

NOISE ACT

Pub noise regs proposed

Defra is consulting on regulations that can be used to control ad hoc noise from pubs and clubs. New regulations have been prompted by the Licensing Act that allows pubs and clubs to open later.

The regulations come swiftly after research was released suggesting that LA_{eq} is a good metric for controlling nuisance noise from licensed premises (*Noise Bulletin June p1*).

That research, carried out by consultant Jim Griffiths while at Capita Symonds, was based on tests carried out at BRE where various entertainment noises were sampled in realistic bedroom situations. Of all the various metrics available, it was LA_{eq} that had the greatest correlation between annoyance and the noise measure. LA_{eq} is usually considered rather a clumsy measure to gauge such annoyance as it is not very good at picking up bass beats.

In the consultation on Clean Neighbourhood Act powers, Defra says: "We are seeking comment on our draft guidance on the amended Noise Act 1996 for local authorities and proposals for a permitted level for noise from licensed premises between 2300 and 0700 under the Act. This

follows amendments made to the Noise Act 1996 under section 84 of, and Schedule 1 to, the Clean Neighbourhoods and Environment Act 2005, which we aim to commence in October 2006."

Offenders will be liable to on-the-spot fines of up to £500, or a maximum fine of £5,000 if convicted through the courts.

Day to day noise from licensed premises is intended to be dealt with through the licensing system – for instance the police can issue closure orders. What is being consulted on now is noise caused by infrequent (eg monthly) events such as soccer match screenings, or band nights.

Essentially what is being proposed is to extend Noise Act powers, currently only applicable to domestic nuisance, to pubs and clubs. Noise Act powers are separate to nuisance notices, and involve use of fixed penalty notices where noise exceeds a 'permitted level', thus avoiding the subjective judgements involved in proving a statutory nuisance.

Local authorities need not adopt the Noise Act to use these powers, and unlike statutory nuisance, it chooses to use the power, as opposed to being

required to use the power where there is (or is likely to be) a statutory nuisance.

And the 'surprise' chosen metric for licensed premises could be extended to domestic premises – and Defra is seeking views on this extension.

The two main conditions being consulted on are:

- The permitted level for licensed premises is exceeded when the noise level inside a habitable room at night with windows closed is at or above 35dB measured as an A – weighted five minute equivalent continuous sound pressure level (denoted as 35 dB LA_{eq} , 5min).
- Apply the level that currently applies to dwellings (35dB/+10dB over background) to licensed premises.

Reassurance is given to local authorities that they are not infringing civil liberties by monitoring noise: "There should be no implications under The Regulation of Investigatory Powers Act 2000 (RIPA) with regard to the use by a local authority of approved measuring devices in accordance with the provisions of the Noise Act 1996. Use of measuring equipment is

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IN BRIEF

Noiseconcern launch

Environmental charity Encams is launching its *Noiseconcern* campaign aimed at noisemakers.

The campaign is aimed at the public using billboard and radio advertising to point sufferers and noise makers to a new website. The website forwards people to existing noise charities such as the Noise Abatement Society, which has been given extra funding to deal with the expected number of enquiries (*Noise Bulletin June p1*).

Research carried out to support the campaign reveals:

- The type of people who really are noisy neighbours;
- The number of people who openly admit to being loud;
- Why they make their neighbours' lives hell;
- What noises they are actually making.

www.noiseconcern.org is being launched on Monday 17th July, offering advice to noise sufferers. It includes a quiz that questions whether viewers could be a noisy neighbour and suggests ways of keeping the noise levels down.

Alan Woods, Chief Executive of ENCAMS, the charity behind the campaign said: "Living with noisy neighbours can make your life hell. As well as offering noise sufferers advice, this campaign will show how we can all be considerate neighbours and keep noise levels down."

Bus quality move

Guidance has been issued by the DfT on how quality bus partnerships can work. Local authorities can use such partnerships to include conditions on bus contracts to clean up noise and emissions.

- www.dft.gov.uk/stellent/groups/dft_localtrans/documents/page/dft_localtrans_611921.hcsp

VEHICLE NOISE

Police abandon car exhaust enforcement?

A Hampshire resident has been told by police that there will be no police action taken on excessively loud vehicle exhausts.

In response to a complaint, Hampshire Police told Basingstoke and Deane Council that the police "do not do any noise enforcement on cars as the equipment to do this is both very expensive and has to be used in controlled environments to comply with drive by noise testing arrangements".

It says about the myriad of aftermarket exhausts for cars: "We are not technically

equipped to formulate the necessary data bases or to maintain them." It added: "We do deal with defective systems, i.e. holes on silencers as the legislation is written in such a way to make the enforcement possible.

"If you ask the people who drive these vehicles they will tell you that the police harass them all the time. We do stop them and deal with offences when we find them and indeed can prove them to the required standard. There are ways and means also of dealing with antisocial use of vehicles by

seizure.

"Motorcycles are easy as they are required to carry stamps on the exhausts to show compliance, cars do not. In summary, we cannot and do not deal with exhaust noise in isolation."

Steve Neville of the London Borough of Westminster told *Noise Bulletin*: "The police response is correct (as far as I know) in that you can put an aftermarket pipe on a car and so long as it has a silencer of some sort and is in good repair I don't think there is an enforceable roadside noise standard."

