



Response to the Welsh Government Consultation on Noise Plans

Introduction

The UK Environmental Law Association aims to make the law work for a better environment and to improve understanding and awareness of environmental law. UKELA's members are involved in the practice, study or formulation of Environmental Law in the UK and the European Union. It attracts both lawyers and non-lawyers and has a broad membership from the private and public sectors.

UKELA prepares advice to UK Governments with the help of its specialist working parties, covering a range of environmental law topics. This response has been prepared jointly by UKELA's Contaminated Land and Insurance Working Party and its Wales Working Party.

UKELA makes the following comments on the proposals.

General

It is disappointing that the overall strategy in relation to noise management in Wales is unclear. Furthermore, there does not appear to be a direct relationship between the objectives listed in the Executive Summary and the actions contained in the body of the document. In some cases the stated actions are vague e.g. "explore opportunities", "will liaise", "will continue to work" etc. and are not directly related to outcomes. Furthermore, there is nothing proposed in the document to indicate how work undertaken by the various bodies to manage noise will be monitored and evaluated.

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There are no proposed timescales given for completion of the actions put forward and the anticipated impact or outputs are unspecified in a number of cases. It is of concern that in some areas no actions are proposed (e.g. The Chapter on Other Forms of Noise).

Although it is stated that there will be two meetings a year of the relevant bodies to review progress on the actions and the long term strategy, it does not state how this will be reported on, even though it is stated that the plan will be updated as and when necessary, and within 5 years regardless.

Does the draft noise action plan accurately describe the way in which noise is managed in Wales?

Whilst the draft plan provides a comprehensive account of the legislation and how noise is currently managed in Wales, there is an absence of a clear vision and strategic aims. The Executive Summary appears to list objectives that can be regarded as strategic but the actions in the body of the plan do not appear to be directly related to these.

Do you agree with the proposed actions to be taken by bodies with responsibilities in Wales in the next five years?

There needs to be clarity about the overall strategy in order to assess the appropriateness of the actions contained in the plan. Furthermore, a number of the actions are vague and impossible to measure. For example, there is frequent use of phrases such as “will liaise”, “will explore”, “will consider” and “will continue to work”

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Do you think that the draft action plan fulfils the requirements for the second round of noise action planning under the Environmental Noise Directive?

The action plan would be strengthened if the objectives were clarified and SMART (Specific, Measurable, Attainable, Realistic and Timebound).

Do you agree that the candidate quiet areas nominated by local authorities in Annexes C, D and E offer places of relative tranquillity for local residents, and should be identified as quiet areas for the purposes of the Environmental Noise Directive?

It is difficult to comment on this.

If you have any related issues which we have not specifically addressed, please use this space to report them:

As indicated above, it is disappointing that the document does not contain an overall vision and strategic aims. Furthermore, apart from the twice yearly meetings there is little information on how the effectiveness of the plan is to be monitored and evaluated. Arrangements should be put in place for regular reporting on progress to stakeholders.

The fact that the plan is based on calculated, rather than measured noise levels is a weakness in the document. There would be clear advantage in accumulating

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empirical data to inform further actions and ensure their efficiency and effectiveness in managing noise throughout Wales.

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