
STATUTORY INSTRUMENTS

1978 No. 1049

**Pollution Control and Local Government
(Northern Ireland) Order 1978**

PART III

NOISE

Noise abatement zones

Register of noise levels

44.—(1) Every district council which has designated its district or any part of its district a noise abatement zone shall measure the level of noise emanating from premises within the zone which are of any class to which the relevant noise abatement order relates.

(2) The district council shall record all measurements taken under paragraph (1) in a register (in this Part referred to as a “noise level register”) to be kept by the council for the purpose in accordance with regulations.

(3) The district council on recording any measurement in the noise level register shall serve a copy of that record on the owner and occupier of the premises in respect of which the measurement was taken; and any person on whom a copy of such a record is served may, within twenty-eight days of the date of service, appeal to the Department against the record.

(4) On an appeal to the Department under paragraph (3) the Department may give to the district council in question such directions as the Department thinks fit as to the record of the measurement of noise which is the subject of the appeal, and the council shall comply with the directions.

(5) Except as provided by paragraphs (3) and (4) the validity or accuracy of any entry in a noise level register shall not be questioned in any proceedings under this Part.

(6) The premises as to which a district council is to make measurements under this Article shall include those which come within a class to which the relevant noise abatement order relates after the making of the order; and it shall be for the council to determine, both for those premises and all other premises of any class to which the relevant noise abatement order relates, when the measurements under this Article are to be made.

(7) A noise level register shall be open to public inspection at the principal office of the district council free of charge at all reasonable hours, and the council shall afford members of the public reasonable facilities for obtaining from the authority, on payment of reasonable charges, copies of entries in the register.

(8) Provision may be made by regulations—

- (a) for determining, or for authorising the Department to determine, the methods by which noise levels are to be measured for the purposes of any provision of this Article and Articles 45 to 47; and

Changes to legislation: *There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 44. (See end of Document for details)*

- (b) for enabling noise levels calculated in accordance with the regulations, or in accordance with the directions of the Department to be treated for those purposes as measured by a method determined under sub-paragraph (a).

Changes to legislation:

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 44.