



City of Westminster

**A Report of the Public Consultation on the  
Noise Strategy Issues and Options Report**

**Author Chris Armstrong**

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## **1. Summary**

1.1 The Westminster Noise Strategy Issues and Options Report was published for consultation at the beginning of October 2008. This report summarises the consultation process and the main issues of concern raised.

## **2. The Consultation Process**

2.1 So far the consultation process has included three major elements.

- The development of the Westminster Noise Strategy was publicised via the website and council newsletters such as the 'Westminster Reporter'; the issues were also discussed at Area Forums and other public meetings.
- An Expert Advisory Panel was established and four meetings were held at which the noise environment and the council's activities were discussed in detail.
- An Issues and Options Report was published and all interested parties were given six weeks in which to respond to the document with comments and suggestions.

## **3. Public Meetings**

3.1 During 2008 council officers attended external meetings in order to raise the profile of the Westminster Noise Strategy and engage with a wide range of interested groups and individuals. Officers gave presentations on how the strategy was to be developed, provided literature to interested individuals and responded to specific concerns about noise. The meetings attended included Area Forums:

- South 24/04/2008;
- Marylebone 29/04/2008;
- West End 06/05/2008;
- Bayswater 08/05/2008;
- Maida Vale 20/05/2008;
- St. John's Wood 22/05/2008;
- South 15/10/08;
- Marylebone 20/10/08;
- West End 23/10/08;
- Bayswater 03/10/08;
- Maida Vale 04/10/08;
- St. John's Wood 18/11/08;

and the following additional meetings:

- Soho Steering Group 31/03/2008;
- Health and Wellbeing Partnership/ Heath and Care Network 28/04/08;
- Westminster Amenity Societies Forum 13/05/2008;
- Soho Steering Group 27/10/2008.

3.2 A wide range of issues were raised at these meetings and as well as providing specific advice at the relevant meetings officers fed these concerns into the development of the Westminster Noise Strategy. Some of the issues raised most frequently included rubbish and recycling collections, the smoking ban, noise from people in the street at antisocial hours and noise from air conditioning units.

3.3 At the Soho Steering Group (27<sup>th</sup> October 2008) the duty Manager for the Noise Team Robert Reed gave a presentation on the development of the Westminster Noise Strategy and the Soho Noise Survey 2008. Following the presentation members of the group asked about noise from pubs, bars, night clubs or restaurants. Residents were also concerned about noisy air conditioning units and noise from glass collections. The council's current policies and alternative solutions were discussed in detail.

3.4 Residents at the West End Area Forum (23rd October 2008) asked us to look at waste and recycling collection times and commented that some of the trucks collecting bottles were too noisy. We explained that the council's service providers were required to conduct these activities at certain times, for example council recycling collections do not take place at night. It was more likely to be private companies that were making the noise at anti-social hours.

3.5 Street drinking and smoking were discussed in detail at the South Area Forum (15th October 2008) when residents highlighted the problems caused by customers blocking the pavement and roads outside pubs as well as creating noise. Similarly at the Bayswater Area Forum (3rd November 2008) problems were reported with some hotels and hostels in relation to people congregating outside and high levels of noise at antisocial hours. The council's Environmental Health Licensing Team are responsible for enforcement against licensed premises. They work with premises managers encouraging them to take responsibility for this and ensure that those that are smoking outside are not causing a nuisance. There is also a 24 hour Environmental Action Line 7641 2000 for residents to ring in to report problems.

3.6 At the West End Area Forum 3rd March 2009 we held a Noise and Air Quality Workshop where residents asked about street cleansing and rubbish collection and the smoking ban (see above). There was also a question about parks and gardens and we explained that noise levels in Westminster's parks and gardens had recently been measured as part of an Open Spaces Noise Study which included recommendations about how to preserve or improve the tranquillity of Westminster's parks and gardens. The Westminster Noise Strategy and the Westminster Open Spaces Strategy will work in line with the European Noise Directive to protect the borough's open spaces.