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IN BRIEF

Edinburgh gets tough on noisy aircraft

Aircraft that break stated noise limits are to be fined under plans unveiled by Edinburgh Airport.

Older and noisier aircraft are already charged more to land at Edinburgh Airport by operator BAA as part of its strategy to encourage airlines to move to quieter more environmentally friendly aircraft. However, airlines operating from Edinburgh Airport have now been contacted to say that an additional fine will also be levied for any aircraft that breaches the airport's stated noise limits.

The airport has chosen to use the two different thresholds set down by the Department of Transport for the south east England airports. The first threshold will run between 6am and 23:30, with a lower threshold operating at other times. Noise from each aircraft will be recorded via the airport's noise monitoring equipment at sites in Livingston, Broxburn and Cramond.

Fines will vary between £500 and £1,000 with the level of the fine dependent on the severity of the infringement. All money raised from the noise fines will be put into the airport's community fund

Edinburgh Airport's Richard Jeffrey said: "So long as people want to fly, there will be noise from aircraft landing and taking off. We cannot make the noise go away. However, we can take action against aircraft that are unreasonably loud and encourage airlines to minimise the disturbance to our local communities."

Air research fillip

Europe is spending more money on aeronautics research, including ambitious targets for cutting plane noise.

The 4.18bn euro 7th Framework Programme (2007-2013) includes the SILENCE(R) project costing 111m euro and involving 51 partners across Europe.

● <http://ec.europa.eu/research/future>

LOCAL GOVERNMENT

Two councils criticised

Two councils have been criticised by the Local Authority Ombudsman for handing of noise issues, and been told to pay compensation to complainants.

Sedgemoor District Council failed to enforce planning conditions at a pub skittle alley, and has been told to pay £3,000 to the complainant for unnecessary noise nuisance.

Over a period of seven years between 1998 and 2005, the complainant made complaints about noise from the pub neighbouring his home. There was a planning condition on the pub's skittle alley, restricting the level of amplified music permitted.

The council failed to investigate these complaints properly and did not enforce planning conditions controlling noise. Environmental health officers did not work sufficiently closely with

planning officers to reduce the noise to an acceptable level.

Meanwhile in a separate ruling, Breckland Council failed to consider noise nuisance from a skate park at the planning stage. The council received a planning application for a skate and BMX park to be situated on a recreation ground. The complainants, who had Parkinsons Disease, lived 25m from the park and objected to the proposal. The council's environmental health officer expressed concerns about the type of use, its location and the potential for noise nuisance.

The proposals were revised but they did not overcome these concerns and the application was subsequently approved subject to conditions. But boundary treatment was not agreed with the council prior to the commencement of work on the site. While the provision of an acoustic fence was not

specified in the conditions, the town council agreed to provide one after Breckland had said that an abatement notice was likely to be served having received numerous complaints.

Noise measurements were taken in April 2004. Background noise without the skateboard park was 47dBA and the frequent sound of boards crashing onto the ramps was measured at 60 to 65 dBA.

The judgement stated there had been maladministration because "the council failed to ensure that environmental health officers or independent noise specialists were fully involved in details of the design of the skateboard park and the wording of conditions".

The Ombudsman added: "Also I do not consider that the environmental health officer emphasised his concerns about the skateboard park sufficiently strongly".

NUISANCE

Footpath closure key to tackling train horns?

Faced with both a private and local authority nuisance prosecution, Network Rail has agreed to consider closing foot crossings at Ardleigh in Essex to reduce nuisance from sounding of train horns.

It is also studying noise impact at other noise flashpoints in Kent and Surrey. The Rail Standards and Safety Board (RSSB) is in charge of rail horns, which are accused of being too loud on newer trains (*Noise Bulletin June p1*).

RSSB's Anson Jack has told

protesters that he has commissioned a survey of lineside residents. It says: "As part of the cross industry work to address these problems the RSSB is undertaking a study to assess the impact of train horn noise on a sample of trackside residents in three different locations: Lingfield, Horsham and Canterbury.

Options that are being considered include:

- Reducing the level of noise to that which was made by the old trains;

- Introduction of broadband horn technology, which is more directional;
- A ban on horns at night;
- A reduction in the number of whistle boards;
- The case for alternative controls at particular footpath crossings.

RATH (Residents Against Train Horn) protesters commented to the RSSB: "We want constructive action towards changing this blasted horn, not piffing evaluations to find reasons not to!"

Pub noise regulations released (from page one)

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unlikely to count as surveillance."

On funding, Defra warns that local authorities that continue to restrict their noise services to Mon-Fri 9-5pm should consider what is best value. And it points out that authorities extending their noise service, packaging it as a 'stretched' target as part of a Local Area Agreement, may be eligible for Performance Reward Grant. Councils can also try to raise money from

sale of confiscated equipment (perhaps back to the owner).

Local environment minister, Ben Bradshaw, said: "In the past, excessive noise from pubs and clubs had to be ongoing for any offence to take place. That doesn't help those who have had their sleep disturbed into the early hours on the odd occasion – especially given longer opening hours.

"With the new powers, local authorities can deal with one-off incidents of excessive noise

from licensed premises in the same way they can from households: quickly and effectively.

