

# Consultation on the evaluation of the Environmental Noise Directive

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## Scope of the public consultation

With this public on-line consultation the Commission has collected the views of citizens and associations of citizens, but also of all other interested stakeholders, addressing specifically the relevance, effectiveness, efficiency and EU added value of the Environmental Noise Directive (END – Directive 2002/49/EC).

## Methodology

### Type of consultation

The chosen way to consult the public was via an *on line questionnaire* (open public consultation) consisting of 5 short introductory questions about the persons/organisations completing the questionnaire and 13 substantive – mainly multiple-choice – questions. In addition, stakeholders were given the opportunity, via a *free text* field, to further explain their views or add elements that they considered missing. The questionnaire also offered the possibility to *upload documents* such as written statements.

The consultation questions were discussed and agreed by an Interservice Steering Group of the European Commission. The questions were developed so as to be:

- easy to understand (using simple and common language, being sufficiently short);
- cover most of the fundamental questions to be addressed by an evaluation (i.e.: relevance; EU added value; effectiveness; efficiency; coherence<sup>1</sup>);
- be limited in number to facilitate the response of a broad set of stakeholders and citizens, and avoid discouraging respondents.

The consultation was fully translated and made available in *23 official EU languages*, and replies were accepted in all these languages.

Stakeholders were asked to identify themselves as belonging to one out of 10 categories:

- As a single citizen
- As an association of citizens
- Private company - non SME
- Private company - SME
- Public company
- Academic/scientist
- National/regional/local authority
- Industrial or trade association

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<sup>1</sup> Only coherence was not addressed as this is very technical and specific for the Environmental Noise Directive, and therefore better addressed through other evaluation methodologies, including desk research and targeted consultation of experts through in-depth interviews.

- Consumer association
- Other

## Means used

The consultation was published on line by means of a European Commission software developed for the purpose of conducting surveys ("EUSurvey"). It was accessible to anybody with access to the Internet, with the use of minimum hardware resources. The consultation was available at the following Internet link (no longer available for public access as the consultation period is over):

<https://ec.europa.eu/eusurvey/runner/noise>

For general questions on the consultation, emails could be submitted to:

[ENV-END-REVIEW@ec.europa.eu](mailto:ENV-END-REVIEW@ec.europa.eu)

For those not responding as single citizens but representing an organisation, it was required that they fill in the transparency register:

<http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>

## Consultation period

The consultation was opened from 21.12.2015 to 28.03.2016. The standard 12-week period was extended by two weeks in order to account for end-of-year holidays.

## Advertising the consultation

The consultation was advertised on the "Your voice in Europe" internet page

<http://ec.europa.eu/yourvoice/>

and as well on the Europa internet page of the Directorate General for the Environment:

[http://ec.europa.eu/environment/consultations/noise\\_2015\\_en.htm](http://ec.europa.eu/environment/consultations/noise_2015_en.htm)

Furthermore, the consultation was advertised by means of emails to networks of contacts, namely:

- the network of Member States' representatives participating in the Noise Expert Group;
- the stakeholders involved by the consultant supporting the evaluation of the Directive;
- the working party on noise of the UN-ECE;
- other stakeholders with an interest in noise, based on contacts available to DG Environment.

All contacts were encouraged to further spread the information on the consultation as widely as possible.

## Storing and accessing the consultation results

The consultation results and replies, subject to privacy statements, are partly public, partly available only to the European Commission staff, depending on the declared intentions of the contributors. All results and replies are stored in the European Commission servers and access is limited to European Commission staff. Those replies and documents submitted by participants having agreed to publish them are available for the public here:

<https://circabc.europa.eu/w/browse/4232cbaa-d96a-4ff0-9628-50de1ee15497>

### **Method used in quantitative analyses (closed questions)**

Most questions asked in the open public consultation were closed, i.e.: a preconfigured set of replies was available, such as "very important, important, moderately important, of little importance, unimportant, no opinion" or "yes, no, no opinion". Therefore, the replies were analysed by counting all replies from each of the group of respondents.

An important remark concerns the general *statistical validity* of this kind of open public consultations: while these are meant to allow the general public and stakeholders to indiscriminately provide their views, they may not be representative of the views of all EU citizens or stakeholders, as there are no means of ensuring that a representative sample of citizens and stakeholders replies. Participation to this kind of consultation may be triggered by having been informed and being interested in the topic. Therefore, any result of this open public consultation shall be handled with care regarding the credibility and representativeness of the results.

Several stakeholders, especially from Member States' public authorities, have been directly informed about the consultation by email (see remarks on advertising the consultation), while only those EU citizens and stakeholders that follow the EU policy development on noise, and have access to the Internet, may have had the chance to learn about this consultation.

*Duplicate replies by one* respondent were also checked. 30 single citizens or organisations were identified as potential duplicates based on the family name of the citizen or of the stakeholder organisation, but:

- there were no means to cross check with additional personal data if indeed the same person or another person from the same family replied (or, for organisations, the same organisation and another department replied),
- the duplicates were randomly distributed amongst the different respondents groups,
- the number was small compared to the overall number of replies.

Therefore it was decided to leave these few potential duplicates in the results.

The distribution of respondents amongst citizens and stakeholders, as well as the distribution of respondents per country was assessed (percentage of respondents).

### **Method used in qualitative analyses (open questions and submitted documents)**

The consultation required free text at two occasions, which required a more qualitative analysis: (1) "Feel free to explain your choice", on what would happen if the Directive were to be repealed, and (2) the possibility to submit documents containing further reflections or information.

An Excel sheet was prepared to help analyse this information. As a first step, 10% of the contributions were scanned to assess what kind of elements were proposed by the respondents. Based on this first check, 15 fields were identified to record and classify the contributions received.

It must be noted that specific issues can only be mentioned in this consultation report if backed by a certain number of respondents. This classification in 15 fields would therefore allow selecting those elements that may not have been considered in the questionnaire, but were stressed as relevant by a number of respondents. The fields used to classify the further elements received are: Effectiveness;

Relevance; EU added value; Efficiency; Coherence; Noise limits; Noise indicator; Quiet area; Road; Rail; Aircraft; Wind turbine; Industrial; Action plans; “further unclassified elements”.

Finally, this analysis focusses on the most relevant issues mentioned. In order to present them in a meaningful manner, issues identified by means of the free text and of the documents submitted are discussed together with the analysis of the closed question they pertain to most.

## Brief descriptive overview of the profile of respondents

There were 1429 respondents that replied to the consultation on a personal basis or on behalf of their organisation. The sections below provide an overview of the different types of respondents, based on how they identified themselves in the introductory section of the questionnaire.

### Type of respondent

Citizens represented the vast majority of the respondents, followed by citizen associations, whereas consumer associations was the category with the lowest number of respondents (three of them may in fact be association of citizens, but as the total number is low, any bias resulting from this is statistically not significant).

Table 1 – Proportion of respondents per type

| Type of respondent                | Number of replies | % of total replies |
|-----------------------------------|-------------------|--------------------|
| As a single citizen               | 1008              | 70,5               |
| As an association of citizens     | 121               | 8,5                |
| Private company - non SME         | 17                | 1,2                |
| Private company - SME             | 33                | 2,3                |
| Public company                    | 51                | 3,6                |
| Academic/scientist                | 52                | 3,6                |
| National/regional/local authority | 89                | 6,2                |
| Industrial or trade association   | 33                | 2,3                |
| Consumer association              | 4                 | 0,3                |
| Other                             | 21                | 1,5                |
| <b>Total</b>                      | <b>1429</b>       | <b>100,0</b>       |

### Country of the respondent

Respondents were well distributed amongst the 28 Member States. Compared to the number of citizens, four countries contributed more than expected, notably Austria, Belgium, France and Germany.