3.7 During the workshop one resident asked about 'acceptable noise levels'. In order to establish whether noise levels are acceptable council officers would ask 'are the people making the noise behaving unreasonably?' The Westminster Noise Strategy will take a broad approach, for example by maintaining open spaces the council provides suitable areas children to play, which helps to reduce noise in houses and flats. One of the aims of the Westminster Noise Strategy is to improve cooperation between council departments, for example, by encouraging communication between the council's 24 hour Noise Team and City West Homes the strategy could help to us to deal with unacceptable noise levels in residential accommodation more effectively.

#### **4. Expert Advisory Panel**

4.1 An expert advisory panel, chaired by Professor Stephen Stansfeld, was established to provide advice on the development of the strategy. The Panel met four times during 2008 and academics, acoustics professionals, senior officials and community representatives discussed the issues and offered their views. They considered the Issues and Options Report in detail giving advice on the structure and content of the document before it was published and providing a collective response to the document as well as individual comments at the series of meetings.

Members of the Panel included:

Professor Stephen Stansfeld, Professor of Psychiatry Barts and the London School of Medicine (Chair)

Professor Bridget Shield, Professor of Acoustics, London South Bank University;

Alan Bloomfield, of the Greater London Authority;

Colin Grimwood of Bureau Veritas (acoustics consultants);

Matthew Bennett, member of the Soho Society, resident and businessman;

Wendy Hartnell of the Department for Food and Rural Affairs (Defra);

Phillip Kolvin, Chairman of the Civic Trust;

Bernard Berry of Berry Environmental Ltd.

Westminster City Council officers attending panel meetings:

Steve Harrison, Assistant Director, Community Protection;

Andrew Ralph, Environmental Health Manager;

Barry Smith, Head, City Planning;

Sue Beaghan, Noise Strategy Project Manager;

Mike LeRoy, Environment Policy Manager;

Sara Dilmamode, Senior Planner.

#### **5. The Issues and Options Report**

5.1 The primary purpose of the Noise Issues and Options Report was to give an opportunity to individuals and organisations to provide a steer to the council on the development of the Westminster Noise Strategy.

5.2 Copies of the report were sent to over 350 individuals and organisations including residents associations, housing trusts, transport companies, utilities companies, academics, technical experts, neighbouring boroughs, the Greater London Authority, central government departments and national organisations such as English Heritage, the National Trust and the Environment Agency. Hard copies were also sent to all of Westminster's Councillors and made available to the public via Westminster's libraries and One Stop Shops. Electronic copies were made available on the Westminster City Council website.

5.3 We asked for views on which noise issues and problems the Westminster Noise Strategy should focus on and how to address noise problems in Westminster. In particular we asked respondents to consider four questions:

(1) Do you think the right noise problems and issues are identified in this report – are there any omissions?

(2) Do you have any comments on how the council should change or develop further the options identified?

(3) Do you have additional ideas to reduce noise problems?

(4) Do you or your organisation already have noise management solutions in place that you think could be used more widely?

## **6. Consultation Responses Received**

6.1 The consultation period lasted six weeks and the deadline for comments was Monday 17th November 2008. Over 350 copies were distributed to individuals and organisations. 36 individual responses were received and many of the responses included detailed comments and supporting evidence. Responses were received from the following groups:

### Councillors, Individuals and Residents Associations

6.2 Two Councillors and three residents sent individual responses. We also received nine responses from representatives or members of residents associations. Transport and entertainment were the most popular topics for these respondents and there were some particularly detailed comments about Crossrail and about Volvo buses used by operators for London Buses services. Responses were received from residents of Carlton House Terrace, the Covent Garden Area Trust, the Paddington Waterways and Maida Vale Society, the Fitzrovia Neighbourhood Association and the Meard and Dean Street Residents Association. The Chairman of the Transport and Environment Committee of The Knightsbridge Association also submitted a response.