"In many cases, just the threat of a £500 fine will be enough to reduce the noise to acceptable levels. The party can then go on without disturbing the sleep of those living nearby."

- The consultation is available at: www.defra.gov.uk/corporate/consult/noiseact-guidance.

SUSTAINABLE BUILDINGS

Juggling noise and climate change stresses

The need to combat climate change impacts can conflict with the need to ensure houses are quiet, last month's IoA research conference held in Birmingham was told. Glazing standards appear to be inadequate to prevent noise disturbance.

Sheffield's Dominic Stokes explained that there were many contradictions between the need to meet sound insulation regulations in many city centre locations through use of sealed windows and mechanical ventilation – and efforts to reduce energy use in homes. Using air conditioning is increasingly not considered acceptable because of climate change impacts.

Stokes said that he had set out to find out the impact of the city's development policies on noise insulation and 'thermal comfort' – whether residents

got too hot in summer.

He sent a questionnaire to 1400 residents in developments built within the last ten years and occupied within the city centre – typically noise exposure category (NEC) C and D bands. Information was readily available for noise and ventilation specifications imposed on the developers.

Despite having a range of developments – many of them high specification – residents were generally unhappy about their acoustic and thermal comfort. Some of those expressing most dissatisfaction were those with mechanical ventilation. Despite specifications aimed at discouraging residents from opening their windows, some 48% of them 'often' or 'always' opened their windows. 82% of these people said they were bothered by noise. Just 4% said

they never had to open their windows.

Stokes said: "More disturbing, given the good standard of glazing in these properties, is that a large proportion of residents were bothered by noise with their windows closed. In some developments three quarters of residents said they were disturbed with their windows closed."

Stokes concluded: "We have to conclude that the ventilation standards used in the majority of developments do not address summer cooling requirements for occupants. And given the high percentage of respondents indicating they were bothered by noise with windows closed, this would suggest that the glazing standards are not adequate."

Despite the findings, residents were generally satisfied – overall – with their properties.

ENERGY GENERATION

Planning burden lifted for wind turbines

England has followed on from Scotland in its push to encourage domestic power generation. Householders will be given permitted development rights to make it easier to install wind turbines without the need for planning permission (*Noise Bulletin June p3*). It is claimed that such turbines do not cause a noise nuisance.

The new report published by the Government's Householder Development Consents Review Steering Group says certain householder applications and those for small scale micro-renewable technology – such as solar water heating and small domestic wind turbines – should be allowed to go ahead without the need for a planning application.

The Government will publish detailed proposals on micro-generation which take account of size and the impact on neighbours in the autumn. Any changes to the system will come into effect in 2007.

● *The Householder Development Consents Review Steering Group Report* www.communities.gov.uk/index.asp?id=1501259

AVIATION

Breckland wind fall

Breckland Council has been told by a government inspector to pay costs following loss of a planning appeal on wind turbines.

Costs could reach £100,000 now that developer Ecotricity has won a public inquiry and allowed to build 100m tall turbines on land at Shipdham, near Dereham.

Plans were originally rejected on the basis that blades would cause a noise disturbance – but the developer provided evidence that the noise would be within limits.

AVIATION

Groups join for dogfight



Aviation noise pressure groups have joined together to form the Airportwatch campaign, website www.airportwatch.org.uk

IN BRIEF

AVT wins approval

AV Technology has gained UKAS accreditation for pre-completion testing of new houses (for airborne and impact noise).

The firm has been testing houses since the regulation amendments came into effect in July 2003, but has not so far been accredited. AVT's James Ormerod told *Noise Bulletin*: "We've been testing for some time but increasingly local authority clients and the Government has preferred accredited consultants.

"Firms can get accreditation from either the Association of Noise Consultants or UKAS – as we are already accredited by UKAS in other parts of our business, we went down the UKAS route. Pre completion testing is a huge market and we expect it to form up to 20% of our business.

Robust Standard Details, which runs the precompletion testing system, says over 150,000 new homes across England and Wales have now been built using the robust details scheme, which "ensures that new homes provide significantly more sound energy insulation than older properties". RSD reports it has recently carried out its 1000th 'robust detail' sound test.

The test was carried out at Laing Homes' Upper Reach development at Chertsey Bridge Wharf in Chertsey, Surrey,

● www.avtechnology.co.uk

Village hall event cap retained

A cap of 12 events a year has been retained for events held at village halls under temporary events notices.

The Government said it would not extend the number of temporary event notices (TENs) – a "light-touch" temporary licensing system that allows people to carry out licensable activities without applying for a full licence – beyond the current annual cap of 12 for unlicensed venues. It wanted to protect local residents from noise nuisance and disturbance.

Mapping saga nears completion

Expertise in both data management and noise mapping has been combined in the production of road noise maps for England, reports Lisa Russell

The enormous exercise to produce road noise maps for England is now almost complete.

Contractors have drawn on a host of parameters such as traffic flows, noise barrier properties and building locations to show noise levels in each contract area. As a result, Defra now has 12 terabytes of datasets – it would take nearly 20,000 standard CDs to hold it all.

Noise maps identify areas with high noise and can hence be used to estimate how many people are affected. This information is useful in producing action plans aimed at managing or improving noise levels. The maps can also be used to test the effectiveness of potential solutions such as new traffic layouts.