Table 2 – Proportion of respondents per country

| Country  | Number of replies | % of total replies |
|----------|-------------------|--------------------|
| Austria  | 150               | 10,5               |
| Belgium  | 72                | 5,0                |
| Bulgaria | 5                 | 0,4                |

|                 |             |              |
|-----------------|-------------|--------------|
| Croatia         | 7           | 0,5          |
| Cyprus          | 10          | 0,7          |
| Czech Republic  | 17          | 1,2          |
| Denmark         | 3           | 0,2          |
| Estonia         | 7           | 0,5          |
| Finland         | 8           | 0,6          |
| France          | 178         | 12,5         |
| Germany         | 632         | 44,2         |
| Greece          | 7           | 0,5          |
| Hungary         | 2           | 0,1          |
| Ireland         | 11          | 0,8          |
| Italy           | 46          | 3,2          |
| Latvia          | 1           | 0,1          |
| Lithuania       | 2           | 0,1          |
| Luxembourg      | 9           | 0,6          |
| Malta           | 2           | 0,1          |
| The             | 36          | 2,5          |
| Poland          | 11          | 0,8          |
| Portugal        | 22          | 1,5          |
| Romania         | 1           | 0,1          |
| Slovak Republic | 7           | 0,5          |
| Slovenia        | 7           | 0,5          |
| Spain           | 54          | 3,8          |
| Sweden          | 47          | 3,3          |
| United Kingdom  | 56          | 3,9          |
| Other           | 19          | 1,3          |
| <b>Total</b>    | <b>1429</b> | <b>100,0</b> |

## Campaigners

To ensure that the disproportionate replies from some countries were not the result of campaigns, the distribution amongst different groups of respondents was analysed more in detail for these countries, but the respondents were evenly distributed amongst groups as in the other countries. Therefore, no bias could be identified.

The high number of responses from German citizens constitutes about half of all citizens' responses. This required a specific analysis seeking for a bias due to country of origin of the respondent. After analysing the replies in more detail, it was found that the replies from Germany were not fundamentally different to the replies of the citizens from other countries (comparing the response of German citizens with the responses from citizens from all other countries, the differences were found to be in a range of 1 to 5%, with the exception of the question whether citizens had the opportunity to comment on draft action plans to manage noise before their adoption. In this case, 67% of the German citizens replied that they hadn't been consulted, while in other countries that percentage was only in 55%.

Before proceeding to the quantitative analyses, a check of the replies was performed to ensure that sets of replies were unlikely to be the result of *computer based replies* or that “*campaigns*” to *organise specific replies* were not biasing the results. Campaigns or computer based replies are assumed to be traceable as they generate the same set of replies. 54 duplicated replies were found, but these were not consistently identical replies. Moreover, provided this is a limited number with respect to the 1429 total replies, even if a subset of these was due to a campaign, it was not sufficient to bias

the results of the quantitative analyses, (representing only 3% of the replies). Instead, based on the elements at hand, the duplicated replies were considered to be simply the same type of reply by chance given by different people or organisation, and not part of a campaign.

Concerning free text replies, one systematic campaign was detected where almost the same text was provided, with regard to air traffic. A total of 76 respondents entered versions of an almost identical text. Only by looking at the documents submitted, it could be observed that there were two documents that were submitted (almost) identical by two groups of respondents. The first was the case of *citizens affected by aircraft noise (submitted 4 times)*, and the second was a group of *aircraft operators and airports (submitted 6 times)*. Only in the case of aircraft noise, some replies were therefore identifiable as campaigns. Specifically in the case of aircraft operators and airports, the main point made was to maintain the END unchanged, follow the International Civil Aviation Organisation's "balanced approach" strategy in addressing noise, and avoid introducing noise limits both at the EU and national level, while eventually leaving noise limits for local level only. Citizens, however, were mainly raising the need for EU noise limits for airports and, based on this, adoption of a clear set of binding actions to protect human health around airports.

## **Qualitative analysis of responses (open questions and submitted documents)**

Comparing the replies to the open question and the documents submitted with the objectives of the consultation as defined in the consultation strategy, it is concluded that the consultation is highly focussed on the objectives identified (collecting the views on the relevance, effectiveness, efficiency and EU added value of the END), with only some extra suggestions on topics closely linked, but not addressed in the consultation, notably the extension of the scope of the Directive to the *wind farms*.

Even though a thorough analysis was performed, it was not possible to identify any replies unrelated to the consultation topic, and all replies were retained and considered.

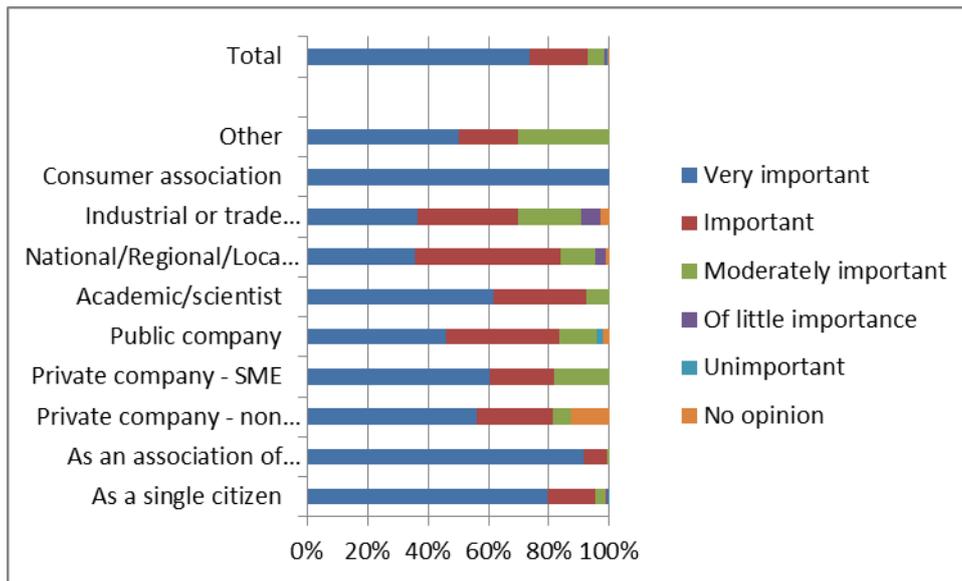
The information gathered through the open question and the documents submitted was indeed useful for the assessment of the Directive. This is mainly the case for *effectiveness of airport policies* in reducing noise, and some other areas such as *railway noise mitigation*, the effect of *low frequency* and *wind farms* on health, annoyance from *motorbikes and racing circuits and health effects in general*. All this information was limited and statistically non-significant. However, the data provided couldn't be used in the assessment of the END, but were retained as important information for future reflections on the EU noise policy.

Because of the objective and scope of this consultation, the sources and reliability of opinions, data and facts were not cross checked with other information sources or by contacting the respondents. Nevertheless, no signs could be identified of deliberately false or misleading opinions and data being submitted. Instead the results of the consultation were broadly in line with the findings of the contractor performing the evaluation of the Directive.

## **Quantitative analysis based on substance of responses (closed questions)**

The replies to the 13 questions and their sub questions were analysed and are here presented in graphical format. Almost everywhere the replies to the questions are in line with the findings of the consultant having performed the evaluation of the END, and therefore confirm his findings.

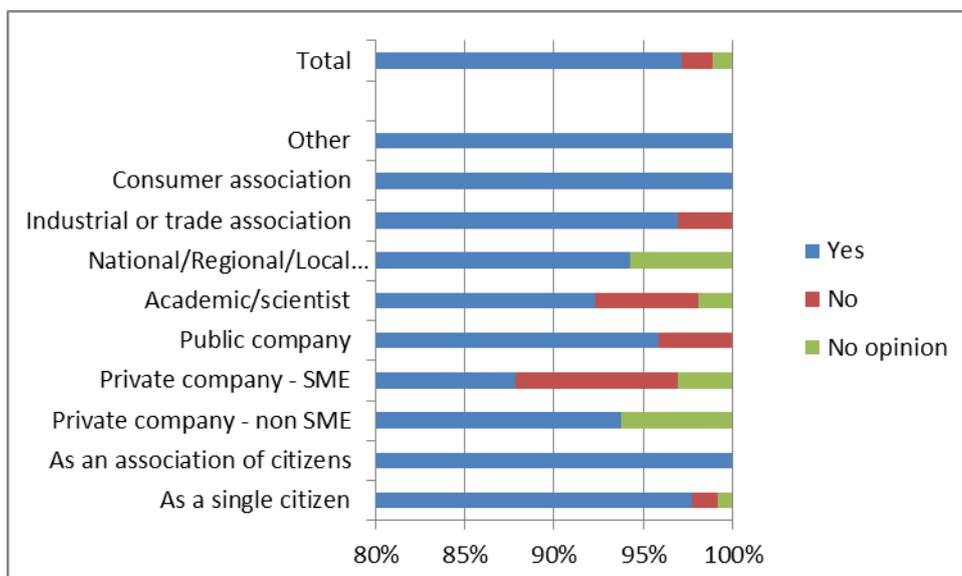
*(1) How important for your quality of life is the level of noise in your surroundings?*



