noise map to the Scottish Ministers by the date specified in the notification.

(5) If the Scottish Ministers amend a strategic noise map—

- (a) submitted to them pursuant to regulation 10 or 11; or
- (b) submitted to them pursuant to paragraph (4),

they shall take such steps as they consider appropriate for ensuring that the map complies with the requirements of regulation 5.

**Adoption of action plans**

**22.**—(1) If the Scottish Ministers consider that an action plan—

- (a) submitted to them pursuant to regulation 17(1)(b), 17(2)(b) or 17(4);
- (b) submitted to them pursuant to paragraph (5); or
- (c) drawn up or revised by them,

meets the requirements of regulation 13, they may adopt the action plan.

(2) Paragraph (3) applies if—

- (a) the Scottish Ministers consider that an action plan submitted to them pursuant to regulation 17(1)(b), 17(2)(b) or 17(4) does not meet the requirements of regulation 13; or
  - (b) an action plan is not adopted pursuant to paragraph (1).
- (3) Where this paragraph applies the Scottish Ministers shall—
- (a) amend and adopt the plan; or
  - (b) reject the plan.
- (4) If an action plan is rejected pursuant to paragraph (3)(b) the Scottish Ministers shall notify the competent authority that submitted it of—
- (a) the reasons why the plan was not adopted; and
  - (b) the date by which the plan shall be revised and resubmitted.
- (5) The recipient of a notification under paragraph (4) shall submit the revised action plan to the Scottish Ministers by the date specified in the notification.
- (6) If the Scottish Ministers amend an action plan—
- (a) submitted to them pursuant to regulation 17(1)(b), 17(2)(b) or 17(4); or
  - (b) submitted to them pursuant to paragraph (5),
- they shall take such steps as they consider appropriate for ensuring that the action plan complies with the requirements of these Regulations.