

EVALUATION AND FITNESS CHECK (FC) ROADMAP			
TITLE OF THE EVALUATION/FC	Evaluation of the Environmental Noise Directive		
LEAD DG RESPONSIBLE UNIT	ENV – F3	DATE OF THIS ROADMAP	11 / 2015
TYPE OF EVALUATION	Evaluation	PLANNED START DATE	11 / 2014
		PLANNED COMPLETION DATE	09 / 2016
		PLANNING CALENDAR	http://ec.europa.eu/smart-regulation/evaluation/index_en.htm
This indicative roadmap is provided for information purposes only and is subject to change.			

A. Purpose
(A.1) Purpose
<p>The purpose of the evaluation is to analyse whether the Directive 2002/49/EC relating to the assessment and management of environmental noise (the Environmental Noise Directive) – in place since 2002 – has been effective and efficient, contained relevant provisions to tackle the needs and the objectives outlined, was coherent with other EU legislation and if EU action was adding value. It will also - together with the Commission's report on the implementation of the Directive due in 2016 - inform the further development of the EU noise policy.</p> <p>It will therefore consider how the Directive performed against its aims to avoid, prevent or reduce the harmful effects of noise on human health from road, railways, airports and industrial installations by (1) providing a common approach to the management of noise in Member States, and (2) creating a basis for developing EU measures to reduce noise at source.</p>
(A.2) Justification
<p>As the Directive has been in place since 2002 and has never been fully evaluated, the Commission has, in its Communication on Regulatory Fitness and Performance (REFIT) [COM(2013) 685 final]), identified it “to be evaluated with a focus on regulatory fitness”.</p> <p>Furthermore, the Environmental Noise Directive requires - in its Article 11 - a report on the implementation of the Directive to be submitted to the Council and Parliament. The first such report was published in 2011 [(COM(2011) 321 final)], summarizing progress in the implementation of the Directive and outlining possible ways forward to improve its implementation and enhance its effectiveness. A second implementation report is planned for 2016.</p> <p>The implementation reports mandated by the Directive are required to contain information on the acoustic environment quality in the EU and to provide details on the state of implementation in Member States. They may be accompanied by proposals for the amendment of the Directive (Article 11 (6)). However, they do not include a comprehensive evaluation of the Directive.</p>

B. Content and subject of the evaluation
(B.1) Subject area
<p>The policy area in which the Directive intervenes is related to human health and the environment. It addresses the three most common transport means (road, rail, air traffic), as well as large industrial installations in agglomerations.</p> <p>The World Health Organisation has identified noise as the second largest environmental cause of health problems, just after the impact of air quality (particulate matter). This is further substantiated by a report from the European</p>

<p>Environment Agency (Noise in Europe 2014, EEA Report No 10/2014), stating that exposure to excessive noise results in 8 million EU citizens suffering from sleep disturbance, over 900 000 cases of hypertension and at least 43 000 hospitalisations per year, causing – at least – 10.000 premature deaths¹ in Europe per year.</p>
<p>(B.2) Original objectives of the intervention</p>
<p>An important objective of EU policy is to achieve a high level of health and environmental protection. This includes the need to protect the health of EU citizens from adverse impacts of noise exposure.</p> <p>In its Green Paper from 1996 [COM(96) 540 final], and in the light of the poor state of data on noise exposure and the shortcomings identified in the analysis of existing policy measures, the Commission believed that a framework to address the negative impacts of noise was needed, based on shared responsibility, monitoring of progress and measures to improve the accuracy and standardisation of data to help improve the coherence of different actions. Despite the local nature of noise, as noise is most effectively reduced at source (e.g. in the design of road vehicles), action on EU level was considered necessary and appropriate.</p> <p>Based on this, the objectives of the Directives were defined, i.e. to create a common approach by Member States to address the negative impacts of noise on human health, and to establish a basis for action at EU level.</p> <p>The Environmental Noise Directive provides specifically for:</p> <p>(1) a common approach to the management of noise in Member States by requiring Member States to <u>map noise</u> in agglomerations and around major roads, railways, airports and industrial installations, and to <u>draw up respective action plans</u>, which need to be <u>publically consulted</u>.</p> <p>(2) a basis for developing Union measures to reduce noise at source (e.g. noise resulting from road traffic, airports, railways, as well as from outdoor and industrial equipment), as the strategic noise maps <u>inform the Union</u> on the acoustic environment quality in the EU.</p> <p>The Directive does not set any noise target or limit values (this is left to Member States).</p>
<p>(B.3) How the objectives were to be achieved</p>
<p>The intervention logic of the Directive is shown in Figure 1 below.</p>