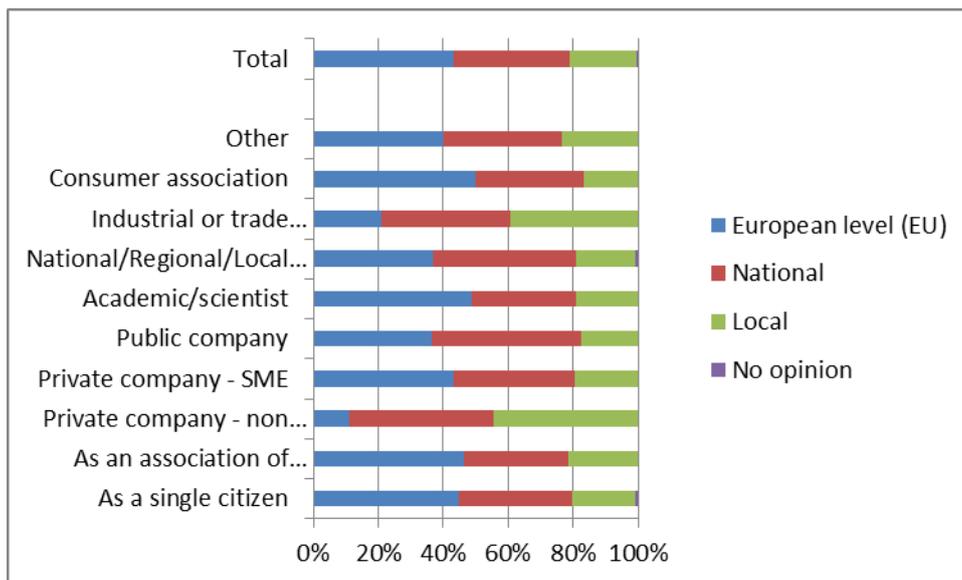
This question deals with *EU relevance*.

Respondents agree that environmental noise is an important issue.

*(2.1) Should noise be addressed by legislation?*



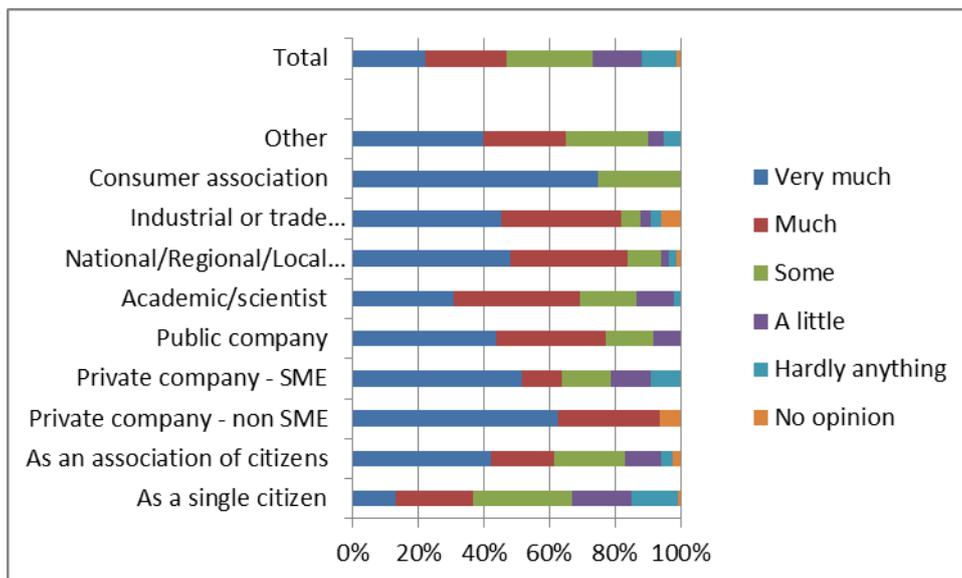
*(2.2) If yes, in your view, what would be the appropriate level?*



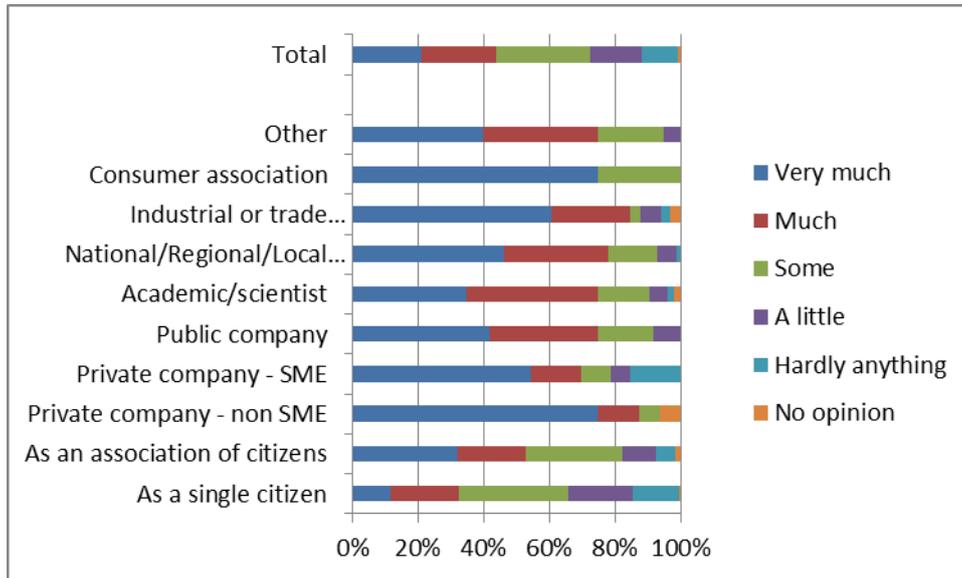
This set of questions deals with *EU added value*.

Respondents were of the opinion that noise is most appropriately addressed at EU level (43 %), followed by the view that it is best addressed at national or local level (36 and 20 %, respectively).

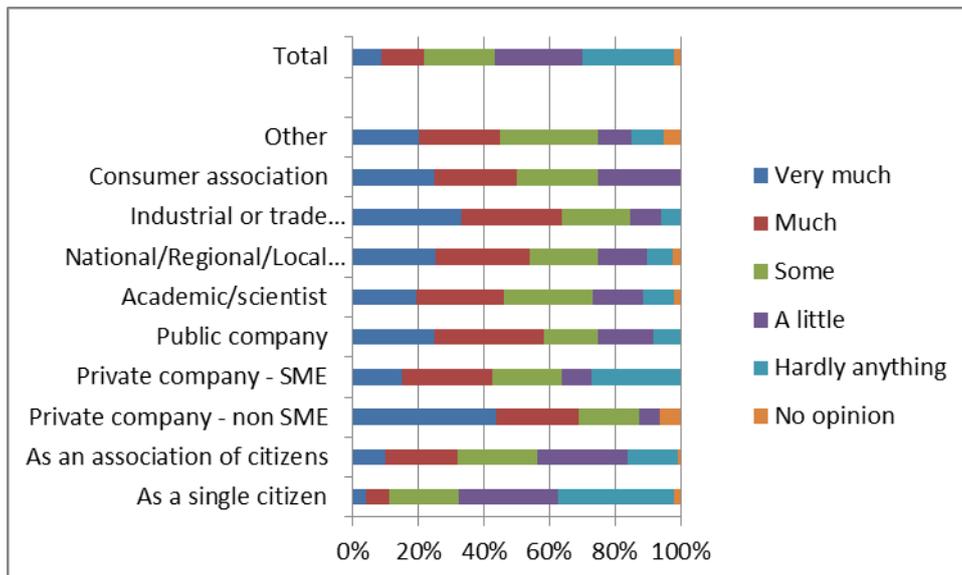
*(3.1) How much do you know about noise legislation: in your region*



