

WELSH STATUTORY INSTRUMENTS

**2006 No. 2629**

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

**PART 4**

**ACTION PLANS**

**CHAPTER 1**

**GENERAL**

**Duty to publish criteria or limit values**

<sup>F1</sup>14. ....

**F1** [Reg. 14](#) revoked (9.2.2009) by [The Environmental Noise \(Wales\) \(Amendment\) Regulations 2009 \(S.I. 2009/47\)](#), regs. 1(1)(b), **8**

**Action plans: general requirements**

15.—(1) Any action plan drawn up or revised under this Part must—

- [<sup>F2</sup>(a) aim to prevent and reduce environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health;
- (aa) aim to preserve environmental noise quality where it is good;]
- (b) be designed to manage noise issues and effects, including noise reduction if necessary;
- (c) aim to protect quiet areas in agglomerations against an increase in noise;
- [<sup>F3</sup>(d) identify and address priorities having regard to guidance issued by the Welsh Ministers under regulation 30(1)];
- (e) apply in particular to the most important areas as established by strategic noise maps adopted pursuant to regulation 23; and
- (f) meet the requirements in Schedule 4.

(2) Paragraph (3) applies to—

- (a) any action plan; and
- (b) any revision of an action plan,

drawn up under this Part for an agglomeration.

(3) An action plan and any revision of an action plan must be based upon and apply in particular to the most important areas as established by—

- (a) all strategic noise maps that—
  - (i) are made or revised pursuant to regulation 7, 11 or 12 and adopted pursuant to regulation 23, and
  - (ii) concern any part of the area addressed by the action plan; and

(b) a consolidated noise map.

[<sup>F4</sup>(4) The Welsh Ministers may compile consolidated noise maps in respect of any area from any strategic noise maps that—

- (a) are made or revised pursuant to regulation 7, 11 or 12 and adopted pursuant to regulation 23, and
- (b) concern any part of the area addressed by the action plan.]

- F2** Reg. 15(1)(a)(aa) substituted for reg. 15(1)(a) (31.12.2020) by The Environmental Noise (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/247), regs. 1, **2(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Reg. 15(1)(d) substituted (9.2.2009) by The Environmental Noise (Wales) (Amendment) Regulations 2009 (S.I. 2009/47), regs. 1(1)(b), **6(2)**
- F4** Reg. 15(4) substituted (9.2.2009) by The Environmental Noise (Wales) (Amendment) Regulations 2009 (S.I. 2009/47), regs. 1(1)(b), **6(3)**

## CHAPTER 2

### ACTION PLANS – NOISE SOURCES OTHER THAN MAJOR AIRPORTS

#### Competent Authority

**16.** The competent authority for this Chapter is the Assembly.

#### Duty to draw up, review and revise action plans

**17.—(1)** No later than 18 July 2008 the competent authority must draw up action plans for—

- (a) places near first round major roads;
- (b) places near first round major railways; and
- (c) first round agglomerations.

(2) No later than 18 July 2013 the competent authority must draw up action plans for—

- (a) places near major roads;
- (b) places near major railways; and
- (c) agglomerations.

(3) Paragraph (4) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted pursuant to regulation 24.

(4) The competent authority must—

- (a) review; and
- (b) if necessary revise,

the action plan.

## CHAPTER 3

### ACTION PLANS – MAJOR AIRPORTS

#### Competent Authority

**18.** The competent authority for this Chapter is the airport operator.

### **Duty to draw up, review and revise action plans**

19.—(1) No later than 30 April 2008 the competent authority must—

- (a) draw up an action plan for places near the major airport; and
- (b) submit that action plan to the Assembly.

(2) Paragraph (3) only applies if the competent authority was not required to draw up an action plan for the major airport pursuant to paragraph (19) because it was not the competent authority on or before 30 April 2008.

(3) No later than 30 April 2013 the competent authority must—

- (a) draw up an action plan for places near the major airport; and
- (b) submit that action plan to the Assembly.

(4) Paragraph (5) applies—

- (a) whenever a major development occurs affecting the existing noise situation; and
- (b) at least every five years after the date on which an action plan is adopted pursuant to regulation 24.

(5) The competent authority must—

- (a) review; and
- (b) if necessary revise,

the action plan.

(6) An action plan revised pursuant to paragraph (5)(b) must be submitted to the Assembly within three working days of its revision.

## CHAPTER 4

### ACTION PLANS – PUBLIC PARTICIPATION

#### **Public participation**

20.—(1) In preparing and revising action plans the competent authorities under regulations 16 and 18 must ensure that—

- (a) the public is consulted about proposals for action plans;
- (b) the public is given early and effective opportunities to participate in the preparation and review of the action plans;
- (c) the results of that public participation are taken into account;
- (d) the public is informed of the decisions taken; and
- (e) reasonable time frames are provided allowing sufficient time for each stage of public participation.

## CHAPTER 5

### IMPLEMENTATION OF ACTION PLANS

#### **Implementation of action plans**

21.—(1) Where an action plan or a revision of an action plan—

- (a) has been adopted pursuant to regulation 24; and
- (b) identifies a public authority as responsible for a particular action,

that public authority must treat the action plan as its policy insofar as it relates to that action.

(2) A public authority may depart from any policy mentioned in paragraph (1) if—

(a) it provides—

(i) the Assembly, and

(ii) the competent authority responsible for the preparation of the action plan or the revision (if not the Assembly),

with written reasons for departing from that policy; and

(b) it publishes those reasons.

(3) In this regulation “public authority” (“awdurdod cyhoeddus”) includes any person who exercises functions of a public nature, but does not include—

(a) either House of Parliament or a person exercising functions in connection with proceedings in Parliament;

(b) courts or tribunals; or

(c) the Assembly.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Noise (Wales) Regulations 2006, PART 4 .