Under the European Noise Directive (END), Defra is responsible for generating noise mapping for 22 agglomerations and all major roads in England. London's noise map was produced in December 2003 by Atkins and 15 further contracts covering the remainder were let in June 2005 to 12 noise mapping teams (see box, right).

With the maps nearing completion, the next stage is to carry out calculations showing the population's exposure to noise. This will then form the basis for developing action plans. Defra will be consulting on guidance about how to draw up the action plans and aims to publish it by summer 2007. Implementation of the action plans also ties in with other Defra activities, including the review of Planning Policy Guidance on noise (PPG24); and the noise strategy being developed to cover both environmental and neighbourhood noise.

In the meantime, technical guidance is being drafted for airport noise maps. The proposal is that non-designated airports – which are those excluding Heathrow, Gatwick and Stansted – will be asked to carry out their own mapping under the Environmental Noise Regulations. "We hope to lay these regulations before Parliament over the summer," says Defra head of environmental noise Wendy Hartnell.

Defra is also starting to plan how to take forward rail and industry mapping. Mapping of all sources has to be completed by July 2007, which is, acknowledges Hartnell, tight – "but we believe we can do it".

The scale of the roads exercise has been immense, and the way it has been carried out has been widely acclaimed as successful

(albeit after a slow start).

Defra decided to pre-package all the data required before the map production contracts were let. This process was carried out via IBM/Infoterra – IBM is Defra's IT provider. Infoterra designed and implemented a Central Data Service (CDS). "This ensured that the whole dataset required was of similar quality and followed the same metadata standards," explains Hartnell. Central Data Service brought a number of advantages, explains a paper she presented recently at Euronoise 2006 with Richard Oates and Paul Gray of Infoterra. "We're pleased with the way this part of the work went and presented the paper at Euronoise so that other member states could learn from our approach," says Hartnell.

At 79,200 sq km, the geographical area was large. Furthermore, the mapping draws on a variety of data sources in a range of formats and accuracies. The information had to be cleaned up before use. Data licensing arrangements were more easily resolved nationally than locally. Another advantage of the Central Data Service was that the provision of consistent data inputs leads to more consistent noise mapping outputs. The consistency also facilitates the reuse of data for other purposes such as air pollution studies.

The approach of gathering the project data to a common standard worked immensely well, says Defra noise research manager Antonio Acuña. Use of the Central Data Service has also proved beneficial in achieving the project's tight timescales, as well as saving money. "Our calculations point to this approach actually delivering several million pounds in savings," says Acuña. Creation of the road maps under the 15 contracts has cost £2.2m. The gathering of more than 6TB of original data, packaging it, making it fit for purpose, quality assurance, post-processing quality assurance and calculation of the people exposed to levels of noise across all maps amounts to £3.6m. This is considerably less than the £13m originally earmarked for mapping of England, albeit with more ambitious coverage.

"This work would not have been nearly as successful if Defra had not taken the decision to gather all the data in advance," says Arup associate director Richard Greer.

"The data we received from Infoterra was excellent and we ran it with no problems," says Temple Group's Graham Parry.

A total of 1.25TB of spatial data was

delivered for the 15 contracts over a three month period. Given the size of the data, each contractor had to be supplied with its information on portable hard drives. These each contained five sets of spatial data, supplied in the ESRI Shapefile format that is standard in many geographical information systems (GIS) including ESRI's own product ArcView.

The five sets covered the ground model, buildings, ground cover, the road network – including figures such as traffic flows and surface texture depths – and noise barriers. The noise barrier information was however incomplete and each contractor carried out surveys. Supporting datasets were also supplied, such as topographic mapping and aerial photographs.

Teams took different approaches in filling in the noise barrier data. Some used a noise barrier capture tool supplied by the Central Data Service while others developed their own approaches.

"We came across a software firm, Mapix, that provided quite a novel solution," says Hoare Lea executive engineer Justin Adcock. "We used video footage with a camera mounted on top of the car. That camera fed video imagery into a computer in the car, simultaneously gathering GPS data." The accuracy was further improved by using differential GPS to tie in with Southampton's local coastal reference positions. The end results could also be of value to other government departments, Adcock believes.

Arup's contract was the second largest, involving some 8,500km of highways in the south of England, and an in-house solution was used to gather the noise barrier data. Survey team members carried handheld Windows-based computers that were linked to a GPS system as well as to a camera at the back of the car. The location was stored whenever the user clicked on the menu to indicate the start or end of a barrier to the left or right. Photographs were taken automatically at the same time. "It worked very effectively," says Greer.

"The supplied data from the Central Data Service was extremely comprehensive and in many ways exemplary," says Acoustical Investigation & Research Organisation (AIRO) principal consultant David Watts. AIRO mapped Southend. "The project as a whole is a testament to the power of modern computing," he adds.

Entec UK and Hepworth Acoustics carried out the mapping for the extensive

Manchester and Merseyside areas. This resulted in some 8.5 million calculation points, recalls Hepworth Acoustics managing director Peter Hepworth. A dozen high-specification 3.2Ghz computers each running the Lima noise mapping software took 28 days to perform all of the calculations – and he believes Lima is the quickest available noise mapping software.

