
Scrutiny Review - Mobile Phone Masts

MONDAY, 19TH DECEMBER, 2005 at 19:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

Councillors:

Councillor Gideon Bull (Chair), Councillor Dhiren Basu and Councillor Wayne Hoban

AGENDA

1. APOLOGIES FOR ABSENCE (IF ANY)

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business .Where the item is already on the agenda it will be dealt with under that item but new items of urgent business will be dealt with at item 7

3. MINUTES OF PREVIOUS MEETING (PAGES 1 - 4)

To confirm the minutes of the meeting held on 25 November 2005

4. DECLARATIONS OF INTEREST, IF ANY, IN RESPECT OF ITEMS ON THIS AGENDA

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest.

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. PLANNING CONTROLS AND PUBLIC CONSULTATION (PAGES 5 - 10)

To consider a report from the Director of Environment Services on current planning controls, public consultation regarding the installation of Mobile phone masts including location of sites.

7. URGENT BUSINESS

To deal with any new items of urgent business admitted at item 2 above.

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SCRUTINY REVIEW OF MOBILE PHONE MASTS**NOTES OF MEETING HELD ON 25 NOVEMBER 2005**

Members present: Councillors Bull and Hoban

SCMP 1 APOLOGIES FOR ABSENCE (IF ANY)

Received from Councillor Basu

SCMP 2 URGENT BUSINESS

None

SCMP3 DECLARATION OF INTEREST, IF ANY, IN RESPECT OF ITEMS ON THE AGENDA

None received

SCMP 4 SCRUTINY REVIEW OF MOBILE PHONE MASTS- TERMS OF REFERENCE

Officers advised that there was both limited time and resources available for this review and the proposed scope of the review was limited to that of a Scrutiny perspective. The Chair outlined the role of Scrutiny and the process for dealing with reviews. He explained that Local Authorities did not have the power to turn down applications for mobile phone masts on health issues.

Issues raised by residents included :-

- The possibility of opposing masts on grounds of loss of amenity and the fear of health risk as being a material consideration for planning.
- The scope for supplementary planning policy to be reviewed. It was suggested that Chris Maile from Planning Sanity be invited to a meeting
- Concern over the erection of TETRA masts in Haringey
- Research into health issues by the Government was largely sponsored by industry and could be biased.
- Unnecessary use of G3 phones and associated masts
- The possibility of ASBO's being served on masts.
- The need to ensure that the mobile phone operators were paying business rates

Members agreed that the review would focus on the planning and consultation process. It was agreed that there would be 3 further meetings, one on the planning process and benchmarking with other Authorities, one with the mobile phone operators and one with residents and interested

parties. The final report would be presented to Overview and Scrutiny Committee in February 2006.

Members reminded the meeting that the Council had agreed to write to the two MP's requesting that they lobby Ministers for a moratorium on masts near schools, hospitals and residential properties and requesting that the two MP's support any bills which would mean safer siting of mobile phone masts, including giving Councils clear authority to reject mast applications on local public health grounds.

RESOLVED:

1. That the proposed scope and terms of reference of the review be agreed subject to the following:-
 - That there be three further meetings of the Review Panel to enable consultation with residents and interested groups and with the mobile phone operators.
 - That the Panel report its findings to the Overview and Scrutiny Committee in February 2006.
2. That the membership of the Review Panel be noted.
3. That the Legal Services be asked to provide information on the possibility of an ASBO being served on a mobile phone mast.

SCMP 5 PLANNING CONTROLS AND PUBLIC CONSULTATION

It was noted that public consultation and planning policies would be the subject of a further more detailed report. It was noted that planning controls were largely set out in Government Planning Policy note PPG8 of August 2001. and the General Permitted development Order Part 24. Largely they fell into two categories:- **Masts that did need full planning permission** – this was where they were more than 15m high above ground level or those in Conservation Areas and **Masts which did not need full permission** – these were under 15m and outside Conservation Areas. These came under permitted development. They had to go through prior notification procedure wherein a Council could object to design and siting. They had 56 days to object otherwise they would automatically have permitted development. It was suggested that residents were not always consulted in these instances and this process should be examined in more detail. There was possibly scope for refusal in terms of visual amenity and the Council would try to refuse on this basis but it was acknowledged that these cases may go to appeal.

Other issues raised included:-

- Whether there were checks made to ascertain whether any additional works had been carried out to existing masts and consequently whether additional planning permission was required.