(3.2) *How much do you know about noise legislation: in your country*



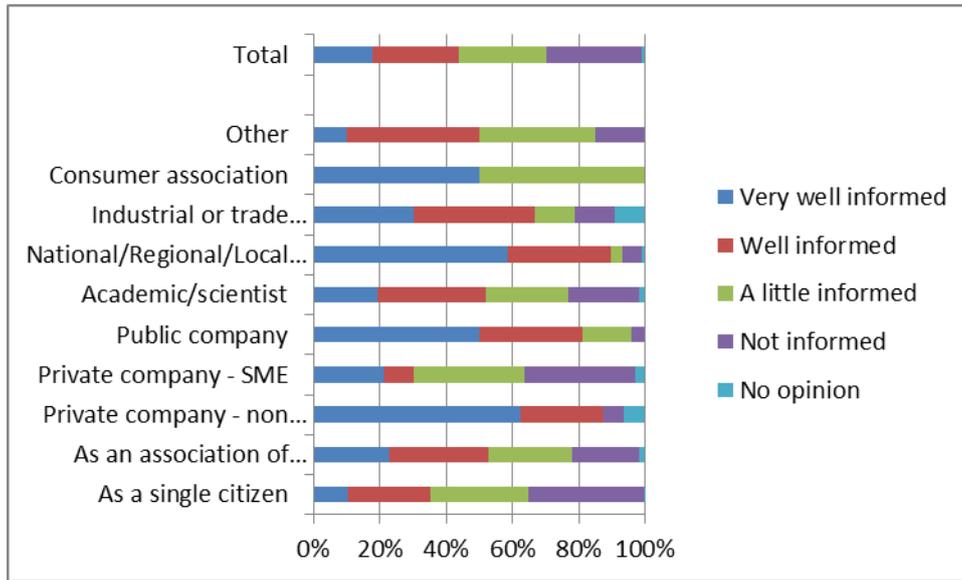
(3.3) *How much do you know about noise legislation: in the European Union*



This set of questions deals with *effectiveness*.

Noise legislation is known, but rather at local and national level than at European level. Single citizens know less than others on noise legislation.

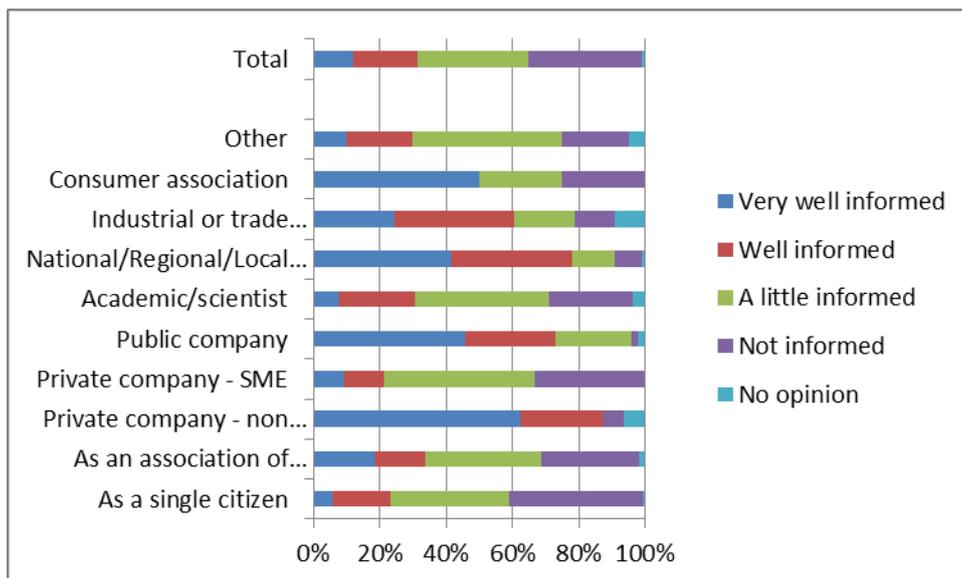
*(4) Are you sufficiently informed about the noise situation (e.g.: by means of the noise maps) in your area?*



This question deals with *effectiveness*.

The outcome regarding being well or only little informed about the noise situation is balanced, with citizens and SMEs being the least informed. This corresponds to the findings of the contractor who discovered that public participation and awareness is low when it comes to environmental noise.

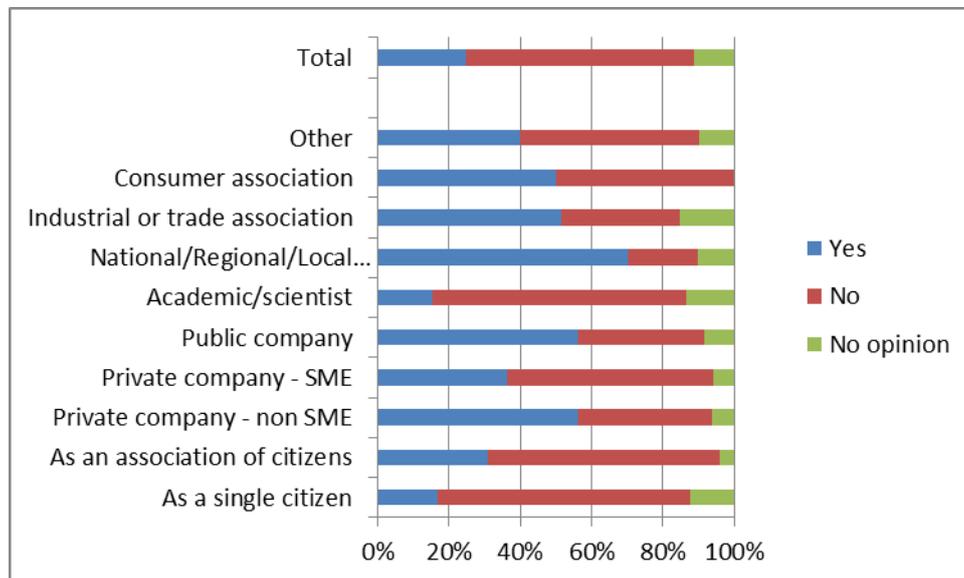
*(5) Are you sufficiently informed about the measures your national/local authorities have planned in the adopted action plans to manage noise?*



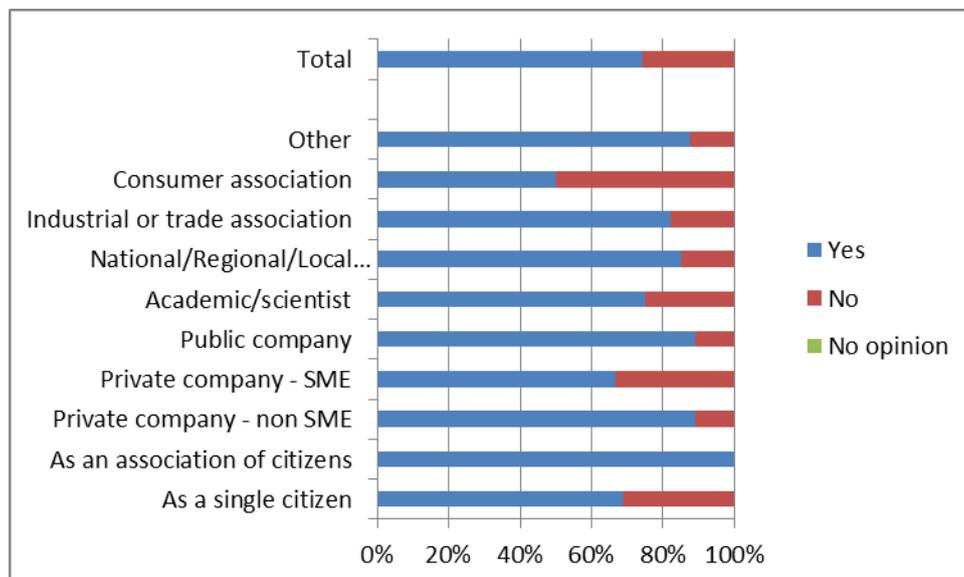
This question deals with *effectiveness*.

As for the previous question, there is no clear outcome, with a trend - amongst all respondents - to be even less informed about measures to manage noise than about the noise situation.

