
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 465

The Environmental Noise (Scotland) Regulations 2006

PART 1

GENERAL

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Environmental Noise (Scotland) Regulations 2006 and shall come into force on 5th October 2006.

(2) These Regulations extend to Scotland only.

(3) Nothing in paragraph (2) means that strategic noise maps made or revised under these Regulations must be limited to Scotland.

Application

2.—(1) 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.

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

3.—(1) Unless otherwise defined in these Regulations, words and terms used in these Regulations and in the Directive shall have the meaning given in the Directive.

(2) In these Regulations—

“agglomeration” means an urbanised area having a population in excess of 100,000 people and a population density equal to or greater than 500 people per km² and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“airport” means a civil airport;

“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 the 1st January;

“dB(A)” is a measure of sound pressure level (“A” weighted) in decibels as specified in British Standard BS EN 61672 2:2003(1);

“Directive” means Directive [2002/49/EC](#) of the European Parliament and of the Council of 25th June 2002 relating to the assessment and management of environmental noise(2);

(1) ISBN 0-580-42224-0.

(2) O.J. No. L 189, 18.07.02, p.12.

“first round agglomeration” means an urbanised area having a population in excess of 250,000 people and a population density equal to or greater than 500 people per km² and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“first round major railway” means a railway having more than 60,000 train passages per year and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“first round major road” means a road having more than 6 million vehicle passages per year which is—

- (a) designated by the letter “A” followed by a number; or
- (b) a special road within the meaning of section 7 of the Roads (Scotland) Act 1984(3), and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“L_{day}” has the meaning given in Article 3 and Annex I to the Directive and covers the period 0700 – 1900 hours in any 24 hour period;

“L_{evening}” has the meaning given in Article 3 and Annex I to the Directive and covers the period 1900 – 2300 hours in any 24 hour period;

“L_{night}” has the meaning given in Article 3 and Annex I to the Directive and covers the period 2300 – 0700 hours in any 24 hour period;

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

“major airport” means a civil airport having 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, and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“major road” means a road having more than 3 million vehicle passages per year which is—

- (a) designated by the letter “A” followed by a number; or
- (b) a special road within the meaning of section 7 of the Roads (Scotland) Act 1984, and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“major railway” means a railway having more than 30,000 train passages per year and which is shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4;

“quiet area in an agglomeration” and “quiet area in a first round agglomeration” mean an area shown on a map or plan prepared and published by the Scottish Ministers in accordance with regulation 4.

Maps identifying noise sources and quiet areas

4.—(1) The Scottish Ministers shall prepare maps or plans showing—

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

(3) 1984 c. 54. There are amendments to section 7 not relevant to these Regulations.

- (f) major roads;
 - (g) major railways; and
 - (h) quiet areas in first round agglomerations and in agglomerations.
- (2) Every 5 years the Scottish Ministers–
- (a) shall review maps or plans prepared pursuant to paragraph (1); and
 - (b) where they consider that such maps or plans are no longer appropriate, shall modify them as necessary.
- (3) Certified copies of maps or plans prepared pursuant to paragraph (1) or modified pursuant to paragraph (2)–
- (a) shall be made available for inspection at such times and in such places as the Scottish Ministers may determine, and information on when and where such copies may be inspected shall be published by the Scottish Ministers in such a manner as they may determine;
 - (b) may be published on a website and in such other manner as the Scottish Ministers consider appropriate; and
 - (c) shall be provided by the Scottish Ministers, on request and for a reasonable charge.