- Whether there was any monitoring of TETRA masts.
- Possibility of an exclusion zone being put around schools and hospitals
- The need to ensure that details of the meetings of the review Panel were widely circulated to interested parties.
- Liability of landlords where masts were installed on private land

RESOLVED:

1. That the report be noted.
2. That the consultation on the 56 day prior notification procedure be examined as part of the review.
3. That officers seek clarification as to whether there were any TETRA masts in the Borough and if so what consultation had been carried out and what approvals had been given.
4. That information be sought from other Borough's to include whether any supplementary planning policies had been developed, and whether exclusion zones had been introduced
5. That a further report be presented giving a breakdown on a Ward by Ward basis with identified locality of all masts.

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MOBILE PHONE MASTS – SCRUTINY REVIEW PANEL 19 DECEMBER 2005
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Report Title:	MOBILE PHONE MASTS
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Report of: Assistant Director, Planning, Environmental Policy & Performance

Wards(s) affected: All	Report for: Information
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1. Purpose

1.1 To advise the Scrutiny Panel of the numbers of mobile phone mast/antennae sites in Haringey, the numbers of applications submitted to the Planning Service since April 2000, on the level of consultation carried out on Planning Applications, and on the 'roll-out plans' of the five Mobile Phone companies for future installations

2. Recommendations

2.1 That the Report be noted and taken into consideration when the Scrutiny Committee formulates its proposals for dealing with Mobile Phone Site proposals.

Report Authorised by: Anne Fisher – Director of Environmental Services
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Contact Officer: Paul Tomkins – Head of Development Control (North) Telephone No:0208 489 5167

3. Executive Summary

3.1 The majority of the 105 mobile phone masts in the borough are mounted on buildings. There is thought to be only 3 on-street pole masts. The proportion of masts mounted on council owned property or land is just below 30%. As far as the council is aware only two schools have antennae mounted on their buildings, at Fortismere and Alexandra Park secondary schools. The "roll-out" plans of the mobile phone operators suggest that each of the 5 operators has the intention of providing another 6 to 9 sites in the borough to complete their networks. Council consultation on planning applications for mast sites tends to be more extensive than planning guidelines recommend and is significantly more than for building developments requiring planning permission. Not all masts require formal planning permission and permission can only be refused for sound planning reasons.

4. Reasons for any change in policy or for new policy development (if applicable)

4.1 None

5. Local Government (Access to Information) Act 1985

5.1 Ofcom Sitefinders Schedules of Installations.

5.2 Lists of Telecommunications Planning Applications submitted to Haringey Council

REPORT

Background

6.0 Mast Register.

- 6.1 In order to assist in assessing proposals for additional telecommunications installations, it is advisable for Councils to have a Mast Register, of sites where such installations have taken place.
- 6.2 It is important to note that although in everyday speech these installations are referred to as Mobile Phone Masts, in practice not all are masts, many being antennae fixed to the roofs of buildings, with only a very short stub mast or no mast at all. On most occasions there will be three antennae in an installation, at 120 degree intervals, to give all-round coverage; (sometimes four on the roof of a building, at all four corners).
- 6.3 Utilising the OFCOM Sitefinder records (a national database), and cross-comparing these with the 'roll-out' plans of the five Mobile Phone operators (Referred to in more detail in section 9 below), and the lists of planning applications submitted to the Borough in the last five years, an Interim Mast Register has been prepared. This has been done on a Ward basis.

The main findings are;-

Number of sites;	105.
Number mounted on buildings; at least	75.
Number on Council-owned buildings or street;	29.

- 6.4 The number of phone masts per ward ranges from 1 in Bruce Grove Ward, to 11 in Highgate, and 11 in Noel Park (most of which are roof-mounted at Shopping City). There are 9 in Fortis Green, Tottenham Green, and Northumberland Park Wards. Other wards with lower numbers are Bounds Green, White Hart Lane, St. Ann's and Stroud Green, all with 3, and Hornsey with 2.

- 6.5 Three **TETRA** sites exist (this is a system that serves the emergency services); at Highgate Police station Archway Road, at Clarendon Road N8, and at West Road N17 on an industrial estate.
- 6.6 Many of the Sites have two installations, i.e. the older GSM antennae and the newer UMTS system which is understood to serve the latest 3G technology.
- 6.7 The next stage, for the Mast Register, will be adding those sites where there have been Refusals of consent or applications withdrawn; this will be gleaned from records of applications submitted.

