ENVIRONMENTAL PROTECTION UK – MINUTES OF THE NOISE COMMITTEE HELD ON THURSDAY NOVEMBER 14th FROM BETWEEN 12.30 AND 15.30 HOURS AT THE CITY OF LONDON CORPORATION, DEPARTMENT OF ENVIRONMENTAL SERVICES, WALLBRROOK WHARF, 74-78 UPPER THAMES STREET, LONDON EC4R 3TD

(Agenda items as referenced)

1.0 The chair Alan Bratt introduced the meeting which was attended by :-

Alan Bratt - CHAIR AND SOUTH WEST BRANCH
John Dinsdale - NORTH WEST DIVISION
Gareth Hopper - SOUTH WEST DIVISION AND GLOUCESTER COUNCIL
Mary Stephens - MEMBER AND CONSULTANT
Anna Mahoney - SASIG
Martin McVay - DEVOLVED WELSH GOVERNMENT
LLisa Lavia - NOISE ABATEMENT SOCIETY

Apologies for absence were accepted from :-

Howard Price – CIEH
Collette Clarke - DEFRA
Stephen Turner – DEFRA
Tania Playhay – DEFRA
Tony Clayton – ENVIRONMENT AGENCY
Bernadette McKell - AECOM
Geoff Corker – NORTH WEST DIVISION
John Grant – WALSALL COUNCIL
Peter Oates - TORFAEN COUNCIL
Rob Gibson – HOUNSLOW BOROUGH COUNCIL
Richard Stait -

2.0 The minutes of the meeting were accepted subject to two changes which were :-

- Anna Mahoney had attended the July 16th meeting and
- On page 3 in items 5.0 and 11.0 “Health providers” should now read “Housing providers”

Matters arising were as follows:-
In Item 3 where Health and Wellbeing Boards had now been briefed the subject of “Quiet Nightime Deliveries” had not been included because of the length of the first briefing but it was now planned to include the subject in a second briefing to be issued soon.

Anna Mahoney asked about the updates relating to Planning and Noise Guidance. John Dinsdale responded and pointed to the latest BETA Guidance which had been issued where a good summary had been provided by Jack Pease in “NOISE CONTROL BULLETIN”. It was understood that there was no consultation in relation to the content of the Guidance issued.

In relation to the new Anti Social Behaviour Bill a development had taken place in relation to Clause 38 (5) in that in relation to COMMUNITY PROTECTION NOTICES able to be served for Noise by the Police, Local Authority or any individual or body authorised by the Local Authority, where evidence had also confirmed a noise nuisance to exist under Section 79 of the Environmental Protection Act 1990, Parliament now were to allow Community Protection Notices to be served.

John Dinsdale explained that with the constraints imposed in providing a response on behalf of the Committee to the Airports Commission consultation on Aviation Noise, no response had been made on behalf of the Committee by the deadline of September 6th, 2013. However a response had been made by the deadline by John Dinsdale on behalf of the North West Division. Written copies were provided of this response where it was explained that two key provisions of the response were that:

1) EPUK still maintained its policy lobbying made as far back as 2009 that a Government Expert Body should be established along the lines of the Air Pollution D.o.H.C.O.M.E.A.P Committee to consider the clinical effects to individuals and populations of prolonged exposure to higher levels of environmental noise, where academic research evidence was now confirming well established concerns about the health impact of exposure to noise and

2) That the response made contained an explanatory paragraph extolling the skills, experience and competences of SASIG who were acknowledged as expert stakeholders in this area.
Anna Mahoney thanked EPUK for this contribution and indicated that SASIG had responded to the consultation by the deadline as well.

- Health and Wellbeing Boards were to be a later agenda item

- It was understood that the IOA Wind Turbine Noise Good Practice Guide was to be developed further where Government support was still forthcoming.