### Organisations

6.3 English Heritage, Natural England, St James' Conservation Trust, The Westminster Society and the Peabody Trust all sent responses that focused mainly on Issue 1: Buildings and Open Spaces. Transport for London provided a letter supporting the aims of the strategy and commenting in relation to Issue 6: Transport. Westminster Primary Health Care Trust gave detailed comments on the influence of noise on health. The Royal Borough of Kensington and Chelsea provided comments and offered to work collaboratively on several of the issues raised.

### Businesses

6.4 Thames Water Property Services Ltd. wrote to highlight the fact that they have a dedicated communications team raising public awareness and responding to complaints. Gerald Eve, Chartered surveyors and property consultants commented on planning issues.

### Acoustics Specialists

6.5 Detailed technical comments were received from the following acoustics specialists:

- Bickerdike Allen Partners, on behalf of the Institute of Acoustics;
- The Association of Noise Consultants;
- The Positive Soundscapes Project (a consortium of five universities);
- Cole Jarman, Acoustics Consultants;
- The council's Environmental Sciences team.

### No Comment

6.6 Three organisations wrote to thank Westminster for inviting them to comment but had no comments to make, or no capacity to make comments.

## **7. Summary of issues raised**

7.1 Most respondents welcomed the Issues and Options Report and broadly supported the council's approach to managing the noise environment. Many recognised the limited powers of the council in relation to noise and focused on activities they felt the council should be able to influence. The issues raised by a number of stakeholders are presented below under the six different categories set out in the Issues & Options report.

### Issue 1: Buildings and Open Spaces

7.2 There were several recommendations about the way Westminster City Council uses Building Regulations in conjunction with planning controls. In addition to these suggestions a number of respondents encouraged the council to require or encourage contractors to join the Westminster Considerate Builders scheme and some recommended that the scheme should be improved.

7.3 There were detailed comments about the council's planning policies and concerns were raised about mixed use developments. The noise from air conditioning plant and ventilation systems was a particularly popular subject and a number of suggestions were made.

7.4 Respondents were encouraged that the council recognises the benefits of Westminster's open spaces in terms of providing 'relatively tranquil areas'. It was suggested that Westminster City Council could lead on developing a method for identification and protection of tranquil open spaces. In addition there were various recommendations made about creating 'positive soundscapes'.

### Issue 2: Noise from Neighbours

7.5 One of the most pressing issues raised in relation to neighbour noise was laminate flooring. There were a number of helpful suggestions about neighbour noise including the proposal that various different types of landlord could share examples of best practice and use the terms of leases to influence the behaviour of tenants.

### Issue 3: Noise associated with entertainment premises

7.6 There was a significant number of references to the smoking ban and there was a general consensus that the noise from groups of people drinking or smoking outside licensed premises had increased since the ban. Concerns were also raised about people making noise in the street and the number of late licenses being issued by the council.

7.7 Respondents also highlighted problems associated with recycling, waste collection and the noise from live music in licensed premises.

### Issue 4: Noise from events

7.8 Events attracted fewer comments than most of the other issues, although there were several responses that raised concerns about the Notting Hill Carnival and events in Hyde Park. There were also comments made about Temporary Events Notices (TENs) and it was suggested that Westminster City Council should be able to raise objections to specific events.

## Issue 5: Roadworks and utilities works

7.9 This issue attracted less attention than some of the others. There were several suggestions about cleansing vehicles. There were also comments about the proposed permit scheme which should limit access by utilities companies to the borough's roads. One response suggested that the current legislation is geared towards utilities companies and not Local Authorities and suggested that the council should propose legislative reform.

## Issue 6: Transport

7.10 Transport was the most popular topic for comments, although it was acknowledged that Westminster City Council has limited powers to control noise from transport. Noise from aircraft was a hot topic and respondents encouraged the council to monitor developments at Heathrow carefully; there was also concern about noise from helicopters.