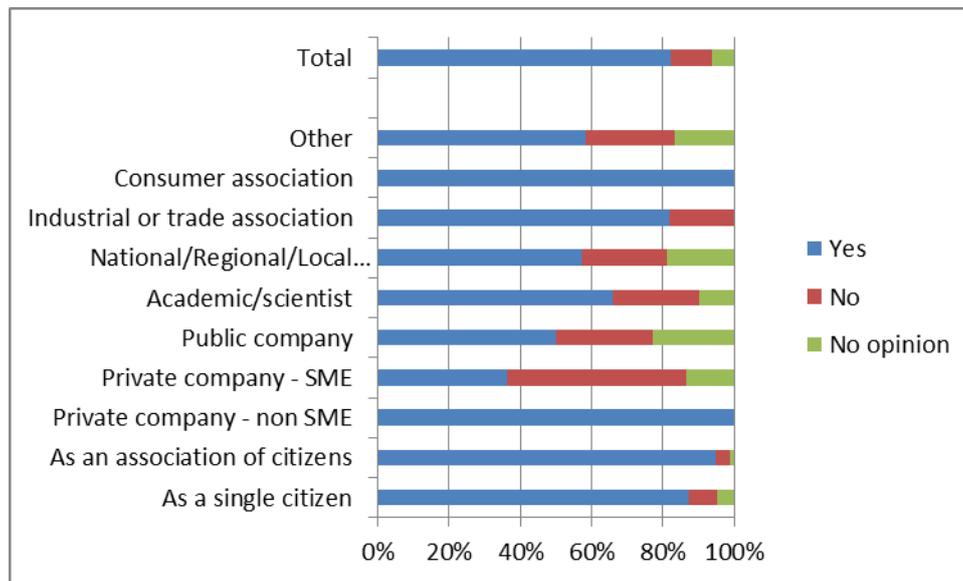
*(6.1) Have you had the opportunity to comment on draft action plans to manage noise before their adoption?*



*(6.2) Did you use this opportunity to comment?*



*(6.3) If you would have been given the opportunity to comment on the action plans, would you have used it?*

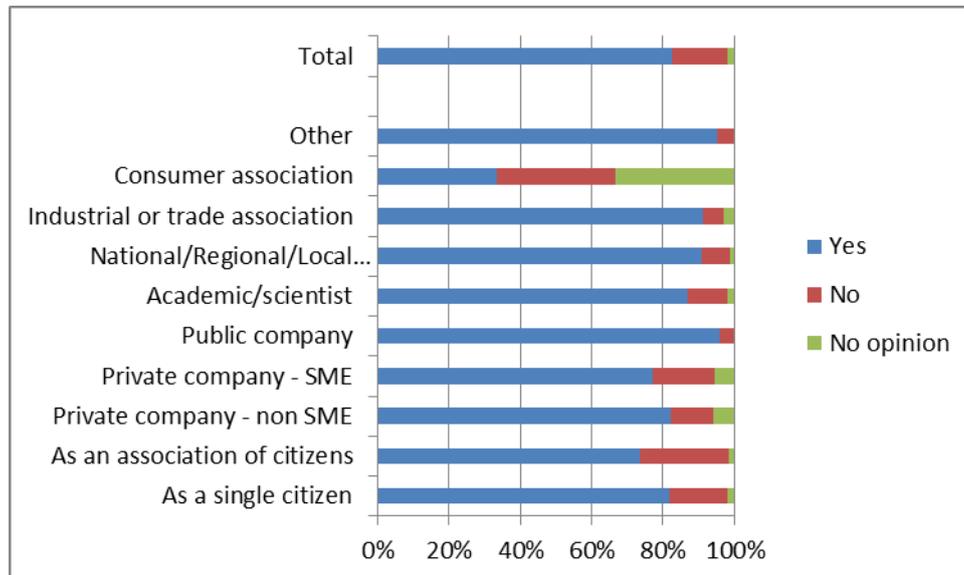


This question deals with *effectiveness*.

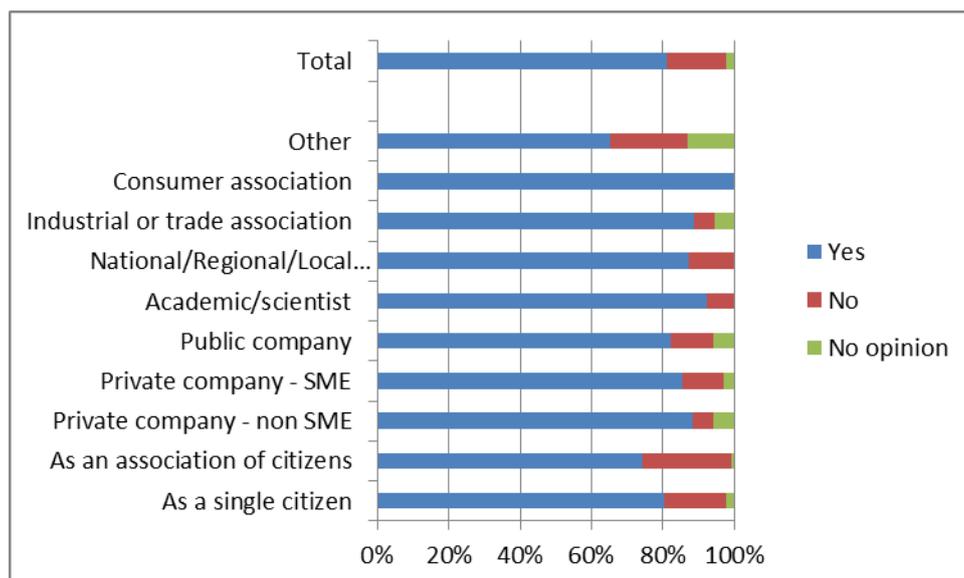
With the exception of public authorities and companies, the replies demonstrate that many stakeholders haven't been given an opportunity to comment on noise action plans, and that they would have welcomed such an opportunity. This finding is only partially in line with the evaluation report, which states that the competent authorities were proactively trying to involve citizens, but without success.

*(7) The END provides a framework to address noise pollution from transport and industry and requires EU Member States to undertake a set of actions. For each of them, do you think they are appropriate?:*

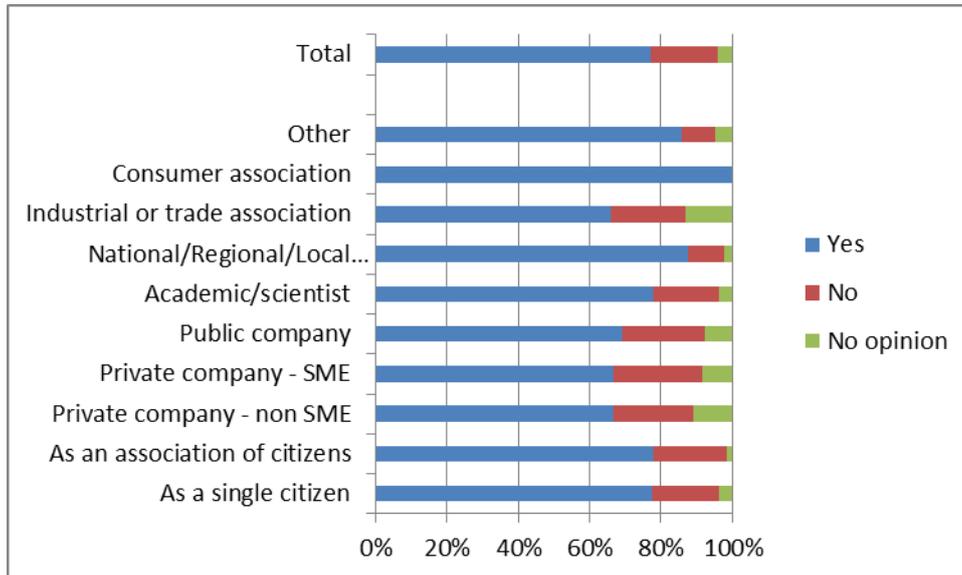
*(7.1) Make maps of noise exposure to inform the citizens on noise pollution and as basis for action plans.*