- Anna Mahoney asked for the full titles of BS 8233 and BS 4142 to be provided which are:

  - BS 8233: Sound Insulation and Noise Reduction for Buildings
  - BS 4142: Method for Rating Industrial Noise affecting Mixed Residential and Industrial Areas

- The role of the Deputy Chair was to be a later agenda item

- Discussion also occurred whereby anti social behaviour was thought to be a timely subject to be included in NAW 2014. Additionally the Chair suggested and the meeting agreed that aviation noise was also considered to be a suitable subject where any public reaction should not be underestimated, perhaps the London Mayor’s Office could be briefed sufficiently early beforehand to play a role in any debate and where there could be an public awareness raising outcome for Environmental Protection UK.

- The subject of a budget for NAW 2014 was discussed where the usual economic constraints and challenges are still present. The Chair said that the usual range of potential sponsors would be approached where at least there was more time prior to the 2014 event to prepare. In view of the recent event at Aston University, discussion occurred about approaching the TATA Group.

- In relation to the Government’s summer 2013 “Big Gig” events, previous action taken jointly by EPUK, CIEH and the NAS where noise sensitivity to non patrons living or working nearby, the Chair indicated that it was to extend into the autumn. The Chair indicated that he had tried in vain to get through to the part of DCLG responsible for promotion where it was agreed that it was still worthwhile trying to initiate a dialogue prior to further events likely to be planned for the summer of 2014.
• General discussion occurred surrounding the importance of issues and EPUK activity appearing relatively quickly on the new website where John Dinsdale explained the uploading procedure agreed through Trustees where Neil Schofield of TATA as a representative of the Yorkshire Division had facilitated the process.

• The date of the autumn meeting had had to be changed due to room availability from the Corporation of London.

After resolution of the matters raised through the Chair, the Chair signed the accepted minutes containing the two changes of the meeting of July 16th, 2013. It was agreed that they would be subsequently scanned and uploaded to the EPUK website.

3.0 In relation to the Defra Update and there being no representatives able to be present, the Chair and John Dinsdale reminded the meeting of the comprehensive presentation given by Stephen Turner at the EPUL Event held at Aston University on October 24th, 2013.

In relation to the Welsh devolved Government, Martin McVay gave a comprehensive update indicating the different position in Wales in relation to how the E.N.D. was able to be implemented, the ease in which an effective dialogue could be achieved with the smaller number of Local Authorities in Wales, the fact that the Welsh Division did not respond but where a helpful response had been provided by Peter Oates of Torfaen Council. He added that a consolidated N.A.P. covering all major sources of noise had been produced where the consultation period had been 12 weeks. In the consolidated 2nd round Welsh N.A.P. all the major stakeholders had been involved where the 2nd Round of “Quiet Areas” had also been consulted upon. There were 29 designated “Quiet Areas” in Wales where Martin confirmed after a question by the Chair that all were within “Agglomerations”.

Martin added that the “Quiet Area” procedure had been consulted upon as well and he agreed to provide the Chair with a link to the simple two page application document which had been developed.

The consultation had produced 37 responses where the N.A.S and the C.I.E.H. had been part of the responses received.

John Dinsdale apologised on behalf of the Welsh Division about them not responding and explained that he understood the Welsh Division of EPUK was currently not particularly active.
The Chair indicated that he was aware of housing developments which had appeared in England after the 1st Round Mapping had been completed and which should have been commented upon by Local Authorities at planning application stage and should now have been also picked at 2nd Round Mapping. He asked Martin if this had happened in Wales and would the procedure allow them similarly to be picked up at 2nd Round stage. Martin confirmed yes and said there were a number of examples near to railway lines which had been flagged up by Network Rail.

The Chair emphasised the point about developments having been constructed between 1st and 2nd round Noise Mapping stages and perhaps not having been adequately commented upon by Local Councils at planning application stage from the point of view of Planning and Noise. He asked Martin if those locations would be given priority in Wales and suggested the importance of all such locations in all four counties if the UK justifying further investigation.

Mary Stevens asked about the reasons given by Welsh Local Authorities to be interested in “Quiet Areas”. Martin replied that it appeared to be Member led. Mary reflected upon her experience at Brighton and Hove Council where four “Quiet Areas” had been proposed but where the Council did not support them perhaps due to the way the proposals were presented.

