

**REPORT TO:** Cabinet

**DATE:** 4 March 2010

**SUBJECT:** Protocol for Lifting the Moratorium on Siting Mobile Phone Masts on Council Land

**WARDS AFFECTED:** All

**REPORT OF:** A R Moore  
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**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

Following a decision by Council on 22 October 2009 to lift the moratorium on the siting of mobile phone masts on Council land on a case by case basis, officers were asked to develop a protocol under which requested to lift the moratorium should be evaluated.

**REASON WHY DECISION REQUIRED:**

Council resolved that Officers develop a protocol for evaluating requests to lift the moratorium and site mobile phone masts on Council land and report this back to Cabinet for approval.

**RECOMMENDATION(S):**

It is recommended that Cabinet

- i) Consider the attached protocol to evaluate requests for the moratorium on the siting of mobile phone masts on Council land to be lifted for approval.

**KEY DECISION:** Yes

**FORWARD PLAN:** Yes

**IMPLEMENTATION DATE:** Following the call in period for the minutes of this meeting

**ALTERNATIVE OPTIONS:** There are options to apply different parameters to the protocol for example a different exclusion zone. However, it is suggested that to vary these parameters significantly will result in no applications because the requirements are too onerous or unacceptable sites will be suggested. This would defeat the original intention which is to provide a more suitable and acceptable sites than those which are available by right (ie on the highway) to be considered.

**IMPLICATIONS:**

**Budget/Policy Framework:**

**Financial:**

There are no direct financial implications arising out of this report. There will be some costs associated with evaluating proposals to site masts on Council owned land but it is anticipated that these will be covered by and licence fee which will be charged to the mobile phone operators. The licence fees received will be used to cover the costs of implementing the protocol and evaluating individual requests to lift the moratorium, there should therefore be no net cost to the Council.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2006/ 2007 £</b>	<b>2007/ 2008 £</b>	<b>2008/ 2009 £</b>	<b>2009/ 2010 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** The protocol as outlined in the report complies with legal requirements and recommended best practice

**Risk Assessment:** The protocol incorporates risk assessments based on industry best practice.

**Asset Management:** The proposals have been developed in accordance with good asset management practices.

**CONSULTATION UNDERTAKEN/VIEWS**

The views of Planning, Environmental Protection and Capita Symonds have been taken into account in drafting this report.

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being	✓		
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People		✓	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

## **Background**

1 Council on 22 October 2009:

RESOLVED: That:

- (1) the moratorium be revised so that it can be lifted by the Cabinet on a case by case basis; and
- (2) Officers develop a protocol for evaluating requests to lift the moratorium and site mobile phone masts on Council land and report this back to the Cabinet for approval.

## **Proposals for partial lifting of the moratorium**

- 2 The Independent Expert Group on Mobile Phones produced a report (the Stewart Report) on the impacts and effects of mobile phones and base stations in 2000. This report concluded that whilst there was no scientific evidence to show mobile phones or base stations had any adverse health effects, further research was needed. The report concluded that a “precautionary approach” should be adopted to the siting of mobile phone base stations (masts).
- 3 In response to this report and on-going public concerns relating to the development of base stations the Mobile Operators Associations (MOA) launched their “Ten Commitments to best siting practice”. The aim of this document is to ensure transparency, provide information to the public, local planners and to boost the community’s role in the siting of mobile phone masts. A summary of the Mast Ten Commitments is attached.
- 4 The Best Practice suggests an annual review of need and identification of requirements which would be consulted on with the Local Planning Authority. This would come to Cabinet for an initial review where sites which are obviously not acceptable can be weeded out.
- 5 This is followed by a more detailed analysis of sites which fit the operators’ requirements. This includes a traffic light system which takes into account sensitive land use (proximity to homes, schools and other sensitive land uses such as nurseries, playgrounds and hospitals).
- 6 This is followed by community consultations, following agreement with the Local Planning Authority.
- 7 Members should note that 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.
- 8 The proposed protocol to evaluate requests for the moratorium on the siting of mobile phone masts on Council land to be lifted is attached to this report and Members are asked to consider this for approval.