7. Numbers of applications.

- 7.1 The numbers of applications, both of full planning and of Prior Notification (i.e. those made as Permitted Development under Class 24 of the General Permitted Development Order where the Council has limited powers of objection just to design and siting), is of the order of 112 since April 2000, so the average annual total of applications made is around 22.
- 7.2 The rate of refusal has increased in recent years; in 2004, 5 out of 11 applications were approved; so far in 2005, 4 out of 19 have been granted (with 2 still pending). In 2002 and 2003, 11 out of 16 and 8 out of 9 were approved respectively.

8. Consultation

- 8.1 A small sample has been made of applications submitted both in 2005 and in 2000 to 2002 to indicate the level of consultation and the response.
- 8.2 Looking first at six applications of this year (2005):-

2005	Consulted	Responded
45, Walpole Rd. N17.	65	7
Durnsford Road N11	108	11
Albert Rd.	97	31, plus 500 signature petition
Tesco Metro, High Rd. N22	11	0
52 Aylmer Road N2	16	7
311 The Roundway N17	33	400 signature petition

2000 to 2002	Consulted	Responded
28 Lawrence Road N15	13	0
Coles Park, White Hart Lane, N17	191	7
Wesbury Court N22	37	6, plus 1 supporting
555 White Hart Lane	26	0
Broadwater Farm; roof of Kenley	102	0, plus 1 supporting
50 Clarendon Road N8	9	0

8.3 Points to note:

- In general, the numbers of persons consulted will depend on the density of surrounding population; for example the 52 Aylmer Road application was near to open space, and opposite a less densely developed area than say Durnsford Road, Albert Road or Walpole Road where more were consulted..
- To consult 50 or 60 nearby residents is well in excess of the numbers that would be consulted over say an application for the erection of two new houses; three either side, three behind and six opposite would give about 15 consultees on such a scheme.
- The numbers consulted already exceed the number of individual letter responses.
- Government advice on the handling of applications is that the sheer number of persons supporting or opposing, whether by individual letter or in petition, is not of itself grounds for granting or refusing permission; objection would have to be based on planning policy grounds or other material considerations.
- The Mast Operators carry out their own pre-application discussion on proposed sites with Ward councillors, local amenity groups, and schools, to gauge whether there is likely to be support or opposition to such proposals. They submit details of the responses to this round of pre-application consultation, when they submit the formal application for either prior notification or full permission.

9. Mobile phone operators 'roll-out' plans.

- 9.1 The five Mobile phone companies, Orange, Vodafone, MM 02, T-mobile, and Hutchison (also known as '3'), have submitted, at the end of October, their annual 'roll-out' plans for their expectations for future sites. These roll-out plans also include the list of their existing sites and these have been useful in drawing up the Mast Register; there is very good correlation between the operators lists and those Ofcom Sitefinder schedules.
- 9.2 As far as future plans are concerned, the five operators indicate in their roll-out plans that they are proposing an additional 6 to 9 sites each. It is not known over what timescale, but presumably, in the light of the time taken to secure a site (i.e. often after several refusals/withdrawals, and then there are the often-protracted negotiations with the landowner), it is for the next 1 to 2 years.
- 9.3 It is hoped that the existence of a Mast Register will help the Council in deciding whether there is scope for any additional installations, of any of the proposals in the 'roll-out' plans to be even given preliminary consideration, or whether more mast-sharing or alternative locations can be encouraged.

10. Conclusions.

- 10.1 A high proportion (three-quarters) of installations are on buildings, so the number of free-standing masts is relatively low; on-street masts, in the form of poles on the footpath, are quite rare (no more than 3); a number have recently been refused.
- 10.2 The proportion on Council-owned sites, roof-mounted on blocks of flats or school, is significant at just below 30%. There are school mounted antennae at Fortismere and Alexandra Park Secondary Schools. There are also two installations at St. Ann's Hospital.
- 10.3 There are concentrations in some Wards, particularly the higher ground in the West of the Borough, the roof level at Shopping City, and roof levels in some of the industrial/commercial areas in the East of the Borough.
- 10.4 Each of the five Mobile Phone companies has the intention of providing another 6 to 9 sites in the Borough, to complete their existing network.
- 10.5 Consultation by the Planning Service on mobile phone masts tends to be more extensive than would be the case for say a new build housing scheme. There have been a number of high –profile cases particularly in the west of the borough which have drawn forth petitions objecting, or numbers of individual letters. However numbers alone are not sufficient basis for refusal; there need to be sound planning reasons.

11. Financial Comments

- 11.1 None as a result of this report. The Council receives rental income and business rates from the operators, in respect of mobile phone masts erected on council owned buildings and land.

12. Legal Comments

- 12.1 None as a result of this report.

13. Equalities Implications

- 13.1 None as a result of this report.

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