
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.

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.

(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);

“DEFRA” means the Department for Environment, Food and Rural Affairs;

“Directive” means Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise(4);

(1) 1954 c. 33 (N.I.)

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

(3) ISBN 0-580-42224-0

(4) O.J. No. L 189, 18.07.2002, p. 12

“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(5), 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;

“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.

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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(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.