

NATIONAL ASSEMBLY FOR WALES

SUBORDINATE LEGISLATION

2007 No. 24

ENVIRONMENTAL PROTECTION, WALES

The Permitted Level of Noise (Wales) Directions 2007

Made 4 April 2007

Coming into force 5 April 2007

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by section 5 of the Noise Act 1996, and which are now exercisable in relation to Wales by the National Assembly for Wales⁽¹⁾ makes the following Directions:

Title, commencement and application

1.—(1) These Directions shall come into force on 5 April 2007 immediately after the Measuring Devices (Noise Act 1996) (Wales) Approval 2007 and may be referred to as the Permitted Level of Noise (Wales) Directions 2007.

(2) These Directions apply in relation to Wales.

Interpretation

2.—(1) In these Directions—

“dB” (“*dB*”) is a unit of both A-weighted sound pressure level and equivalent continuous A-weighted sound pressure level as given in BS 7445;

“BS 7445” (“*BS 7445*”) means the British Standard entitled “Description and measurement of environmental noise - Part 1: Guide to quantities and procedures”, published by the British

⁽¹⁾ See article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

Standards Institution and numbered BS 7445-1:2003;

“the underlying level of noise” (“*y lefel swm sylfaenol*”) has the same meaning as in paragraph 8 of the approval made by the National Assembly for Wales titled the Measuring Devices (Noise Act 1996) (Wales) Approval 2007.

(2) Expressions used in these Directions which appear in the Noise Act 1996 have the same meaning in these Directions as they do in that Act.

The permitted level

3. The permitted level of noise which may be emitted during night hours from an offending dwelling or from offending premises shall be—

- (a) where the underlying level of noise does not exceed 24 dB, 34 dB;
- (b) where the underlying level of noise exceeds 24 dB, 10 dB in excess of that underlying level of noise.

Revocation

4. The directions made by the Secretary of State on 10th July 1997 under section 5 of the Noise Act 1996, insofar as they apply in relation to Wales, are revoked.

Signed

Date

CARWYN JONES

Minister for Environment, Planning and Countryside

NOTE 1. In accordance with section 5(2) of the Noise Act 1996, the permitted level is to be a level applicable to noise (emitted from the offending dwelling or from offending premises) as measured from within any dwelling in the vicinity (the complainant's dwelling) by an approved device used in accordance with any conditions subject to which the approval was given. This approval and these conditions are set out in the Approval under section 6 of the Act titled the Measuring Devices (Noise Act 1996) (Wales) Approval 2007.

NOTE 2. BS (British Standard) documents are available from the British Standards Institute at 389 Chiswick High Road, London W4 4AL.