Temple Group could run either of its areas – Bristol and Bournemouth – in about 16 hours on its 24 computers using its chosen software, CadnaA. “Having very fast computing time almost certainly assists the overall process,” says Parry. Temple carried out an initial pass as soon as it received the data. Getting the output quickly gives time to look for anomalies and rerun the data if necessary, though there was sufficient time available such that there wouldn’t have been a problem even if processing had taken several times longer.

The consultants were free to make decisions about which noise mapping software to use. “As an organisation, we run all of the noise mapping software packages currently available,” says Arup’s Greer. “We find that each one is very good for different things” In this instance, Atkins NoiseMap was chosen.

This was also used by AIRO. Partnerships of different skills were essential to the project’s success believes Watts, to cope both with the range of work and any changes needed. “As well as the support of the software specialists, the GIS team from URS Corporation was also crucial to the project. We certainly have no GIS expertise here, and we wouldn’t have managed without it.”

Acuña explains that Defra prescribed to the contractors basic configuration parameters for the different mapping software and also, via audits, made sure that the output was to the required standard. “The project has been managed under very strict technical guidelines and we are very pleased that all contractors adhered to this and excelled in their duties.”

Cambridge Environmental Research Consultants (CERC) worked with software developer Datakustik – which produces CadnaA – and its sister company, consultant Accon. Some parts of the data needed careful consideration. One of these was where roads cross over one another, recalls CERC principal consultant Sarah Wilkinson. There was the potential for treating them erroneously, with one

effectively hiding the other. “We worked with Accon and Datakustik to find the best way of coping with that,” she says. Accon was able to rerun the model, testing different solutions. “They were generally looking to see if it made more than 1dB difference – if it didn’t, then we left things alone.”

Temple Group also worked closely with Accon in its use of CadnaA. “They really know the system inside out,” says Parry. He welcomed the ease with which the developers were able to adapt the program to produce the L_{den} figures required as part of the environmental noise directive. This value is averaged over the whole day, but with weightings for evening and night periods. It is not a standard output from every program. Parry also particularly appreciated CadnaA’s ability to help check data, for instance by calling up every road with a certain traffic flow, or a texture depth outside the normal range.

In some cases the information was too detailed to use and would have slowed down the processing says Adcock. “It’s certainly much better to be on that side of the equation – having too much information – where we usually are is not having enough.” It was essential to identify what needed to be retained and what could be simplified without degrading the accuracy.

Football stadia also needed special attention, says Hepworth. The height data tended to show the level at the centre of a building – the pitch in this case. “We had to go back, check on the aerial photographs and then model them separately.” Aerial photographs also helped rule out things like bus shelters which could appear as solid buildings on plans.

The project has given Defra considerable information on the effectiveness of different approaches. “The first round of mapping is turning into a huge research exercise for all member states,” says Acuña. “We have learned a lot about what needs to be done to produce the maps and also about the state of the data required for a better understanding of the noise climate as well as what we need to begin capturing for improved results in the future.”

There will be a facility for the public to search the new maps to postcode level. “We aim to provide very soon an online solution that encompasses all the roads we mapped across England, similar to the London site,” says Acuña. “We have some new ideas about how to make it easy and fast for the

public to obtain information from the maps. As Defra develops a strategy to handle the action plans and the EU provides more guidance on this matter, ways of involving local authorities will be explored in consultation with them.”

Acuña explains that today’s maps are intended to serve as window into the current noise climate in an area, which means keeping the resolution and detail at a strategic level. The website will include a clear “health warning” that the maps are intended to obtain a fairly accurate view of the current noise climate in an area and that their sole purpose is to give guidance into looking more closely at areas that appear to show high levels of noise.

“I’m sure that as soon as the noise maps are published then various people will start to use them in different ways but my view is that the detailed use of them is a little bit down the road yet,” says Hepworth.

Using the maps for “what if” scenarios will play a part in understanding the impact any proposed changes may have on an area’s noise climate, says Acuña. “Defra will develop, in consultation with the pertinent parties, ways in which this can take place in the future.”

WHO EARNED WHAT?

Noise Mapping England Contracts – winning tenders and costs

- Temple Environment (£123,768);
- COWI (£85,000);
- Hoare Lea Acoustics (£96,042);
- Acoustical Investigation & Research Organisation (AIRO) (£89,000);
- Cerc (£94,325);
- Halcrow Gilbert Associates (£145,000);
- Landmark Information Group (£101,250);
- Capita Symonds (£130,951);
- Scott Wilson Kirkpatrick (£122,753);
- Entec UK (£186,384);
- Entec UK (£143,775);
- RPS Group (£276,601);
- Symonds (£130,951);
- Capita Symonds (£165,239);
- Arup (£219,543).

Details on Defra website
www2.defra.gov.uk/research/Project_Data/projects.asp?M=KWS&V=Land

Tackling noisy jobs the Scots way

Scotland continues to lead the UK in terms of noise policy with good practice being encouraged with central funding, finds Lis Stedman

Scotland's efforts to combat domestic noise were given a massive fillip last year with generous new funding from the Scottish Executive to enable authorities to provide an out-of-hours noise service.

