

**NOTICE OF MEETING**

**Scrutiny Review - Mobile Phone Masts**

FRIDAY, 25TH NOVEMBER, 2005 at 14:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**Councillors:**

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

**Non-voting representatives:**

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**Observer:**

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**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 included 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. DECLARATION OF INTEREST,IF ANY, IIN 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.

**4. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS:**

To consider any requests received in accordance with Standing Orders.

**5. SCRUTINY REVIEW OF MOBILE PHONES MASTS - TERMS OF REFERENCE:  
(PAGES 1 - 18)**

To approve the scope and terms of reference for the Scrutiny review of Mobile Phone Masts

**6. PLANNING CONTROLS AND PUBLIC CONSULTATION: (PAGES 19 - 22)**

To consider a report from the Director of Environmental Services on current planning controls and public consultation regarding the installation of Mobile Phone Masts.

**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***On 25 November 2005*

<b>Report title:</b>	<b>Scrutiny Review of Mobile Phone masts</b>
<b>Report of:</b>	<b>Chair of Mobile Phone Masts Scrutiny Review Panel</b>
<b>Wards effected:</b>	<b>All</b>
<b>1. Purpose</b>	To approve the scope and terms of reference for the Scrutiny review of Mobile phone masts.
<b>2. Recommendations</b>	<p>2.1 That the Panel approve the proposed scope and terms of reference.</p> <p>2.2 That the Panel note the proposed Membership of the review.</p>
<b>Report authorised by:</b>	<b>Trevor Cripps Overview and Scrutiny Manager</b>
<b>Contact officer:</b>	<b>Carolyn Banks</b>
<b>Telephone:</b>	<b>020 8489 2965</b>

### **3. Access to Information:**

#### **Local Government (Access to Information) Act 1985 -Background Papers**

Joint Report of Director of Environmental Services, Director of Housing, Overview and Scrutiny Manager and Health and Safety Manager to the Overview and Scrutiny Committee – 22 November 2004 on Mobile Phone Masts.

For access to the background papers or any further information please contact Carolyn Banks on 020 8489 2965

### **4 Background**

On 22 November 2004 the Overview and Scrutiny Committee received a full report on mobile phone base stations (Attached as Appendix) One of the issues dealt with in this report was the suggestion that mobile phones and base stations could be hazardous to health. The Government have accepted full responsibility for dealing with health issues and have received advice from experts that base stations do not constitute a health risk. The Committee recommended that current planning consultation procedures should be reviewed and subsequently decided to make it the subject of a scrutiny review.

### **5. Membership of the Review**

Cllr Gideon Bull (Chair)

Cllr Dhiren Basu

Cllr. Wayne Hoban

### **6. Aims of the Review**

To ensure that the Council complied with Government guidance for consulting on planning applications for mobile phone base stations.

### **7. Terms of Reference**

To review existing consultation processes for mobile phone base stations in Haringey to ensure they complied with the Government's planning policy guidance

### **8. Methodology**

It is proposed that the review will be undertaken by:-

- Receiving a presentation from the Environment Service on the current consultation process

- looking at other council's consultation processes
- Writing to mobile phone operators to see if they have any views on this issue.

**9. Key Stakeholders**

Environmental Services  
Executive Member for Environment and Conservation

**10. Timescale**

The timescale for this review will be extremely tight. It is therefore proposed to limit the review to a maximum of two meetings with the final report being presented to the Overview and Scrutiny review meeting in December 2005.

<b>SCRUTINY REVIEW TIMETABLE</b>	
<b>Review Stage</b>	<b>Target Date</b>
1. Define scope and aims of review - Send aims and scope to Directors of relevant department for comment	20 <sup>th</sup> October 2005
2. Review proposal submitted to OSC for approval	November/ December 2005
3. Issues paper to consider main aspects of the review	25 <sup>th</sup> November 2005
4. Scrutiny Review meeting to discuss conclusions	Early December 2005
5. Draft report and agree final version for consideration by Overview and Scrutiny Committee	December 2005

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**Overview and Scrutiny Committee on 22 November 2004**

**Report Title:** Mobile Phone Masts

**Report of:** Director of Environmental Services, Director of Housing, Overview and Scrutiny Manager and Health and Safety Manager

**1. Purpose:**

To consider the latest position regarding mobile phone masts in Haringey

**2. Recommendations**

1. To consider the information set out in this report and whether current procedures should be reviewed
2. That as the Government has accepted responsibility for considering health issues and has laid down clear planning guidelines, no action regarding existing mobile masts be taken at this time but that the matter be reviewed if further evidence becomes available.

