
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to railway, tramway and other guided transport systems which have been authorised by or under statute. They impose a duty on the authority responsible for constructing the transport system concerned, or for adding to an existing system, to provide certain buildings with insulation against noise or to pay grant for insulation work to be carried out to such buildings.

A discretionary power to provide such insulation or to pay such grant is given to the responsible authority where an existing system is altered, or where noise from construction work is expected to affect such buildings.

However, the Regulations do not provide entitlement to insulation or grant where a new system is opened on the alignment of a system of the same type, if less than 5 years have elapsed between consent being given to the closure of the former system or the removal of its works (or their being made incapable of use), and the seeking of powers to build the new system.

To be eligible for insulation or grant, buildings have to be residential and located within 300 metres of the works constituting the new, added to or altered system. They must also be subject to a predicted noise level increase of at least one decibel (weighted to reflect the varying emphasis given by the ear), as a result of vehicles using the system. The noise level must also be greater by the same margin than the noise level existing before the construction or carrying out of the works and be not less than a level of 68 decibels in daytime and of 63 decibels at night (weighted as before).

The noise index used, $L_{Aeq \text{ time period}}$, describes the level of hypothetically steady sound which, over the period of measurement, would deliver the same noise energy as the actual intermittent noise. The procedures to be used for predicting noise levels from guided transport systems are those described in a technical memorandum, *Calculation of Railway Noise 1995*. They are based on conditions which represent the noisiest traffic flows expected to occur within a period of 15 years of the date on which the works in question are first used. The memorandum also specifies procedures and requirements for the measurement of noise levels where prediction is not possible.

The Regulations also set out the procedures for offering and accepting insulation work or grant, and for appeals. Schedule 1 specifies the insulation work to be carried out; Schedule 2 lists guided transport systems, apart from railways and tramways, to which the Regulations apply.

Copies of the technical memorandum *Calculation of Railway Noise 1995* are obtainable from Her Majesty's Stationery Office [ISBN 0-11-551754-5]. Copies of the following British Standards:

BS EN 60651: 1994 [ISBN 0 580 23386 3] (referred to in regulation 2(1));

BS 6262: 1982 [ISBN 0 580 12718 4] (referred to in paragraph 5(8) of Schedule 1);

BS 6262, part 4: 1994 [ISBN 0 580 23360 X] (referred to in paragraph 5(8) of Schedule 1); and

BS EN 20140-10: 1992 [ISBN 0 580 21242 4] (referred to in paragraph 8(h) of Schedule 1),

are available from the British Standards Institution, 389 Chiswick High Road, London W4 4AL.