

Protocol for the evaluation of requests to lift the Moratorium on the siting of Mobile Phone Masts on Council Land

Overview

There are now nearly 74 million mobile connections in the UK. In the past decade, mobile phones have transformed the way that people communicate - both in their business and in their personal lives.

However, mobile phones cannot work without a network of base stations in places where people want to use them. The majority of people in the UK live and work in towns and cities, and this is why the operators need to ensure that there is an efficient network service in those areas to allow people to use their phones when and where they want. To get a good signal you need to be near a base station. Base stations can only carry a maximum of around 120 calls at the same time.

Mobile phone users in the UK area are increasingly demanding better coverage, more capacity in the networks to stop calls from being lost, and more services to be available on their phones. Mobile operators are responding to that customer demand.

The Government has given telecommunications operators' legal rights to use public highway land for telecommunications development. On other Council land, the Council can decide, as landowner, whether or not to allow telecommunications development. The Council has decided to consider whether to allow telecommunications development on its land, where it may be better for local people and the environment than alternative locations not owned by the Council, This is especially important if the alternatives include undesirable permitted development, over which the Council would have no control. ***Decisions to allow development on Council land will be considered on a site-by-site basis, and will involve consultation locally by the mobile phone operators and be approved by Cabinet.***

Health risks

Health risks, and even the fear of health risks, are proper considerations for the Council. But the Government's advice on Telecommunications, Revised Planning Policy Guidance Note 8 (PPG8, 22 August 2001), states:

"However, it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed development meets the ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

Therefore, where mobile phone mast developments meet the ICNIRP guidelines, the Council has no sustainable health reason to refuse planning permission. Unreasonable refusal decisions can be overturned on appeal.

The Stewart Report, published in 2000, remains the key piece of research in relation to health issues. This study had concluded that on the basis of current evidence, there was no risk to health from mobile phone technology but that in the absence of more detailed research that a precautionary principle should be adopted to the siting of mobile phone masts.

It is understood that an update of the Stewart Report was published in 2005 with the same conclusions and that some 25 other studies have also been published since 2000 which support the conclusions of the original Stewart Report.

The precautionary principle will be adopted for the siting of mobile phone masts on Council land and all equipment must have a 'Declaration of Conformity with ICNIRP Public Exposure Guidelines ("ICNIRP Declaration")' [copy attached] and not be allowed within 100m of homes, schools, leisure centres, offices or other sensitive locations.

Planning Considerations

The relaxation or lifting of the Council's moratorium on the use of Council-owned land for the siting of telecommunications masts would not, in any way, fetter or otherwise influence the Council's powers as Local Planning Authority to determine planning applications or applications for prior approval.

National planning policy issued by the former Office of the Deputy Prime Minister (now Communities and Local Government) sets the context for the consideration of all telecommunications proposals in England and is presently contained in Planning Policy Guidance note 8 (PPG 8) which was issued in its current form in August 2001

PPG8 gives guidance on planning for telecommunications development - including radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and overhead wires

The mobile phone operator's annual rollout programme is available on the Council's website via the following link:

<http://seftonmaps.sefton.gov.uk/SeftonMaps/html/SeftonMaps.html?theme=Telecoms Rollout>

Mast or site sharing and co-location can help reduce the impact on the environment and often provides the most cost effective solution for the operators. Under all of the UK Governments' planning guidance operators are encouraged to explore the possibility of using an existing mast or structure before seeking to put up a new one, wherever it represents the best environmental option. They have all developed prescriptive planning policy in this area.

Siting and appearance are key considerations for Planning and even when planning approval is not required Planning Officers will be consulted on all proposals to locate masts on Council land.

Requirements of the Mobile Phone Operators

The mobile phone operators - 3, O2, Orange, T Mobile and Vodafone - are implementing the 'Ten Commitments' to improve transparency of the process of building mobile phone networks, provide more information to the public and local authorities, and increase the role of the public in the siting of radio base stations. The Ten Commitments to best siting practice were launched by the operators in 2001 to supplement Government planning regulations, in an effort to strengthen links with the community through open dialogue. They were developed in consultation with other stakeholders and have received support from the Local Government Association and activist groups such as Mast Action UK. The Ten Commitments now form part of the English and Welsh Governments' Codes of Best Practice for mobile telecoms developments.