The regulations to the Antisocial Behaviour (Scotland) Act (Asba) 2004 – the Antisocial Behaviour (Noise Control) (Scotland) Regulations 2005 – came into force on February 28, 2005. The Executive provided funding of £2.88 million in 2005 and has secured minimum further funding of £2.3m for 2006 and £3.0m in 2007.

The noise provisions differed from UK and European legislation by providing objective noise levels at all times of day (a 41dB limit for daytime, reducing to 37dB in the evening and 31dB at night), giving enforcement officers a clear “line in the sand” beyond which warning notices and fixed penalty notices (fining offenders £100) could be issued. If the fine is not paid within 28 days, an offender can be prosecuted and fined up to £1000.

The Scottish Executive notes, by way of background: “The Executive are funding local authorities who decide to adopt the flexible and enabling Antisocial Behaviour Noise provisions which came into force on 28 February 2005 because they were a new requirement and additional responsibility which would require additional resources. It was also evident from the UK Government's implementation of the Noise Act 1996 that the lack of funding was a factor in the low take-up by English and Welsh local authorities.

“The key term is flexible and enabling. There is no obligation for a local authority to adopt the provisions, and if they decide to do so, they can choose the hours they wish to operate the service; therefore it is incorrect to state it is a 24/7 service.”

Unlike the Noise Act in England and Wales, the scheme has proved very popular. To date, 20 local authorities are providing an Asba noise service and another five are scheduled to come on line in 2006.

As to plans, the Executive is in the process of commissioning consultants to undertake an evaluation of the first year of the Asba noise provisions to determine their effectiveness and how they can be improved. It says: “It must be noted the provisions are ground breaking, providing objective permitted noise levels for day, evening and night, new training courses and procedural guidance, and these need to be evaluated to determine if they need to be

amended. The consultants will be expected to report by December 2006.”

On the issue of future funding, the Executive has provided funds to 2007-08, under the terms of the Spending Review 2004. There have been no commitments made beyond that period, as this has to be determined by the Spending Review 2007.

Key to the scheme has been the close partnership with police. For instance, the Noise Control Service in Edinburgh is working in partnership with Lothian and Borders police. The council has two teams of eight working a four-on, four-off shift system from 5.15pm to 4am.

The most common complaints, it says – in common with many authorities – relate to loud music noise from domestic premises. All calls are directed via the Lothian and Borders Police Force Communications Centre. “Staff there assess who should attend, our officers or the police. In the vast majority of cases it is our officers, working in pairs, who attend.

“Our service plan target is to respond to 90% of calls regarding antisocial behaviour noise within one hour. In the first year we have achieved this, and in fact get to most calls where a visit is required well within the hour,” says the council.

Edinburgh's service covers 8am to 4am, seven days a week, 359 days a year, apart from the Christmas and New Year holidays. The council is considering extending this to cover the full 24 hours.

In the first year of operation its staff dealt with almost 9,000 calls relating to noise associated with antisocial behaviour. It served 793 warning notices, which resulted in 35 fixed penalty notices. On one occasion, the officers seized noise-making equipment.

“The adoption of the powers in the Act to deal with antisocial noise and the introduction of the environmental health night team has proved to be successful. Previously, domestic noise complaints were dealt with by the police under the Civic Government Scotland Act 1982. However, the police were not often able to give complaints of this nature high priority,” the council notes.

Gordon Greenhill, head of community safety, said: “As the figures for the first year show, the introduction of the night-time noise team has most definitely been a success.

“For those who are affected by the often distressing problem of noise, the service

provides a rapid response, and we find that the warning notice system generally works very well.”

Glasgow City Council was another key pioneer of the new scheme and of course, due to its unique characteristics, already had a flourishing out-of-hours service unlike most of the other Scottish authorities. The city council's Alastair Brown praises the objective noise levels for helping to “make things a bit more black and white – under the Environmental Protection Act, you have to decide whether it is a nuisance or not, which is fairly subjective. Now it's objective and fairly specific, if you have got an issue you can issue a warning notice.”

Glasgow's project has been running for just over a year, and it has found that the number of complaints has risen considerably. This sounds counter-intuitive, but Brown explains that “people are much more aware of their rights, because of the debate on antisocial behaviour, and we did use some of the grant money for a fairly wide-ranging publicity campaign”.

Again, a key part of the project has been the arrangement with the Strathclyde police force. The public calls their contact centre, which is a common arrangement, and they relay noise-related complaints to the council team. This has helped with the speed of response, Brown notes. “The police have to prioritise the calls they get, particularly on Friday and Saturday. We can get there quicker than they can.” There has to be a “fairly clear demarcation”, he adds – noise in the street continues to be a police matter, for instance.

In all, the council now has roughly a dozen people working on noise issues full-time, and although the team was already well established, the extra funding has enabled it to add to its numbers. Teams go out in the traditional pairs, and deal with other out-of-hours issues such as licence inspections, food hygiene and trade waste though noise predominates, particularly at the weekend.

The project has “definitely been a success,” Brown notes. “In terms of the number of people receiving the service, this has definitely increased. The other successful component is the time it takes to resolve a complaint.

Under the Act we have a quick fix – before, we could visit premises quite a few times to establish nuisance and the resolution was not always to the complainant's satisfaction. This is a more

efficient and effective service than ever before.”