**Report authorised by:** Trevor Cripps –Manager Member and Democratic Services (Scrutiny)

**3. Access to Information**

Local Government (Access to Information) Act 1985

Relevant previous reports and decisions.

**3. Report**

Background

The rapid growth in mobile phone use over the last 10 years has been accompanied by public debate about possible adverse effects on human health. This concern has related not just to the emissions of radio frequency radiation from the phones themselves but also the emissions from the base stations that receive and transmit mobile phone signals. Such base stations normally consist of one or more radio transmitters and receivers as well as

radio antennas and these are often located on towers or the roof of a building.

As a result of this concern the Government established an independent expert group, under the Chairmanship of Sir William Stewart, to examine the possible effects of mobile phones, base stations and transmitters. The Stewart Report was published in May 2000 and it concluded that, for the general population, the levels of exposure arising from phones held near to the head were substantially greater than whole-body exposures arising from base stations. It stated that the balance of evidence indicated that there was no general risk to the health of people living near to base stations on the basis that exposures were small fractions of guidelines. However it was not possible to say that exposure to radio frequency radiation, even at levels below national guidelines was totally without potential adverse health effects and gaps in knowledge were sufficient to justify a precautionary approach.

The Stewart report made an number of recommendations about base stations and then main ones which are relevant today, together with the Government's reactions are summarised below:

- A national database should be set up by the government giving details of all base stations and their emissions. Ofcom (The Office of Communications) now run such a data base as an internet based resource.
- That an independent random, ongoing, audit of all base stations, be carried out to ensure that exposure guidelines are not exceeded. The government has implemented a national measurement programme whose objective is to conduct a sample audit of a number of base stations sited in different environments to ensure that emissions from base stations do not exceed guidelines. Priority is given to audits of schools and other sensitive sites such as hospitals and residential and commercial areas in accordance with the Stewart Group's recommendations.
- It was suggested that the Government, in consultation with interested parties develop a template of protocols to inform the planning process and which must be assiduously and openly followed before permission is given for the siting of a new base station. Planning policy guidance has since been issued specifying that wide consultation must take place including, where appropriate, schools and parents.
- The appointment of an Ombudsman to provide a focus for decisions on the siting of base stations when agreement cannot be reached. The Government's view is that the role of an Ombudsman would not sit comfortably with the existing appeal process within the planning system. It was also unnecessary as local planning authorities consult local people and take their views into account when taking decisions.
- That operators actively pursue a policy of mast sharing and roaming where practical. The Government indicated that it would expect an efficient mobile network operator to ensure that this occurs but undertook to explore with the industry ways of ensure that this recommendation is met. Current planning guidance strongly encourages different operators to share masts and sites.
- That a substantial research programme, financed by the mobile phone companies and the public sector, should operate under the aegis of an independent panel. The Government launched a joint Government/industry research programme costing approximately £7 million with an independent programme management committee led by Sir William Stewart. It carries out research into the effects of mobile phone usage on health to ensure that the position is reviewed and the public informed of new research findings.



- A register of occupationally exposed workers be established and that cancer risks and mortality be examined to determine whether there are any harmful effects.
- The issue of possible health effects of mobile phone technology should be the subject of a further review in three years time. The National Radiological Protection Board was asked to review further research and to report on progress. The Board commissioned an Independent Advisory Group on Non-ionising Radiation which updated scientific evidence which had accumulated since the Stewart Report. This Advisory Group reported last year that, "exposure levels from living near to mobile phone base stations are extremely low and the overall evidence indicates that they are unlikely to pose a risk". However, as part of its ongoing programme the Board expects later this year to review and proffer overall advice to the public on mobile phone technologies and health.