7.11 Other aspects of traffic noise were popular issues, including a wide range of specific recommendations about buses, motorbikes, goods vehicles, mini-cabs, scooters, car stereos, car alarms, idling engines, exhausts, sirens, driver behaviour, road surfaces and traffic calming measures. The volume of comments reflects the large contribution that traffic makes to the noise environment in Westminster.

7.12 Finally a number of respondents highlighted problems caused by railways, including the London Underground, and noise linked to stations and rail works.

## **8. Comments on specific issues**

8.1 The table below provides a summary of the specific issues raised through consultation responses to the Issues and options report and feedback and conversations at various meetings. References refer to the draft Westminster Noise Strategy which will be published for consultation in summer 2009.

<b>Sub issue</b>	<b>Summary</b>	<b>Comment</b>
Aircraft	Aircraft including helicopters were an issue of concern to many people who were consulted.	See Noise Policy 2 and Actions T21, T22, T23, T24.
Bottle noise	Bottles can be crushed on site.	Waste Management Officers have advised us that crushed glass is extremely dangerous.
Building regulations	Various comments and suggestions about Building Regulations were received.	See Noise Policy 1 and Actions Pn5, Pn8.
Buses	A number of consultants raised concerns about noisy buses.	See Noise Policy 2 and Actions T20, T27.
Cleansing vehicles	Noise from cleansing vehicles is a problem.	See Actions W1, W2, W3.
Codes of practice	Develop voluntary codes of practice for licensed premises.	Premises that are a problem are unlikely to sign up to, or comply with a voluntary code.
Considerate roadworks	Review of the council's Considerate Roadworks	See Noise Policy 1, Actions T1.

	scheme	
Considerate works	Respondents were concerned about noise from roadworks and construction.	See Noise Policies 1 and 3, and Actions T1 & Pn4.
Delivery date	It is very important that the strategy should include a clear vision with a specific, quantifiable goal tied to an unambiguous delivery date.	The Westminster Noise Strategy is intended to ensure that noise considerations are embedded in council policies in the long term. It is accompanied by a series of short, medium and long term actions and includes dates where appropriate.
Delivery vehicles	Review controls for dealing with delivery vehicles	See Actions T14, T15. WCC is part of the Clearzones Partnership which commissioned a Freight Consolidation Study to examine the options for reducing the number of vehicles entering the borough.
Driver behaviour	Speeding motorbikes. Foreign registered high performance cars racing from Hyde Park Corner.	Speeding laws and other regulations that control driver behaviour (e.g. restrictions on motorcycle exhausts) are enforced by the police.
Events	Assess the effectiveness of current forms of control for dealing with noise from outdoor events.	See Noise Policy 3 and Actions L5, L6, NM14.
Flooring	Hard flooring and poor sound insulation creates problems for people living in flats.	See Noise Policy 3 and Actions NM12, NM13.
Large construction projects	Review plans to manage and minimise noise from projects such as Cross Rail or the Thames Tideway Tunnel	See Noise Policy 2 and Action T12.
Late licenses	Concerns were raised about licensed premises, especially in Covent Garden and Soho.	See Noise Policy 3 and Actions L1, L3. Soho & Covent Garden are part of the West End Stress Area. For premises to obtain later licences in these areas they must comply with a number of strict policies. The Noise Team, Premises Licensing Inspectors and EH Consultation Officers deal with complaints made by residents in relation to noisy premises.
Mediation	Respondents recommended that the council should promote and expand the use of mediation.	The research on effectiveness is limited and further investment on mediation would need to be justified. In addition, CityWest Homes have systems in place and referrals to independent providers (CALM and Camden Mediations Service).
Mixed use developments	An objective assessment of the council's mixed use policies would be useful.	Mixed use development is a feature of the city and central areas in particular. See Noise Policy 1 and Actions Pn2, Pn3, Pn6, Pn 7, Pn8