The project has also enabled a much greater degree of integration, not just with the police, whom the council would previously have had few dealings with, but also with social workers and housing authorities, Brown adds. “Over the next couple of years I think we will see a lot more integration. I feel it has gone very well and a lot of people are very pleased.”

In all, 20 schemes are now running - Dumfries and Galloway (1st April 2005); East Lothian (1st April 2005, joint with Edinburgh); Edinburgh (1st April 2005); North Lanarkshire (2nd April 2005); Glasgow (4th May 2005); Renfrewshire (1st June 2005) and South Lanarkshire (6th June 2005); Aberdeen (20th June 2005); Angus (1st July 2005); North Ayrshire (1st July 2005); Falkirk (1st August 2005); South Ayrshire (2nd August 2005); West Lothian (8th August 2005); East Renfrewshire (22nd August 2005); East Ayrshire (1st September 2005); Inverclyde (1 October 2005); Midlothian (1st November 2005); Argyll & Bute (7th November 2005); West Dunbartonshire (21st November 2005) and Dundee (29th May 2006).

Orkney ran a pilot exercise from 1st February to 31st March this year and the Perth and Kinross service will start on 10th July. Clackmannanshire and Stirling will begin their services on 13th July. Fife and East Dunbartonshire have not yet notified Scottish ministers of the dates their services will start.

This is a substantial success – it means that at least 26 out of 32 unitary authorities are running the services or have been testing the waters. Island authorities such as the Western Isles and Shetland, with their remote, far-flung populations, are unlikely to need such a service.

The Orkneys said: “We did have a trial service operating from 9pm on Friday to 3am on Saturday, and 9pm on Saturday to 3am on Sunday during February and March, using funding from the Scottish Executive. During these hours members of the public could contact an Orkney Council environmental health officer using an 0845 number.

“The service was operated by two environmental health officers, operating on alternative weekends. During the two month period a total of eight complaints were received. Only one was directly from a member of the public, the rest were redirected via the police. Visits were made during the noise control periods but no complaints were actionable under the act. “The low number of calls meant the service was not cost effective and has been discontinued.”

Some mainland locations such as Aberdeenshire, the rural heartland around

the city of Aberdeen, also report that they have not opted for an out-of-hours service – again, the area doesn’t need one, a spokeswoman says.

However, other fairly rural areas have found the service useful. Mark Laird at Dumfries and Galloway council, who has been coordinating their project, says that their scheme operates from 7pm to 3am from Thursday to Saturday and from 5pm to 1am on Sundays.

The vast 2,380 square mile, mainly rural lowlands region was divided into two operational areas, east and west. Dumfries and Galloway is working particularly closely with the police, having created two teams of one noise enforcement officer and a police officer, split between the eastern and western areas.

“Under the Act we have a quick fix ...”

**Alastair Brown,
Glasgow City Council**

The eastern team is based in Dumfries – the area’s largest town, population 31,000, with the western team based in the small town of Newton Stewart. Originally Stranraer was the second headquarters – it is the second largest town in the area, at 11,500 population – but it is at the extreme west of the area which meant that incidents to the east in towns such as Kircudbright or Castle Douglas could take an hour and a half to reach, Laird says. Newton Stewart, though small, is much more central.

Again, the calls are routed through the police force communications centre, which decides whether a complaint should be dealt with by the team or by the police – their knowledge of other issues, such as whether a particular address may have a history of trouble, and their ability to provide backup in difficult situations makes their input invaluable, Laird notes.

“The police know the trouble spots. That said, the noise enforcement team can go to a complaint that on the face of it is just noisy music, and find a party of 40 who don’t want to turn the noise down. If they refuse and we’re thinking of issuing a fixed penalty notice we contact the police to give us backup. For some people, if they’re full of drink or drugs, a fixed penalty notice won’t stop them so we can then use our powers of seizure and it’s just as well to have the police on hand.”

The bulk of the complaints – well over 90% – have been just noisy neighbours, stereos on too loud; people having a party – “the bread and butter of complaints,” Laird says. The Dumfries and Galloway police

force told the council that it had been receiving some 2,500 calls about noise nuisance annually but, Laird says, “The data could have been refined a bit – it included all sorts of things such as disturbances with husbands and wives fighting.”

Though it would be unusual for an environmental health officer to become embroiled in this type of disturbance, he notes that during the past year “we have dealt with one or two complaints like that – the team has gently spoken to the occupants asking them to keep the noise down, not to let everyone know their business. Speaking to people is the most effective way, though we have in reserve the warning notices and fixed penalty notices.”

He notes that in his opinion making the police the first point of call is logical. “People don’t expect council workers to be working at those times, so they don’t think of picking up the phone, hence they call the police.”

He feels the project has been a success although the number of complaints has risen in this quarter compared to the same quarter in the previous year. Again, this appears to be due to the higher profile that the service now has – the council, like many, spent some of its grant money on publicising the service’s availability.

Overall though, complaints have dropped to just 1,100 across the year and the council has reported its view of the overall success of the first year to the Scottish Executive. “Certainly it seems to have worked in Dumfries and Galloway and it is worth continuing to fund it to see what happens. If we are really successful, the figures may drop to a level where the Scottish Executive thinks it should stop funding and redirect this to other areas that maybe have more of a problem,” Laird suggests.