In 2001 the Government published Planning Policy Guidance 8 which states that it is their policy to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. Local Authorities are, therefore, encouraged to make suitable property available for base stations. Whilst, the Government also accepts that it has a responsibility for public health it does not regard the planning process as the place for determining health safeguards. If a proposed base stations meets the guidelines for public exposure it should not be necessary for a local planning authority to consider health aspects. Nor, in the Government's view, should local authorities implement their own precautionary policies by, for instance, imposing a ban on new telecommunications developments or insisting on minimum distances between base stations.

The guidance sets out the position regarding annual pre-development discussions on operators development proposals, publicity and consultation on proposal and issues such as mast sharing, siting and design. It also provides that whilst all telecommunications development is subject to development control, relatively minor developments do not require express permission. Those developments that do require planning permission must be determined in accordance with the UDP and can not be refused on the basis of development plan policies which take insufficient account of the growth and characteristics of modern telecommunications.

This council's present policy was determined by the former Policy and Strategy Committee on 19 December 2000 when it was agreed that Haringey would adopt a precautionary approach in respect of existing and proposed base stations on council owned land. It was also agreed not to adopt a blanket policy of refusal in respect of new applications and decommissioning of existing installations and that any income received for Housing sites continue to be credited to the Housing revenue account and not ring fenced to specific estates or blocks. The reason for this decision is that it was appreciated that if mobile phone operators were refused the use of Council owned land, masts would instead be provided on private property and the only result would be loss of income to the Council

Permission has been given for 77 masts to be erected in the Borough of which 25 did not require planning consent. Seven applications were also refused.

Attached are schedules showing the base stations on different types of council owned land. The approximate annual income to the council from these licenses is £259,000.

In recent months there has been concern about Terrestrial Trunked Radio (TETRA) masts which are used by the emergency services. These are said to cause sleep disorders, dizziness, nausea, headaches, rashes, irregular heartbeat and shortness of breath. All radio mast licensees in the Borough have been asked whether any of their masts are TETRA but so far none have been identified. Also no planning applications have been identified for such masts

### **Issues where the Government has Accepted Responsibility**

The Government has accepted responsibility for health issue and have received advice from experts that base stations do not constitute a health risk. Whilst the Council could consider making representations on this issue in the absence of expert supporting evidence it is extremely unlikely that these would be considered. However the issue could be kept under review and if any credible evidence arises to suggest a health risk the matter could be reported to Members so that they might decide if they wish to make representations to the Government.

Apart from sensitive applications there would also appear to be little point in reviewing planning permission procedures. However Members may wish to consider what the UDP says about telecommunication networks, policies and proposals for the location of telecommunication networks. This includes issues such as siting and general appearance and the circumstances in which the planning authority may decide prior approval is required.. Another aspect that could be looked at is the environmental and amenity impact of telecommunication networks and in particular the antenna attached to base stations which normally have to be placed high on buildings etc.

Members may also wish to monitor the provision of base stations in areas which are considered sensitive, ie schools and hospitals and review the procedures for granting permission in such cases to ensure all relevant parties are consulted.

Whilst the Council could refuse all new application to erect base stations on council land this would not have much effect since only one application has been granted since January 2003. Nor would it be practical to refuse to renew existing licences as operators generally have statutory rights of renewal under the Telecoms Code and the Landlord and Tenant Act 1954. It could also lead to a situation where either there could be black spots in the Borough where people might not be able to use their mobile phones or providers will erect them on private land –where the Council would have less control over them than at present.

What might be reasonable is for the committee to suggest procedures for reviewing some or all licences when they become due for renewal and also procedures setting out the way future applications are dealt with. One possibility might be to categorise base stations situated on council owned land into categories of seriousness and determine how each category will be dealt with.

Members may also wish to consider discussing with Mobile Operators Association, which represents the 5 UK mobile phone network operators, the action they take to avoid duplication of base stations and to ensure that whenever possible providers use

competitors facilities.

