

EXPLANATORY MEMORANDUM TO
THE ENVIRONMENTAL NOISE (ENGLAND) (AMENDMENT)
REGULATIONS 2008

2008 No. 375

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These Regulations amend the Environmental Noise (England) Regulations 2006 (S.I. 2238 of 2006).

2.2 They amend Regulation 19 so that the date by which airport operators must submit their action plans to the Secretary of State is extended to 30th June 2008 and 2013 (regulation 3).

2.3 They also amend Schedule 2 to correct certain typographical errors (regulation 4).

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 These Regulations are made under section 2(2) of the European Communities Act 1972.

4.2 The Environmental Noise (England) (Amendment) Regulations 2008 amend the Environmental Noise (England) Regulations 2006¹.

5. Extent and application

5.1 This instrument applies only to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

¹ S.I. 2006/2238.

- 7.1 The aim of the Environmental Noise Directive (END) 2002/49/EC and the related legislation implemented through the Environmental Noise (England) Regulations 2006, and the Environmental Noise (England) (Amendment) Regulations 2008, is to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. The Regulations require noise mapping and action planning process to be taken forward on a five-year rolling programme. The first round of mapping and action planning applies to the largest of the agglomerations, the busiest major roads and railways and all major airports.
- 7.2 Airport operators are required to produce Action Plans, based upon the noise-mapping results, with a view to preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health and to preserving environmental noise quality where it is good. Under the current regulations, these action plans must be submitted to the Secretary of State by 30 April 2008 and 2013. Action plans do not have to be completed until 18 July 2008, and must be submitted to the Commission by 18 January 2009.
- 7.3 The proposed Environmental Noise (England) (Amendment) Regulations 2008 extend the date by which airport operators must submit their action plans to the Secretary of State from 30 April to 30 June 2008 and 2013. The earlier date of 30 April for submission of action plans places an unnecessary administrative burden on the airport operators, and the extension of the date alleviates this.
- 7.4 The proposed amended Regulations also correct certain typographical errors.

8. Impact

- 8.1 A regulatory impact assessment has not been carried out in relation to these Regulations as no impact on the private or voluntary sectors is foreseen.

9. Contact

- 9.1 Amy Carr at the Department for Environment, Food and Rural Affairs (Tel: 020 7238 2038 or e-mail: amy.carr@defra.gsi.gov.uk) can answer queries regarding the instrument.