*(7.2) Adopt action plans to manage and, if necessary, reduce noise.*



*(7.3) Consult the citizens on the action plans.*

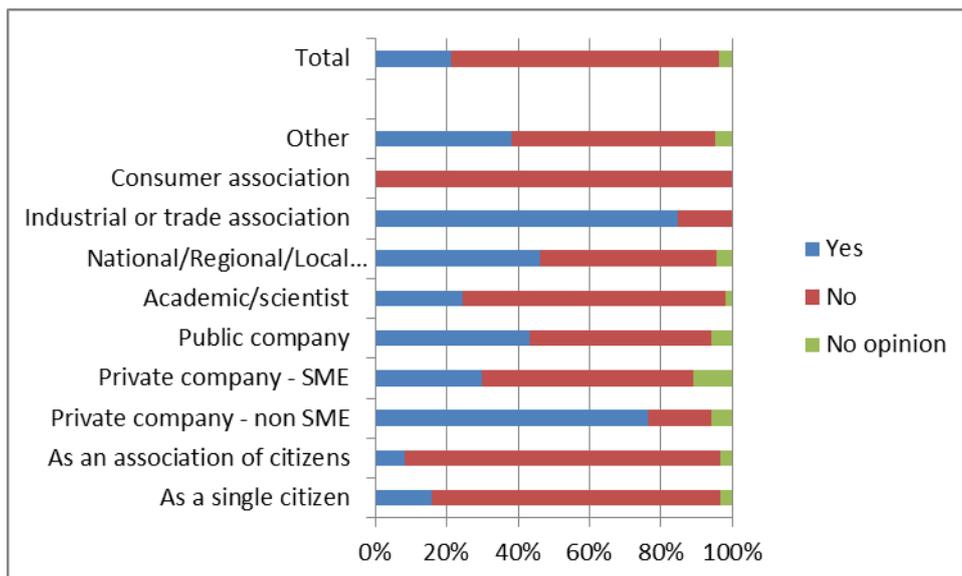


This question deals with *effectiveness* and *EU added value*.

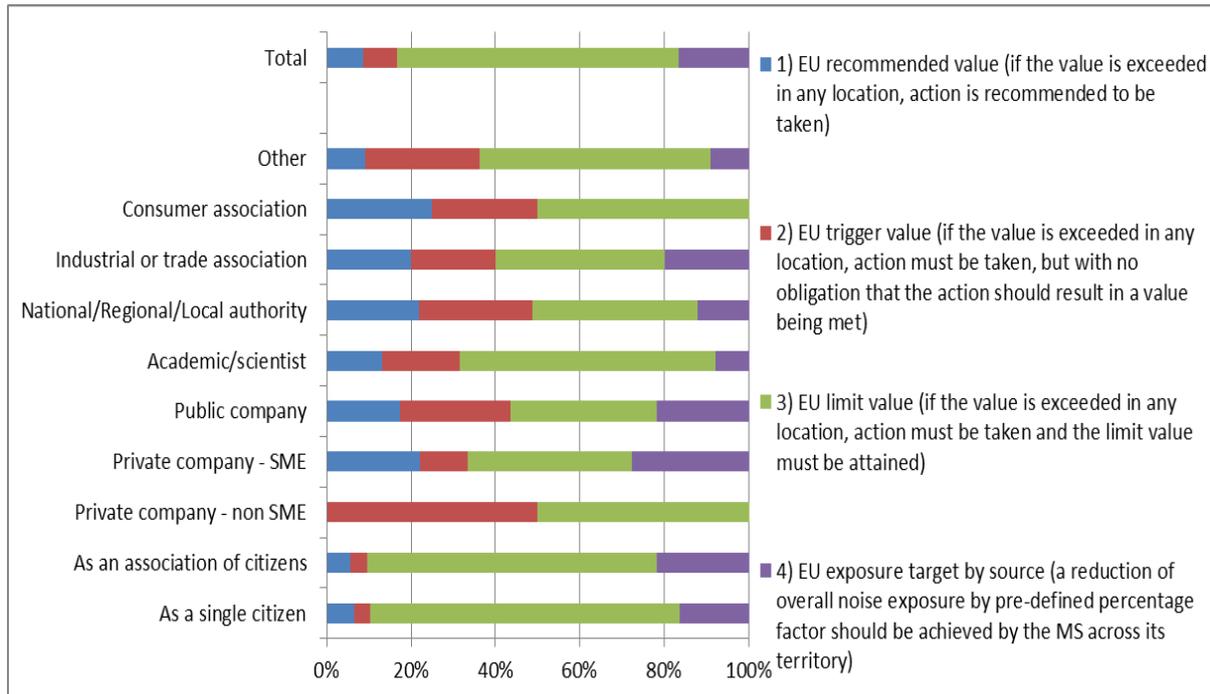
Respondents agree that noise maps, action plans and public consultation on the action plans is the right approach to tackle environmental noise.

*EU legislation does not set any limits, nor targets, and leaves Member States free to choose if to intervene and how.*

*(8.1) Do you think this is appropriate?*



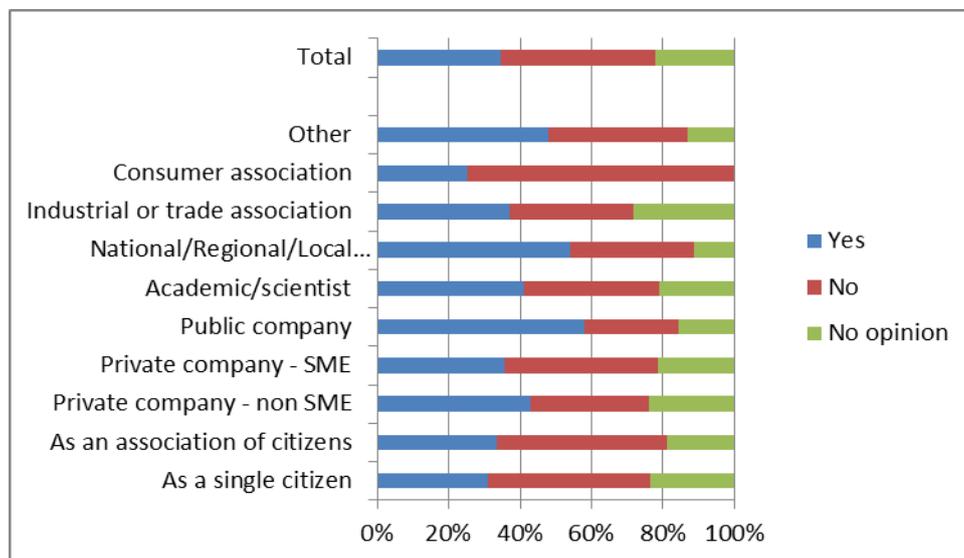
*(8.2) If you do not consider the current approach to limits/targets appropriate, which of the following alternatives would in your view be best:*



This set of questions addresses *effectiveness* and a *prospective issue*.

All types of respondents, except the industrial associations and the private -non SME- companies, strongly indicate that the END approach of not setting any limits or targets, and leaving Member States free to choose if to intervene and how, is not appropriate. Instead, EU noise limits are by far the preferred option, followed by EU recommended or trigger value and an EU exposure target (scoring about the same interest).

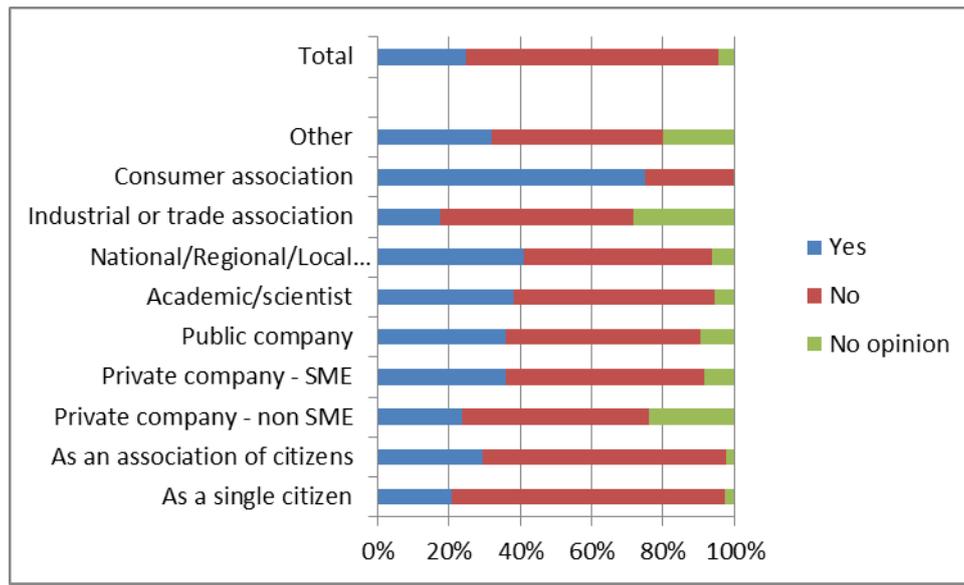
*(9) The END aims at providing a basis for EU measures to reduce noise from transport and industry, for instance by developing common methods for noise mapping. Do you think that the END has provided a good basis for developing source-based regulatory measures?*



This question deals with *effectiveness*.