John Dinsdale repeated Stephen Turner’s comment made on October 24th that “Quiet Areas” once designated could always be used for one off temporary recreational events involving elevated noise levels.

In relation to the progress of the Anti Social Behaviour Bill in England, the Committee were aware of and were concerned about the Clause 38 (5) provision where there now appeared to be Government support for “Community Protection Notices” being able to be served by those authorised by Local Authorities, where a statutory Noise Nuisance had been established. This was felt to be a clear route for confusion to be created whereby Enforcement Officers perhaps with public sector housing providers who have inadequate competences to adequately balance all the evidence established to make incorrect formal decisions and perhaps duplicate an intended remedy where clearly use of the Section 80 Environmental Protection Noise Nuisance procedure may be justified. A second likely issue is that public sector tenancies will be regulated disproportionately more intensely than that which might occur with private sector tenancies. The issue about competence was commented upon having referred to the Regulatory Impact Assessment associated with the Bill which referred to “one days training may only be needed by staff engaged in noise issues”.

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Connected with this issue, Mary Stevens said that she was aware that Lord Julian Hunt had asked a recent question in the House of Lords asking what budget had been expended in training in relation to Monitoring Air Water and Noise.

The question was discussed where the Committee were of the view that the answers given might not be relevant to the Committee's noise and antisocial behaviour concerns and perhaps related more to Central Government direct costs relating to other issues surrounding Air Water and Noise.

4.0 It was confirmed that Noise Action Week will proceed between May 19th and the 24th, 2014. However funding as usual was agreed to be the strategic challenge.

Mary Stevens indicated that she had felt for some time that other different forms of funding should be tried and that Neighbourhood Noise could be one other message that could be used. Because Mary is able to trace who was a Twitter follower she had noticed in particular that Manchester City Council’s Antisocial Behaviour Team were now a follower which she felt was a compliment.

Gareth Hopper felt that in the environmental world noise control was going down the agenda being overtaken by other issues and the Chair reminded the meeting of his suggestion that aviation noise could be a suitable subject as well - he saw this as part of a broader focus where in the past aviation noise had been left out of NAW. He felt that it was not just a South East type of problem and an END type of stakeholder engagement was probably now justified as the usual type of public engagement was through Airport Consultative Committees which were busy with other matters apart from that of aviation noise. Discussion continued which included how the “Global Burden of Disease Study” published in the Lancet in 2013 could be introduced where noise was an integral factor of that study, contributing to the outcomes for the 15 countries surveyed.

Gareth Hooper reinforced the importance to NAW of Twitter and the Chair reminded the meeting of the potential involvement of the London Mayor’s Office where the Mayor had a considerable Twitter following which should put noise up the environmental agenda.

Mary Stevens referred to the Mayor’s suggestion of a new London estuary airport which although having some noise control value did nothing to inform the debate about managing the existing noise problems around Heathrow. The Chair reminded the meeting that if aviation noise were to be a NAW topic the subject had to be treated with balance.
The discussion continued including the Windsor and Maidenhead Council “Wide Noise” initiative where through an “App” people were being asked what noises they heard and how they felt about that noise. This empirical type of data collecting subjective survey should assist in understanding aviation noise’s priority amongst other sources of environmental noise.

Anna Mahoney reminded the meeting that newer aircraft should be described as “less noisy” and not “quieter”. Mary Stevens reminded the meeting of the much promised results of the Defra Noise Attitude Study which should be out shortly and could be included with NAW 2014.

The meeting decided that because of the agenda content referring to NAW and its importance, the draft minutes of the meeting should be presented to the next meeting of Trustees and not await confirmation at the next meeting in early 2014 before submission at that date to Trustees.

5.0 John Dinsdale spoke to his circulated written update report relating to providing a “Briefing” about noise to the English Health and Wellbeing Boards. He had briefed around 45 Board contacts where a further 70 to 80 had not populated their details on the Kings Fund website directory.

His report was accepted and it was agreed that a second Briefing be sent out shortly, approved by the Chair before going out, identifying in particular the content of the quarterly updates where three questions now had to be answered, according to the 2013-2016 Public Health Framework document.