National noise ratings	In response to the consultation there were a mixture of opinions about a National Noise Rating System.	There are significant risks associated with a national noise rating system not least costs, technical challenges and the potential for misinterpretation and misuse. We are no longer pursuing this option.
Noise Abatement Zones	Westminster should introduce "Noise Abatement Zones" under provisions of the Control of Pollution Act 1974.	The Council has discretion about whether or not to exercise its power and as such is in a position to decline to exercise this power. This was investigated but ultimately declined as the Council is not under a duty to so designate all or any of its area.
Noise as a statutory nuisance	A broader statement on the role and effect of a statutory nuisance as defined in the Environmental Protection Act 1990 would be useful.	Under the Environmental Protection Act 1990, 'noise emitted from premises so as to be prejudicial to health or a nuisance' may constitute a statutory nuisance. The World Health Organisation defined noise nuisance as 'a feeling of displeasure evoked by noise'.
Notting Hill Carnival	Noise from the Notting Hill Carnival - especially late night noise from private sound systems	See Noise Policy 3 and Action L4. Noise from Notting Hill Carnival has caused disturbance to some residents who live in the area for many years. We are working closely with The Royal Borough of K&C and the organisers of the carnival to address the noise issue. Recent new health & safety legislation applies and we are working to develop ways in which the carnival will be quieter in future years.
Party hours	What can the council do about late night noise from private parties?	WCC has set clear hours for late night party noise - backed by enforcement when necessary.
Permit scheme	Westminster should support a permit scheme under Traffic Management Act 2004.	See Action T26.
Plant	Air conditioning: noise emission standards for buildings, plant and equipment should be stricter.	See Noise Policies 1 and 3 and Actions PN7, NM11. Air conditioning and other plant can have a significant adverse impact on the noise environment. Measures to ensure noise emissions from air conditioning, other plant and internal activities are minimised are set out in the draft Westminster Noise Strategy.
Private waste collections	Rubbish collection by private contractors at 06:00 – 06:30 on Saturday and Sunday mornings is unacceptable.	The Noise Team will normally ask private contractors to collect during the same periods the council collects at so as to minimise disturbance. The times of WCC collections are published online for the benefit of contractors, business and the public.
Rail	Noise from tube lines.	TfL is aware of the problems caused by noise pollution and provided a positive response to WCC's Noise Issues and Options Report consultation. As TfL is a statutory undertaker it is not easy for the

		council to take enforcement action against them.
Review noise complaints data	Review the process for collection and analysis of noise complaints/evidence of noise related to licensed premises collected by other local organisations, to develop a full picture of noise issues.	See Noise Policy 3 and Action NM1.
Smoking ban	Street Drinking is an increasing problem since the smoking ban.	Outside noise is a problem. Powers already exist to deal with public nuisance caused by Licensed Premises. We can attach conditions where evidence suggests a problem exists, however we are not able to impose blanket bans. Officers do regularly visit premises however due to limited resources it is not possible to visit all premises and therefore the council relies on the public to identify premises that are causing noise problems.
Stress areas	One consultation respondent questioned the council's policy of restricting development within stress areas.	In parts of Westminster the growth, type and density of licensed premises is such that it causes problems of nuisance and disorder not only in the immediate vicinity of these premises but also some distance away. The Stress Areas and the policies developed for both licensing and planning purposes have been evolved over a long period, and are now well established.
Traffic	Many residents and visitors are affected by traffic noise.	See Noise Policy 2.
Waste collection	Assess the potential to review and implement quieter waste and recycling collections	See Noise Policies 1 and 3 and Actions W1, W2, W3.

## 9. Next Steps

9.1 Subject to formal approval the draft Westminster Noise Strategy will be published for further consultation in summer 2009. Following consultation and any subsequent amendments we aim to achieve final approval of the strategy before the end of the year.

Chris Armstrong  
Noise Strategy Project Officer  
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