The picture provided by the respondents is inconclusive. It seems that less than half of the respondents are satisfied by the influence of END on “measures at source”. For comparison, the contractor found that the END is likely to be a good basis for such measures, but it is still too early to see the full effects. This might be the reason for the inconclusive result.

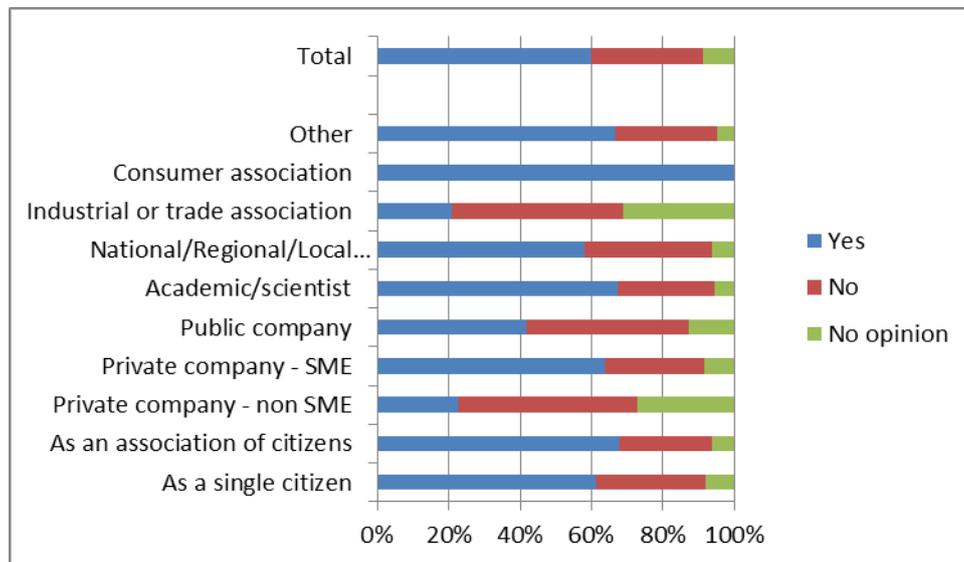
*(10) The END aims at protecting areas within and outside cities where the noise quality is good, called “quiet areas”. Are you aware of any such area in the vicinity of your home?*



This question deals with *effectiveness*.

Most respondents are unaware of quiet areas. This may be because quiet areas do not exist in their region, or because they are not appropriately announced. This is in line with the contractor's finding on quiet areas.

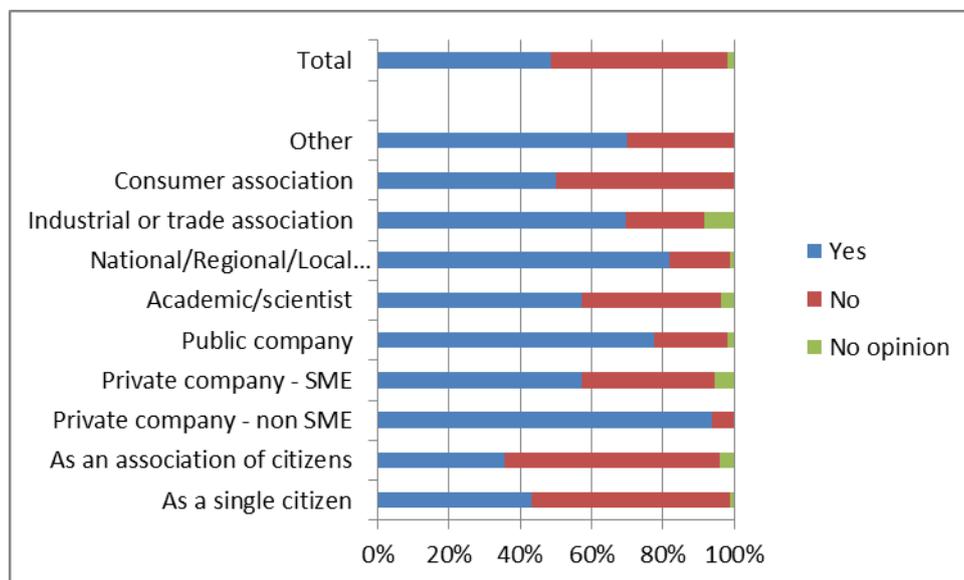
*(11) The END requires Member States to designate such quiet areas. Do you think that such designated areas are useful to avoid, prevent or reduce the harmful effects of noise from transport and/or industries?*



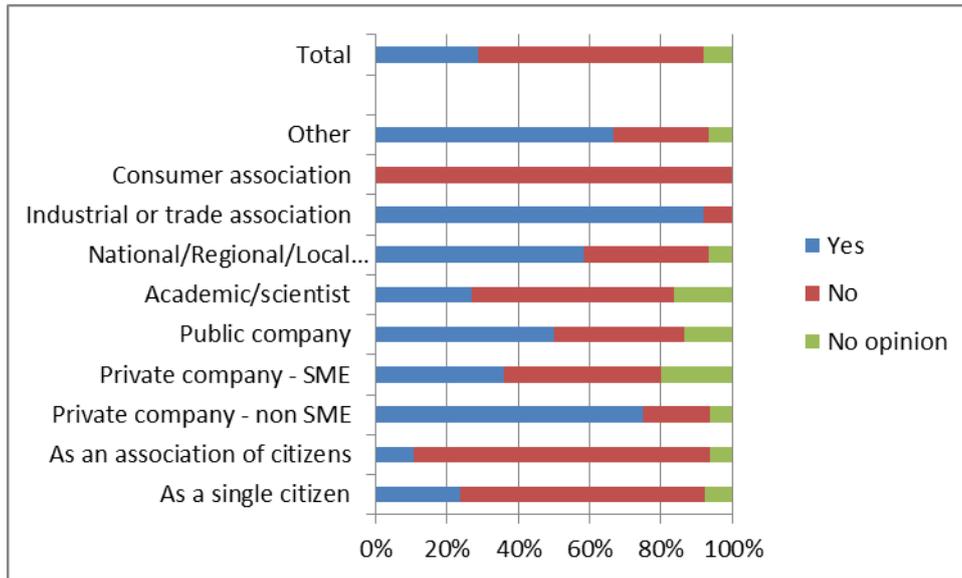
This question deals with *efficiency*.

All categories of respondents, except the industrial associations, the public companies and the private -non SME- companies, broadly agree that quiet areas are useful.

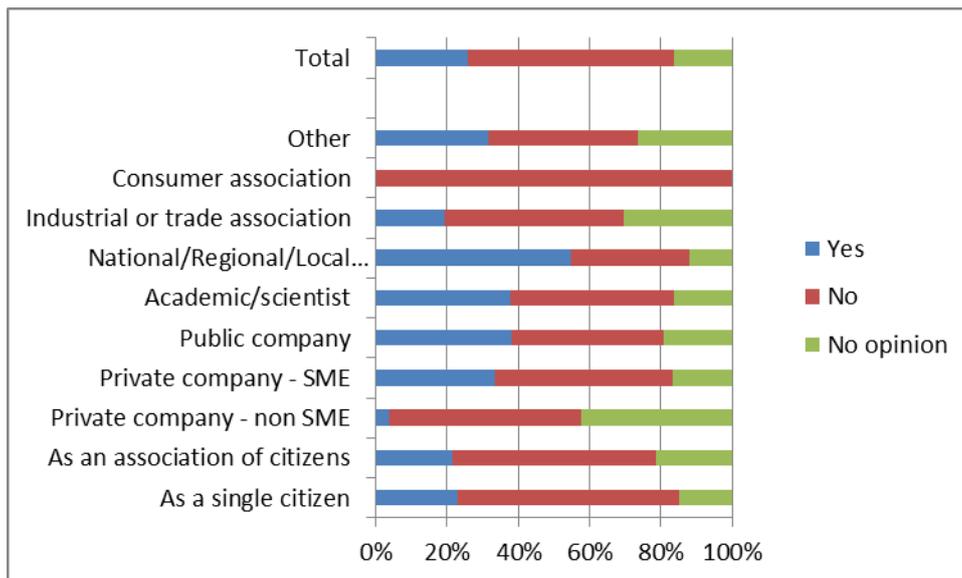
*(12.1) Are you aware of any noise reduction measures taken in your area to reduce noise from transportation and/or industry?*



(12.2) Do you think that the EU measures implemented in your country/region have been effective in reducing noise from transportation and/or industries?



