POLICY NOTE

THE ENVIRONMENTAL NOISE (SCOTLAND) AMENDMENT REGULATIONS 2018

SSI 2018/342

The above instrument was made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. The instrument is subject to negative procedure.

Policy Objectives

The instrument transposes into domestic legislation in relation to Scotland the provisions of Commission Directive (EU) 2015/996 establishing common noise assessment methods according to Directive 2002/49/EC of the European Parliament and of the Council. This amends Annex 2 to Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise in establishing a new common noise assessment methodology.

The 2002 Directive requires Member States to undertake five yearly cycles of strategic noise mapping followed by development of Action Plans based on the maps. The maps estimate people's exposure to noise from road, rail and aviation, as well as from industry in large urban areas. The 2015 Directive establishes a new common assessment methodology for noise mapping. This takes account of technological and other developments since 2002 and is the mandatory methodology for the next round of strategic noise mapping. There is very little flexibility in applying the new methodology as the Directive sets out in detail the methods and equations which must be used.

The instrument amends The Environmental Noise (Scotland) Regulations 2006 to refer to the new methodology replacing the assessment methods formerly set out in Schedule 2. It also makes an adjustment to the national supplementary noise indicators in Schedule 3 to ensure compatibility with the new methodology.

Consultation

No consultation was undertaken as the regulation only affects the technical methods to be used for modelling calculations. Stakeholders have been aware of the new methodology since its publication in 2015 and have been informed of the Scottish Government's intention to transpose the Directive into domestic legislation in relation to Scotland by the end of 2018, as required.

Impact Assessments

There is no significant impact on business, charities, voluntary bodies or the public sector therefore no impact assessments have been prepared.

Financial Effects

The Cabinet Secretary for Environment, Climate Change and Land Reform confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Directorate for Environment and Forestry

November 2018