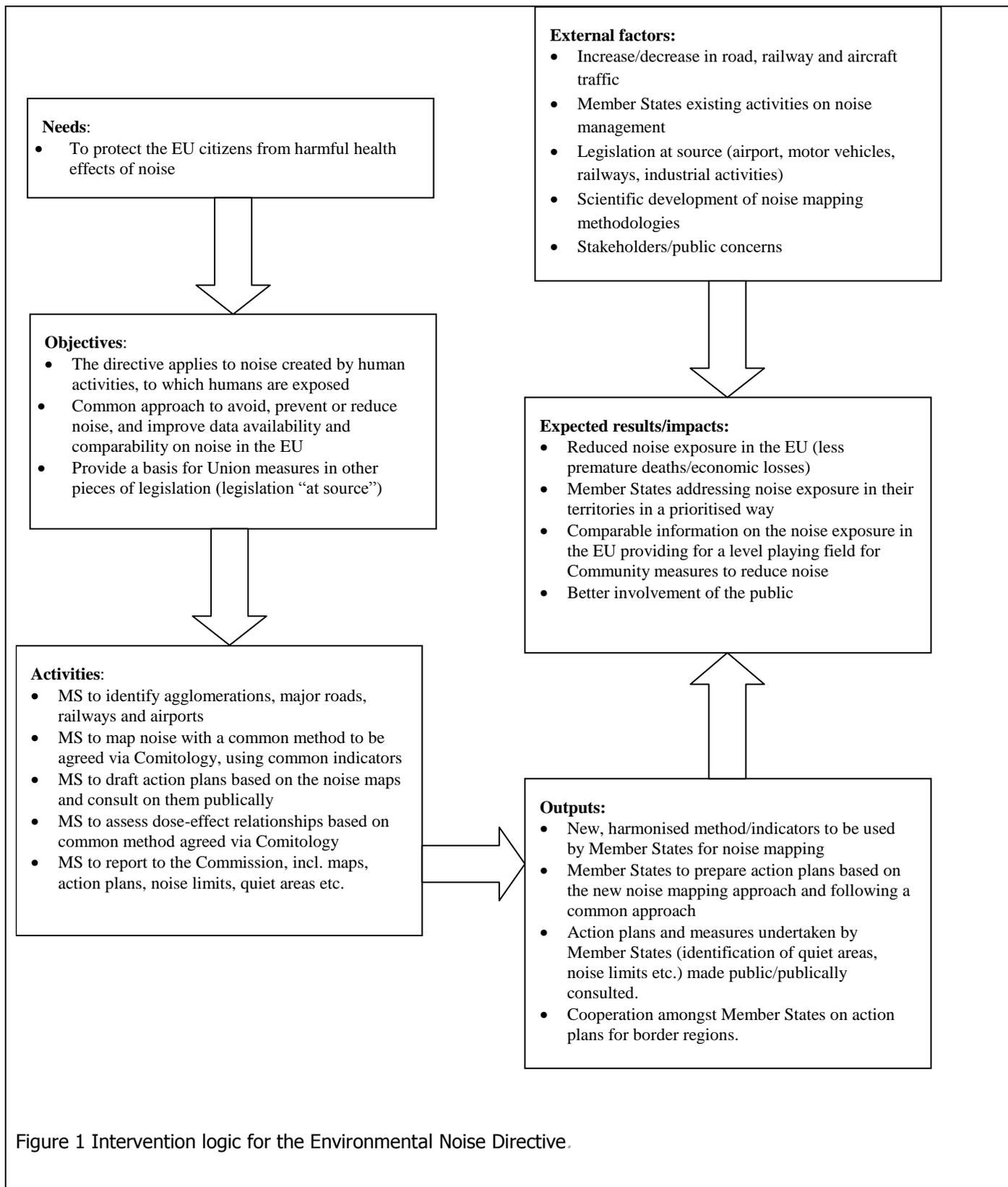


Figure 1 Intervention logic for the Environmental Noise Directive.

