



Regulation project: update

Senior Policy Adviser

ICCAN Board Meeting,
27 May 2020



What the project will aim to achieve

This work will aim to:

1. review existing regulatory powers and enforcement mechanisms in the area of aviation noise
2. determine what further regulation might be necessary and appropriate in the future
3. make recommendations to the Government on which public bodies are best placed to provide any further regulation and enforcement.



How we will approach the work

To achieve our objectives, the project will seek to answer the following key question through a staged approach:

What is the appropriate model for regulating aviation noise in the UK and what role could ICCAN have within this?





How we will approach the work

To achieve our objectives, the project will seek to answer the following key question through a staged approach:

What is the appropriate model for regulating aviation noise in the UK and what role could ICCAN have within this?



Focus of rapid evidence review (REA)



The Rapid Evidence Assessment (REA) research questions:

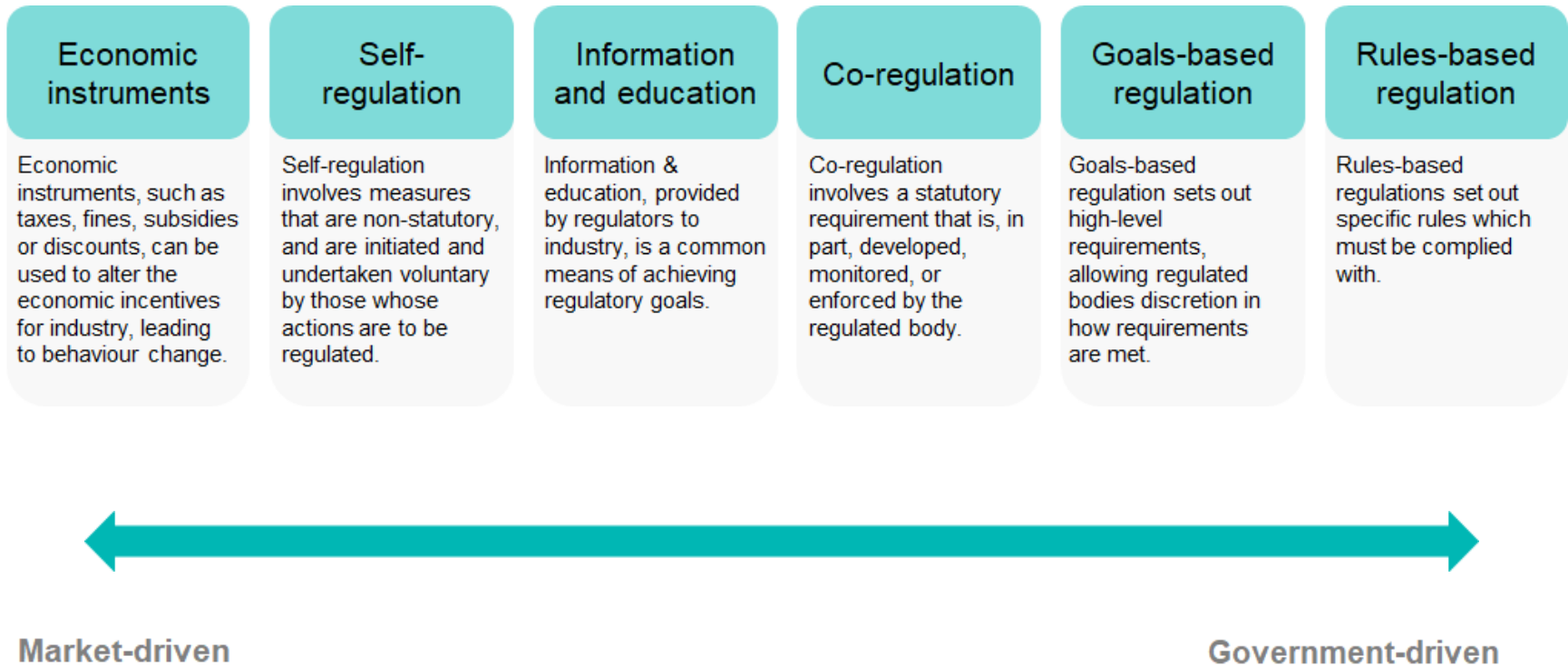
1. What do UK national and regional aviation noise regulations say about noise pollution and how do they work?
2. What lesson can be learnt from other regulatory and enforcement regimes?

Analytical framework

Outcomes	How are the desired outcomes of the regulation developed and agreed?
Evidence	How is evidence used in the initial introduction of the regulation, and in its ongoing implementation and evaluation?
Engagement with other stakeholders	How does the regulator seek to understand and engage with other stakeholders (including other government bodies, businesses, and industry groups)?
Regulatory tools	What regulatory tools and interventions are available to the regulator, and how does it balance these?
Organisation	How does the regulator ensure it has the right skills in place? How is it funded?
Credibility, transparency and engagement	What does the regulator do to ensure its credibility and transparency? How does the regulator communicate and engage with those affected by the regulated industry?



Regulatory tools





How do regulators balance the range of tools available to them?

- There are range of considerations, including: the environmental impact of the regulated activity; any negative consequences of regulatory action; the ability of the regulator to deliver the regulatory action.
- Regulators take a ‘risk-based’ approach to allocating resources.
 - The Environment Agency uses a system called Operational Risk Appraisal.
 - Natural Resources Wales has worked to broaden their conception of risk to include social and economic risks in addition to environmental risks.
- Regulators set out principles that provide a means for navigating these competing considerations.
 - Regulators emphasised need to act *proportionately*.
 - This means avoiding unnecessary burdens on industry, and not making unreasonable demands.
- To ensure compliance, start with ‘soft’ tools and employ ‘hard’ tools as needed.
 - ‘Soft’ or ‘informal’ tools include guidance and advice.
 - ‘Hard’ or ‘formal’ tools include sanctions and fines.



3. Determining an appropriate model for the regulation of aviation noise in the UK

We will use the evidence from the first two stages to determine what an appropriate model for regulation might be for the UK. As part of this, we are considering:

- what further regulatory and enforcement powers would be appropriate
- which public bodies would be best placed to oversee regulation and enforcement (including what ICCAN's role would be within this)
- the costs to government and industry. This could be estimated through:
 - cost comparisons with other similar regulatory models
 - cost estimates for the organisational structure required
 - Time and cost estimates for the regulatory activities undertaken by industry.