Other councils also report a general feeling that the scheme has been a success. Perth and Kinross is one of the new wave of enthused joiners, with its enforcement powers officially starting on 10th July. A new team of six antisocial noise officers will be on call, again in partnership with the police, and has spent the past month publicising the service. A council spokesman says they were “chosen on the basis of their previous backgrounds – three are ex-police officers – and interpersonal skills”. Once under way, the council will begin evaluating the scheme.

The key difference between implementation of the Noise Act in England and Wales and the new Scottish ASBA noise projects is, from all accounts, the funding. This has allowed even fairly rural areas to at least try out an out-of-hours noise service to see whether it proves worthwhile.

Something, perhaps, that the government in the south should take note of.

Acoustic crumble?

It's well known that acoustics types like to get things right however complicated the jargon – so a learned paper on 'acoustic crumble' caught our eye.

Belgian researchers were charged with measuring the noise of crinkly consumer packaging in a 'reproducible' way. Was this some prequel to a much derided euro-directive on maximum permissible noise for sweet packaging for use in cinemas and other public places?

Apparently not, a paper for the recent Vienna noise congress was mis-billed as 'acoustic crumble' – it meant crumple – and involved the quest for quiet wrappers.

"A constant, tuneable crumpling speed was utilised", and "controlled crumpling" was carried out with a piercing bar. SEL and LA_{eq} were the best metrics. Researchers noted "a clear aging effect of samples crumpled several times" such that the wrapper could only be crumpled a couple of times before needing renewal.

And who got to eat the chocolate inside the wrapper?

Sight and sound

That well known hearing firm Specsavers dished out hearing warnings to Isle of

Man TT motorcycle spectators.

A group from Specsavers handed out free ear defenders to spectators while raising cash for the Manx Deaf Society – it seems that Specsavers has a 'hearcare' arm which is keen to warn that bikers themselves are very susceptible to ear damage from engine or wind noise, and spectators with children are very vulnerable to ear damage with trackside noise levels up to 105dB.

Plane play

Aircraft protesters staged a play in a North London theatre about the frustrations of living under the flight path of the world's busiest international airport.

"This is Your Captain Speaking" is a "laugh-a-minute" farce about a man who lives and works – and complains – somewhere under the flight path in Kew. It is about the mayhem which results when he stops just complaining and decides to take action by kidnapping a senior figure at the airport.

HACAN's John Stewart said, "Driven to distraction by noise of aircraft, so many of our members over the years have dreamt of taking the sort of direct action

the hero of this play finally takes. That is the real legacy of 60 years of Heathrow."

Maybe the play could be translated into Spanish for the benefit of BAA's new owners?

Pseuds corner

Check out this somewhat esoteric clip on www.showstudio.com/projects/anechoic website

"Anechoic is a 'collections story' project that uses sound instead of visuals to interpret the essence of key garments the season by leading fashion brands.

"A live recording session in a specialist recording studio – a hemi-anechoic chamber – will be used to create a series of groundbreaking interactives that for the first time in fashion media, detail the precise sound of fashion materials such as feathers, sequins, glass crystals and beads, nylon, taffeta, leather, velvet, jacquard, zips and metallic chains.

The live broadcast will also be filmed, providing motion image footage of model Zora Star working in the unconventional, futuristic studio environment, which will be edited to create abstract shorts of each audio "shot".

It goes on.....

NOISE EVENTS 2006

September 18-20th

LOW FREQUENCY 2006

to be held in Bristol UK, www.lowfrequency2006.org

September 18-20th

ISMA2006

The 2006 International Conference on Noise and Vibration Engineering will be held in Leuven, Belgium, website www.isma-isaac.be/conf

September 22nd

SOUND INSULATION IN HOMES

UK Noise Association conference to be held in Edinburgh, contact Val Weedon, UKNA tel 01634 316542

September 27th

NOISE AND VIBRATION IN MARINE APPLICATIONS

TUV NEL conference to be held in Portsmouth, website www.tuvnel.com/events.asp

October 5th

PRESENTING NOISE MAPPING DATA TO THE PUBLIC

This workshop is organised by WG-AEN and supported by Defra, website www.imagine-project.org.

October 10th

NOISE UPDATE 2006

NSCA Noise update conference to be held at NEC Birmingham, contact Sally May NSCA, 01273 878770

October 16-17th

INSTITUTE OF ACOUSTICS AUTUMN CONFERENCE

organised by the Environmental Noise Group to be held in Oxford, Linda Canty, Institute of Acoustics, 01727 848195

October 24th

IMAGINE AIRCRAFT NOISE WORKSHOP

to be held in Budapest website www.imagine-project.org

October 25th

IMAGINE FINAL CONFERENCE

to be held in Budapest website www.imagine-project.org

December 3-6th

INTERNOISE 2006

to be held in Honolulu, Hawaii, USA Contact: Institute of Noise Control Engineering, INCE/USA: www.inceusa.org

NOISE BULLETIN



Welcome to *Noise Bulletin*, a monthly newsletter covering noise pollution, its management and its consequences.

We welcome your comments and contributions and hope you enjoy reading it.

Jack Pease

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