C. Scope of the evaluation/FC

(C.1) Topics covered

The evaluation of the Directive will be carried out with a view to regulatory fitness, and cover (1) all provisions of the Directive currently in force (until end 2014), (2) the entire time period the Directive has been in force (since 2002), and (3) the entire geographical area of the EU (all 28 Member States).

(C.2) Issues to be examined

The evaluation will address the five main evaluation questions:

Effectiveness

- What progress have Member States made over time towards achieving the objectives set out in the Directive? Is this progress in line with initial expectations?
- What main factors have contributed to or stood in the way of achieving these objectives?
- How has the Directive contributed to achieving a common approach within the EU towards environmental noise?
- What other significant changes did the Directive achieve (positive or negative)? Which are unexpected or unintended changes resulting from the Directive?
- Can any obsolete provisions in the Directive be identified and if yes, why are such provisions obsolete?
- How have the different provisions of the Directive (noise measuring [incl. via common indicators and a common assessment method], noise mapping, preparation of action plans, information and consultation of the public, reporting to and by the Commission) been accepted by the stakeholders?

In this context, a number of prospective issues will be addressed to explore possibilities for **simplification**:

- How could the reporting mechanism be improved? (this will need to take into account the work and results of the recently started REFIT of the reporting requirements - and subsequently also ensure compliance with the INSPIRE Directive)
- What administrative burdens can be identified and what is causing them (including for SMEs and micro-enterprises)?
- Is the scope of the Directive (as laid down in its Article 2) still appropriate, or – if it needs to be modified - how could that be done?
- How could the Directive be simplified, making it clearer and easier to understand while maintaining the integrity and purpose of the Directive?

Efficiency (addressing cost benefit)

- How has the Directive contributed to avoid, prevent or reduce the harmful effects of environmental noise?
- What are the costs and benefits (monetary and non-monetary) associated with compliance with the Directive in the different Member States (and extrapolated to the EU)?
- What are the cost differences between Member States (if any), what is causing them and has that had impacts on the benefits? Are there costs that are out of proportion with the benefits achieved? What good practices in terms of cost-effective implementation of the Directive in Member States can be identified?
- Are there provisions in the Directive which have caused excessive costs compared to the benefits (including the interval for noise mapping and action planning, the size of agglomerations, major roads, major railways and major airports for which noise maps and action plans need to be prepared and implemented)?
- How could the reporting mechanism be made more efficient?

Coherence:

- How has the Directive contributed to providing a basis for developing measures at EU level to reduce environmental noise (interaction with other EU law related to noise), and in particular for legislation to regulate noise at source (road vehicles/road traffic, rail vehicles/railway traffic, airports and aircrafts [e.g. the new Regulation on operating restrictions at airports], outdoor equipment, industrial equipment, and mobile machineries)?
- Are there any gaps where further EU noise legislation is required to improve reaching the objectives of the Directive, which can best be addressed by modifying/amending the Directive (e.g. common target or limit values)?

Relevance:

- Are the objectives of the Directive still relevant/do they still match current needs, and if yes, why? How does the Directive contribute to ensuring "that by 2020 noise pollution in the Union has significantly decreased, moving closer to WHO recommended levels", as stated in the 7th Environment Action Programme?
- How has the Directive adapted to technical and scientific progress?

<p>EU added value:</p> <ul style="list-style-type: none"> • What has been the EU added value of the Environmental Noise Directive? • What has been the EU added value of the Noise Directive compared to what could be achieved by Member States at national and/or regional levels? • To what extent do the issues addressed by the Directive continue to require action at EU level? • What would be the most likely consequences of repealing the Directive?
(C.3) Other tasks
The evaluation, and in particular the work of the consultant, will also inform the assessment of the implementation of the Directive.

