

Notice of Motion
Cork County Council Meeting
12th February, 2018.

Motion by: Cllr. Marcia D’Alton

Motion:

“That this government would initiate a comprehensive review of national environmental noise legislation, including Regulation SI 140/2006 (Environmental Noise Regulations) and the Roads Act 1993, with a view to:

- Setting statutory limit values for excessive environmental noise levels based on recommendations from the World Health Organisation for the protection of human health
- Identifying a regulatory assessment method for environmental noise
- Establishing consistency between noise mapping bodies and action planning authorities
- Allowing for the effect of low frequency noise
- Including for noise control from ports
- Setting out a methodology for identifying “quiet areas” as required by Directive 2002/49/EC (Environmental Noise Directive)”.

Report:

It is acknowledged that legislation relating to noise in Ireland requires review. The primary legislation dates back to the early 1990s and while the 2006 Environmental Noise Regulations referenced in the motion seek to implement more recent EU policy in this area including drawing up Noise Action Plans, the principle avenue of enforcement remains the common law concept of nuisance. No regulations have been made on foot of Section 77 of the Roads Act 1993.

A Noise Bill was proposed in 2006, however it was not enacted, and while the intention to enact legislation in this area was included in subsequent programs for government there have been no subsequent policy or legislative initiatives.

Environment Strategic Policy Committee (SPC) members will be aware that in 2016 Environment Directorate staff took part in a national working group which developed a Protocol for Dealing with Noise Complaints for Local Authorities. The protocol was published by the Environment Protection Agency (EPA) and includes a recommendation that local authorities develop and adopt individual noise complaint management policies. It is intended that a draft policy will be brought to the SPC for consideration later this year.

The Environment Directorate would be in favour of a review of environmental noise legislation that would include consideration of the issues outlined in the motion.

Louis Duffy
Director of Services