The operators are implementing ten best siting practice commitments to:

- 1 develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities
- 2 participate in obligatory pre-rollout and pre-application consultation with local planning authorities
- 3 publish clear, transparent and accountable criteria and cross-industry agreement on site sharing, against which progress will be published regularly
- 4 establish professional development workshops on technological developments within telecommunications for local authority officers and elected members
- 5 deliver, with the Government, a database of information available to the public on radio base stations
- 6 assess all radio base stations for international (ICNIRP) compliance for public exposure, and produce a programme for ICNIRP compliance for all radio base stations as recommended by the Independent Expert Group on Mobile Phones
- 7 provide, as part of planning applications for radio base stations, a certification of compliance with ICNIRP public exposure guidelines
- 8 provide specific staff resources to respond to complaints and enquiries about radio base stations, within ten working days
- 9 begin financially supporting the Government's independent scientific research programme on mobile communications health issues
- 10 develop standard supporting documentation for all planning submissions whether full planning or prior approval

Procedure for Evaluating Requests to site Mobile Phone Masts on Council Land

- A **Mobile Phone Operators to Identify Annual Requirements** – annual review letter to Planning Director
- B **Operators to Identify Sites on Council Land** – which comply with the 100m exclusion zone requirement.
- C **Meeting with Council Officers** - to identify annual schedule of sites which will include sites on and off Council land. Operators will be encouraged to share sites, and to select locations and equipment which minimise the number of masts required.
- D **Report to Cabinet for approval of Sites on Council Land** – subject to consultation showing general public support, and planning approval if required.
- E **Operators to Develop Consultation Strategy** – to be agreed by the Planning Director together with technical details of requirements and rationale for site selection. Again officers will encourage shared sites and minimising the number of sites required. See Site Selection and Planning Model Flow Chart attached.
- F **Operators to undertake Community Consultation** – which as a minimum will comprise letters to Ward Councillors, Area Committees and Parish Councils (if appropriate); consultation letter to residents and site notices.
- G **Operators to evaluate consultation responses** – using the ‘traffic light’ model attached.
- H **Refer back to Cabinet** – all sites scoring red on the traffic light model and amber sites where there is significant public concern arising out of the consultation. Also provide for referring back to Cabinet alternative sites which may be proposed as part of the consultation process.
- I **Operator to submit Planning Application-** planning applications to be considered in the usual manner.
- J **Council to enter into agreement with Operator** – for the location of mobile phone mast on standard terms subject to Cabinet approval as above, planning approval as required and ICNIRP Declaration for the equipment.

ICNIRP DECLARATION

ENGLAND

(Operator logo)

**Declaration of Conformity with ICNIRP Public Exposure Guidelines
("ICNIRP Declaration")**

(Operator name)
(Operator address)

Declares that the proposed equipment and installation as detailed in the attached
planning / GPDO application at:

(Address).....
.....
.....

is designed to be in full compliance with the requirements of the radio frequency (RF)
public exposure guidelines of the International Commission on Non-Ionizing
Radiation Protection (ICNIRP), as expressed in EU Council Recommendation of 12
July 1999 * "on the limitation of exposure of the general public to electromagnetic
fields (0 Hz to 300 GHz)".