Discussion occurred about different approaches by different Boards, the difference in approach being adopted at Shire County and District Council levels and the importance in continuing to work closely with the C.I.E.H. ACTION JAD

Discussion continued where it was suggested that EPUK could provide a list of 10 asks that Health and Wellbeing Boards could pose to their communities and conversely communities could be asked do you know what statistics your Health and Wellbeing Board is managing and what relevance they have.

6.0 In relation to Planning Guidance, John Dinsdale reminded the meeting of the earlier discussion about Planning and Noise Guidance now being in Beta Format, an excellent summary being in Noise Control Bulletin and that awareness of the new Guidance needed to be raised. Discussion occurred about whether in its current format it was able to be shown as “fit for purpose”.

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The Chair said he was pleased that the link between Noise Action Planning and Planning and Noise Guidance had been made in Wales where each Local Authority appeared to have some flexibility in its approach to Planning and Noise standards. Gareth Hopper felt that this might produce a patchy approach varying between Local Planning Authorities, where developers might be incentivised to place developments in Local Authority areas where Councils were less restrictive in their Planning and Noise demands.

Anna Mahoney asked about the tensions which would exist in Authorities who were tasked with ensuring their quota of housing provision and also ensuring adequate Planning and Noise standards. The meeting agreed that developers were often the ones delaying housing starts where they were sitting on land banks not Local Planning Authorities who were often accused of having delays in determining planning applications.

The meeting recognised that housing development currently is seen as one of the drivers of the economy where complying with Planning and Noise standards may be seen as an irritation and where possibly Public Health England might have a future role in ensuring that adequate balanced public decisions are taken over future housing developments where Planning and Noise is a significant issue.

In relation to Wind Turbine noise the meeting heard that there were mixed messages coming currently from Central Government about whether developments should be onshore or offshore.

7.0 In relation to Committee issues despite evolutionary change affecting the EPUK Scottish Division and the recent establishment of Environmental Protection Scotland, the Chair indicated his choice that Bernadette McKell of AECOM should remain as Committee Vice Chair. He also proposed that Gareth Hopper and Lisa Lavia be made additional Committee Vice Chairs. The meeting agreed with all the suggestions made.

8.0 In relation to Any other Business the following items were raised:-

- The wider usage of dial ins for meeting participation – whilst supporting the concept the Chair indicated that future developed usage would be dependent upon the policy of the Corporation of London.

- The use of a Committee Business Plan to generate income – John Dinsdale spoke about the EPUK Business Plan which was still in its infancy following the change to a volunteer led charity. A fuller explanation could be obtained from Trustees.
• The October 24th, 2013 event at Aston University was felt to have been a success and a debrief meeting by Trustees was imminent.

• The subjects of Licensing and Noise, Planning and Noise and HS2 being suitable as subjects for EPUK Noise Control events. The Chair proposed to develop these ideas with Trustees.

• The opportunity for a Member of a Health and Wellbeing Board Member to attend a future Noise Committee Meeting as a co-opted member – it was agreed this be included in the next Briefing to Health and Wellbeing Boards.

• The current review by NATS of their Air Space Strategy - whilst it was recognised that NATS would concentrate on the efficient movement of aircraft it was thought that they did not have a complete understanding of the community reaction to aviation noise. It was agreed that EPUK make a response where the deadline was a date in January 2014. It was also agreed that affected Health and Wellbeing Boards might have a role to play in responding to the consultation where their attention would be drawn to this in a second EPUK Briefing. ACTION JAD

• The Chair raised the subject of the Noise Action Plan Support Tool where he felt the public should have access to a “read only” version to allow them to properly respond to 2nd Round Noise Action Plans. He indicated this was a matter he was going to pursue.

• A representative of Public Health England to be invited to the next meeting of the Noise Committee 0 the meeting agreed to this. ACTION - CHAIR

9.0 The next meeting was suggested for a Thursday at the end of January 2014 again to be held at the Corporation of London.

THE MEETING CLOSED AT 15.30 hours and the Corporation of London was thanked for its hospitality

These minutes written by John Dinsdale
Dated – November 18th, 2013.
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