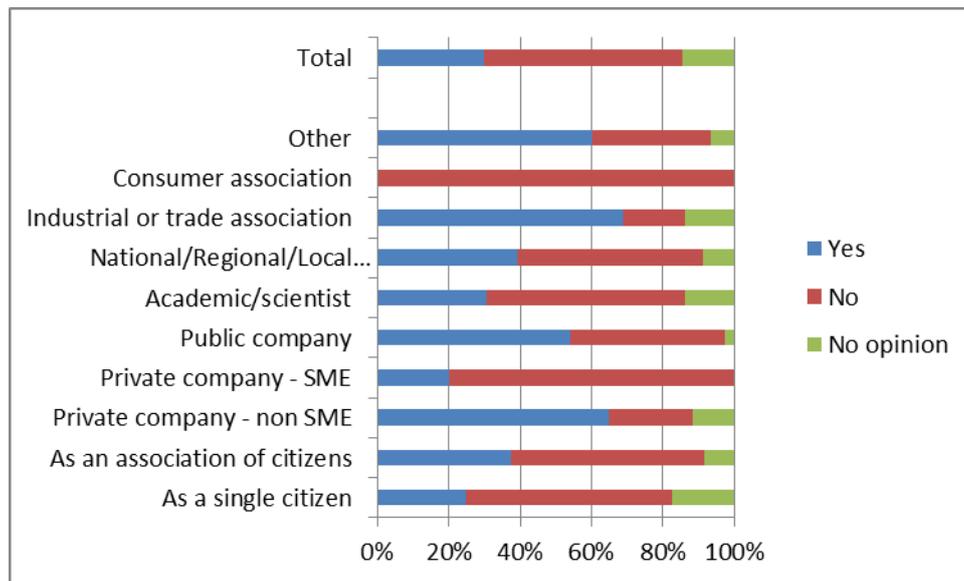
(12.3) Do you think that the measures adopted are proportionate to the benefits?



This set of questions deals with *efficiency* and *effectiveness*.

Awareness of stakeholders of measures to reduce noise is limited (in particular for single citizens), and measures are considered inefficient by the majority of stakeholders, and also not proportionate to their benefits. On the other hand, the contractor performing the evaluation of the END, used a Cost-Benefit Analysis and concluded that measures are clearly efficient.

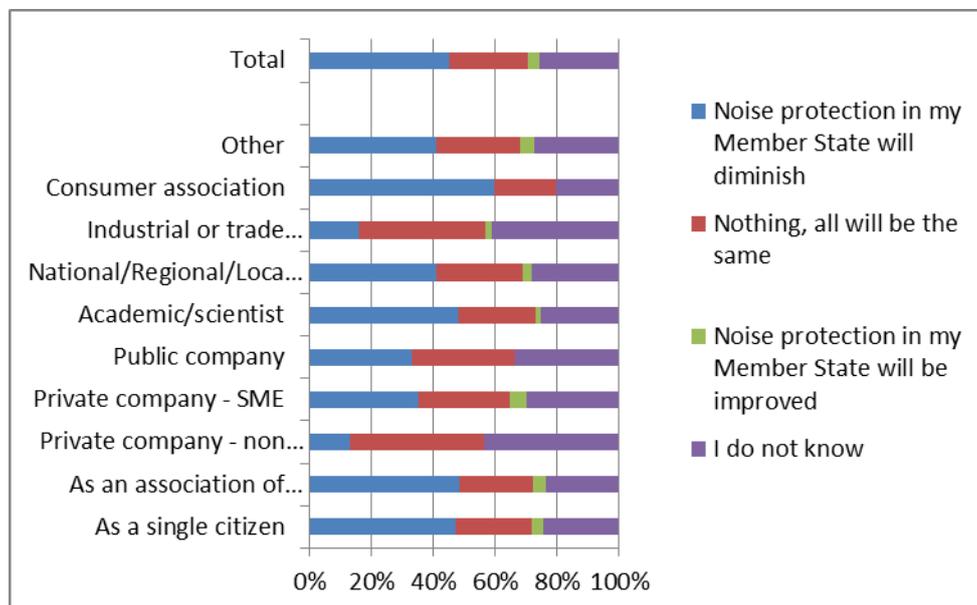
*(12.4) Do you think that measures would have been taken if there was no EU legislation on environmental noise?*



This question deals with *EU added value*.

In particular the majority of citizens – as the largest group of respondents –doubt that any measures would have happened without EU legislation on environmental noise.

*(13) What would happen if the END were repealed?*



This question deals with *EU added value*.

Most respondents fear that – should the Directive be repealed - the acoustic environment will worsen or remain unchanged. This is in line with the contractor’s finding, who found a clear support of stakeholders to maintain the Directive.

628 respondents provided an additional explanation in the free text box. 69 were blank or contained incomprehensible text, while 559 were analysed, and an overview of the main point made is provided in the table below for those replies that were found to occur at least twice. Table 3 lists the comments received:

Table 3 – Content of free text

| <b>Main point made</b>  | <b>Number of replies</b> |
|---|--------------------------|
| General complaint about noise   | 94                       |
| EU policy including END should be stronger/more ambitious (limits, quiet periods, financing, binding implementation of action plans, taxation, prohibition of noise increase, quieter vehicles)   | 84                       |
| Specific complaint about air traffic noise including request for stronger regulation (e.g. a Europe-wide ban on all night flights)  | 76                       |
| Complaint about other types of noise not covered by END (wind turbines, sporting events, infrasound, neighbourhood noise, garbage collection, motorcycle noise, recreational noise, delivery vehicles, construction noise, leafblowers, electronic appliances, geographical areas outside the scope of the Directive) | 67                       |
| Economic interests and industry lobbying usually prevail over the need to protect people from noise   | 42                       |
| Criticism of noise calculation methods / indicators   | 29                       |
| My MS does not take the issue seriously, EU push is necessary (if END is repealed it would give the signal that noise is not a priority)  | 20                       |
| Action plans are done pro-forma and no measures are taken   | 18                       |
| My MS does not implement EU legislation/the END correctly   | 15                       |
| Authorities ignore citizens' concerns   | 15                       |
| Criticism of the questionnaire  | 8                        |
| END has raised awareness  | 7                        |
| Noise maps are useless, waste of money  | 6                        |
| Local authorities do not have the resources necessary to implement action plans   | 4                        |
| There is sufficient national legislation, END not necessary   | 4                        |
| Noise should be nationally/locally managed  | 4                        |
| Nothing would change if END were repealed   | 3                        |
| Difficult to tell what would happen if END were repealed  | 3                        |
| Reduce noise at source, do not displace it  | 3                        |
| My MS already had noise legislation before the END  | 3                        |
| EU legislation is important because it creates a level playing field among MS   | 2                        |
| Any noise actions taken so far have not helped  | 2                        |
| Noise polluters have unscrupulous practices   | 2                        |
| Noise is increasing   | 2                        |
| Self-regulation by airports is unacceptable   | 2                        |
| It is good to give MS flexibility in how they manage the issue  | 2                        |

## Overall findings

Noise remains a *relevant* issue.

On the *effectiveness* and *efficiency*, the perception of the majority of stakeholders is that the END was only partially useful for legislation at source, citizens perceived not having been consulted on action plans, and interventions were inefficient. Quiet areas seem to be broadly unknown or they do not exist, but are welcome by those stakeholders aware of them.

Regarding *EU added value*, the consultation confirmed that there is definitely a consensus to keep, or strengthen, the EU legislation on environmental noise, with the setting of **EU noise limits**, or to a slightly lesser extent EU noise targets, being a missing element of the Directive. This is in line with the replies to the open questions.

Opposite positions are expressed in the case of the airport noise, where citizens wish to be more protected while airport companies suggest that the actual legal framework is not to be modified.

Several replies to the open question - and documents submitted - suggest that the scope of the Directive should be broadened to wind farms and low frequency noise.