



Chartered
Institute of
Environmental
Health

Consultation on the repeal of Ss 63-67 of the Control of Pollution Act 1974 for England and Wales – abolishing Noise Abatement Zones

Response to Defra consultation document

January 2013

Noise & Nuisance Team
Defra
Area 5A, Ergon House
c/o Nobel House
17 Smith Square
London
SW1P 3JR

By e-mail: noise@defra.gsi.gov.uk

Dear Team

I refer to the Department's consultation paper under the above title, published on 7 December 2012.

Sections 63-67 of the 1974 Act provide for the designation and management of Noise Abatement Zones. They were enacted in the relatively early days of statutory noise control and the concept of Noise Abatement Zones is now almost 40 years old.

Though, no doubt, enacted with good intentions, it is fair to say they did not get off to a good start; commencement of the Act was delayed until 1976 and the Chartered Institute's annual reports note in 1975 *'this new approach is accompanied by a warning from the government that noise abatement zones should only be declared if they can be managed within existing resources'*, and, with even more prescience in 1977 that *'they do, however, require considerable resources which the current restraints on public spending do not allow'*. Expressing disappointment, our 1978 report noted *'slow adoption of this concept'*, due additionally to *'the extreme complexity of all stages of the procedure'* and that too, seems to have deterred adoption.

Most recently, our own information accords with that of the Department that only two Zones remain in any active use while it seems probable that other tools, in particular the planning process, have taken their place. That is one reason why we have been concerned at the withdrawal of planning guidance recently but, more to the point, such low usage makes it difficult to argue that Noise Abatement Zones have any current relevance.

Accordingly, whether or not the uncertainty they are claimed to cause business is real, there seems little point in retaining these largely redundant provisions and we agree with the Department's conclusion that they should be repealed. We do not believe that any considerations peculiar to the two remaining 'active' Zones change that. We nonetheless look forward to the development of more appropriate tools to support the identification and maintenance of 'quiet areas' in the near future.

Though we are unable from our position to comment in detail on the postulated costs and benefits of doing repeal, while on the one hand we are not sympathetic to saving 79 local authorities the costs of doing something they clearly should have done a long time ago, on the other, the Impact Assessment does not seem to note a commensurate saving for the Department in avoiding processing 79 applications to the Secretary of State for revocation.

We hope these comments assist.

Yours faithfully
Howard Price
Principal Policy Officer

The Chartered Institute of Environmental Health

As a **professional body**, we set standards and accredit courses and qualifications for the education of our professional members and other environmental health practitioners.

As a **knowledge centre**, we provide information, evidence and policy advice to local and national government, environmental and public health practitioners, industry and other stakeholders. We publish guidance notes and magazines, run educational events and commission research.

As an **awarding body**, we provide qualifications, events, and trainer and candidate support materials on topics relevant to health, wellbeing and safety to develop workplace skills and best practice in volunteers, employees, business managers and business owners.

As a **campaigning organisation**, we work to push environmental health further up the public agenda and to promote improvements in environmental and public health policy.

We are a **registered charity** with over 10,000 members .