D. Evidence base
(D.1) Evidence from monitoring
The Directive itself requires environmental noise data to be collected by Member States following specific technical standards and then reported to the Commission. This is almost entirely done electronically via EIONET (European Environment Information and Observation Network). The data is publically accessible and quality checked by the European Environment Agency, which presents this data by means of its Noise viewer . However, reported data by Member States is incomplete.
(D.2) Previous evaluations and other reports
<p>The Directive has not been formally evaluated so far, but a first implementation report was published in 2011: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0321&from=EN based on a study carried out by a consultant: http://ec.europa.eu/environment/noise/milieu.htm</p> <p>In addition, the following reports are particularly relevant in this context:</p> <p>Noise in Europe 2014 –EEA Report No 10/2014: http://www.eea.europa.eu/publications/noise-in-europe-2014</p> <p>Night Noise Guidelines for Europe – WHO 2009 http://www.euro.who.int/_data/assets/pdf_file/0017/43316/E92845.pdf</p> <p>Burden of disease from environmental noise - WHO, JRC 2011. http://www.euro.who.int/_data/assets/pdf_file/0008/136466/e94888.pdf</p> <p>Methodological Guidance for estimating the burden of disease from environmental noise - WHO, JRC, 2012 http://www.euro.who.int/_data/assets/pdf_file/0008/179117/Methodological-guidance-for-estimating-the-burden-of-disease-from-environmental-noise-ver-2.pdf</p> <p>Valuation of Noise, position paper of the Working group on health and socio-economic aspects (2003): http://ec.europa.eu/environment/noise/pdf/valuatio_final_12_2003.pdf</p> <p>Developing Harmonised European Approaches for Transport Costing and Project Assessment” (HEATCO) under FP 6, and in particular Deliverables 4 and 5 (including its Annex E) http://heatco.ier.uni-stuttgart.de/deliverables.html</p> <p>Health and Environment Integrated Methodology and Toolbox for Scenario Development” (HEIMTSA), Sixth Framework Programme Thematic Priority 6.3: D 7.1.9 – Integrated Environmental Health Impact Assessment for noise due to urban road traffic (2011) http://www.heimtsa.eu/LinkClick.aspx?fileticket=c1sFr%2B9qi%3D&tabid=2937&mid=6403</p>
(D.3) Evidence from assessing the implementation and application of legislation (complaints, infringement procedures)
Compliance with the requirements of the Directive is behind schedule in several Member States. Non-compliance instances, some signalled by complainants, have been raised with the Member States concerned. Currently, there are two on-going infringement cases.
(D.4) Consultation
<p>Stakeholders are consulted at several stages in the process.</p> <ol style="list-style-type: none"> 1. The Commission will inform about and discuss the evaluation at various stakeholder events, so as to ensure that the aims and objectives of the evaluation are understood by the stakeholders and that they are informed of all avenues for contributing to the evaluation. Such events will also be used to collect preliminary feedback from stakeholders. 2. The contractor interviews around 70 stakeholders (national competent authorities, associations, NGOs, public authorities) on the evaluation of the Directive (during spring 2015), addressing the various evaluation questions.

3. A workshop will take place on 22 or 23 September 2015, to which around 60 stakeholders (one representative per Member State plus representatives from different associations, NGOs, public authorities and specialised noise consultancies) will be invited. This will be used to review (and correct if necessary) the data and methodology (e.g. for the cost benefit analysis) used by the contractor and as well provide another opportunity to collect stakeholders' views.
4. The documents for this workshop will be published on the internet, inviting input from all interested parties including those that showed interest to attend the workshop, but could not be invited due to limited space. This possibility will be advertised on the respective EUROPA Noise web page. The input received will feed into the final evaluation report of the contractor.
5. A public consultation is planned to be carried out via the [Your voice in Europe](#) website, to take place in late 2015/early 2016. The public consultation will target the key evaluation questions and collect views from any interested stakeholder in the EU.
6. The results of a previous public consultation (between June and October 2012 and targeted towards the future of the EU noise policy) will also be used for the evaluation as far as relevant.

(D.5) Further evidence to be gathered

The evaluation will benefit from the information generated in the context of the 2nd report on the implementation of the Directive, which is prepared in parallel (and under the same contract).

E. Other relevant information/ remarks

None.

ⁱ Reporting is incomplete, and an expert guess based on the incomplete data set results in approximately 30 thousand premature deaths due to road, railway and aircraft noise for the total population in the EEA 33 member countries. (http://www.rivm.nl/dsresource?objectid=rivmp:267864&type=org&disposition=inline&ns_nc=1)