* Reference: 1999/519/EC

Date:

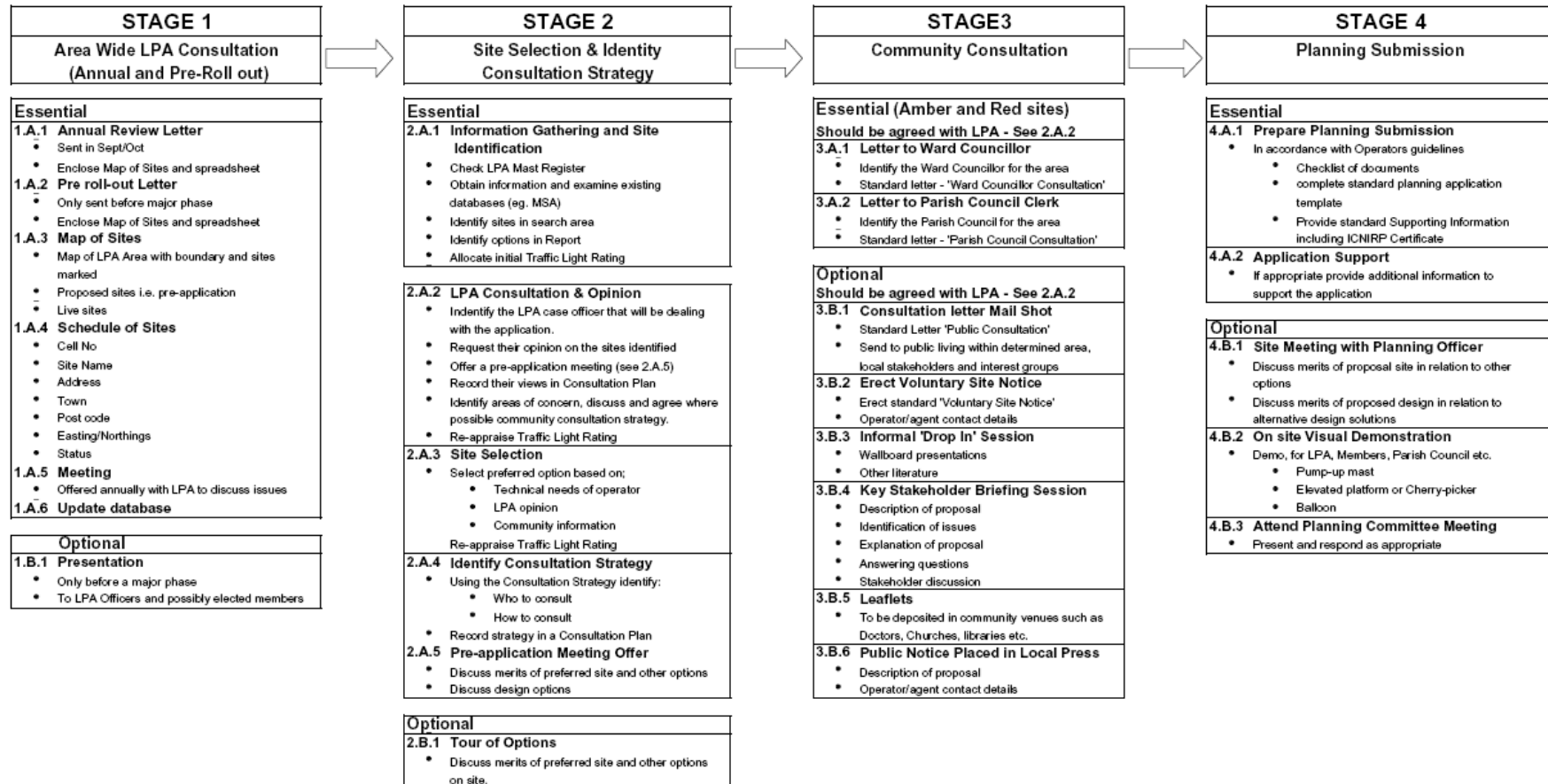
Signed:

Name:

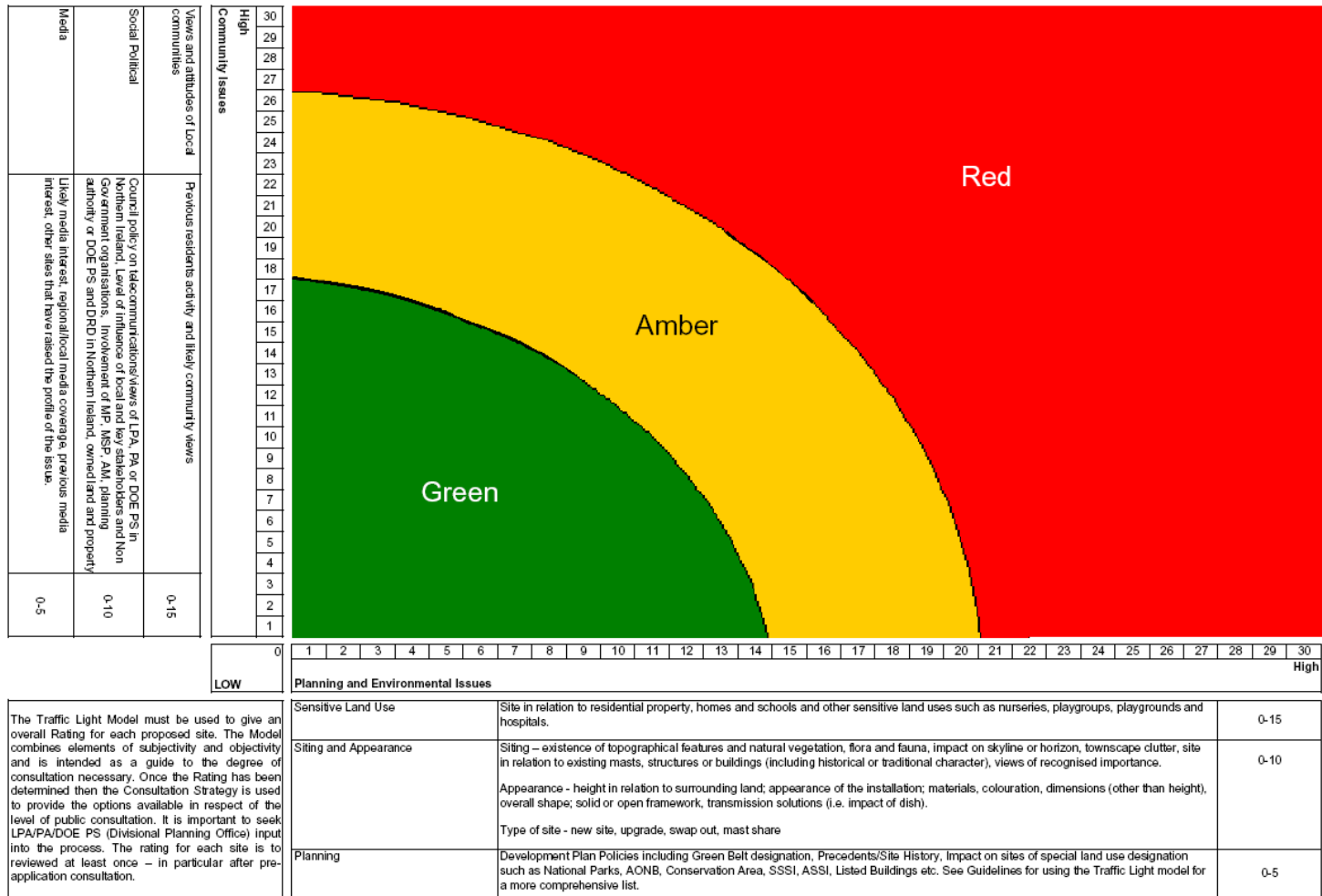
Position:

(Footer - operator name and registered number / office)

SITE SELECTION & PLANNING MODEL



TRAFFIC LIGHT RATING MODEL FOR PUBLIC CONSULTATION



The Traffic Light Model must be used to give an overall Rating for each proposed site. The Model combines elements of subjectivity and objectivity and is intended as a guide to the degree of consultation necessary. Once the Rating has been determined then the Consultation Strategy is used to provide the options available in respect of the level of public consultation. It is important to seek LPA/PA/DOE PS (Divisional Planning Office) input into the process. The rating for each site is to be reviewed at least once – in particular after pre-application consultation.