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## Aerials - Office Management

Property	Tenant	LeaseCommence	Term	LeaseExpiry	RentReview
PCN's Hornsey Town Hall (O2)	O2 (UK) Ltd	16/01/04	10 years	15/01/14	16/01/09
PCN's River Park House (Vodafone)	Vodafone Limited	25/07/90	THO on approx 12 year lease	31/12/03	

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## Aerials - Education Service

Property	Tenant	LeaseCommence	Term	LeaseExpiry	RentReview
PCN's Fortismere School (O2)	O2 (UK) Ltd	11/06/95	15 years	11/06/10	11/06/05
PCN's Fortismere School (orange)	Orange Personal Communications Services Ltd	27/11/97	10 year Licence	26/11/07	27/11/02

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## AERIALS - HOUSING

Property	Tenant	LeaseCommence	Term	LeaseExpiry	RentReview
Dowding House (L.W.T. antennae)	London Weekend Television Ltd	25/12/92	5 yr Licence	24/12/97	
Dowding House and Mountbatten House (	National Transcommunications Ltd	24/06/96	10 yr Licence	23/06/06	
Wavell House	Vodafone Paging Ltd	25/12/99	10 year Licence	24/12/09	25/12/03
Satellite Dish 137 High Cross Rd	William Hill Organisation	04/01/91	Licence	03/01/00	
PCN's Cordell House (Orange)	Orange Personal Communications Services Ltd	22/10/98	10 year Licence	21/10/08	22/10/03
PCN's Alexander House (O2)	O2 (UK) Ltd	28/06/95	lic 10 yrs	27/06/05	28/06/05
Elizabeth Blackwell House (Orange)	Orange Personal Communications	28/07/92	5 yr Licence	27/07/97	
PCN's Warren Court (T-Mobile)	T-Mobile (UK) Ltd	02/10/02	10 years	01/10/12	02/10/04
PCN's Eckington House (T-Mobile )	T-Mobile (UK) Ltd	02/10/02	10 years	01/10/12	02/10/04
Chettle Court (Orange PCN's)	Orange Personal Communications	21/10/94	5 Yr Licence	20/10/99	
Millicent Fawcett Court (Orange PCN)	Orange Personal Communications	27/10/94	5 yr Licence	26/10/99	
PCN's Thomas Hardy House (T-Mobile )	T-Mobile (UK) Ltd	10/07/95	10 yr licence	09/07/05	10/07/05
Kenley, Broadwater Farm (T-Mobile)	T-Mobile (UK) Ltd	10/07/95	10yr Licence	09/07/05	10/07/05
PCN's Warren Court (O2)	O2 (UK) Ltd	30/06/95	10 yr licence	29/06/05	30/06/05
Kenneth Robbins Hse (T-Mobile)	T - Mobile (UK) Ltd	01/09/95	10 yr licence	31/08/05	01/09/05
PCN's Chettle Court (O2)	O2 (UK) Ltd	13/09/96	10 year Licence	12/09/06	13/09/06
PCN's Bounds Green Court (T-Mobile)	T-Mobile (UK) Ltd	24/06/99	10 year Licence	23/06/09	24/06/04

PCN's Charles House (T-Mobile)	T-Mobile (UK) Ltd	30/10/98	10 yr licence	29/10/08	30/10/03
PCN's Edgecot Grove (O2)	O2 (UK) Ltd	29/04/99	10 year LICENCE	28/04/09	29/04/04
PCN's Thomas Hardy House ( Hutchinson 3G)	Hutchinson 3G UK Ltd in occup under early access agreement	29/08/02	access agreement	28/08/03	

## AERIALS - PARKS

Property	Tenant	LeaseCommence	Term	LeaseExpiry	RentReview
PCN's New River Centre (O2)	O2 (UK) Ltd	31/05/96	10 year Licence	30/05/06	31/05/06
PCN's New River Sports Centre (Vodafone)	Vodafone Ltd	27/06/02	15 years	26/06/17	27/06/07
PCN's New River Centre (Orange)	VACANT				

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**SCRUTINY COMMITTEE****MOBILE PHONE MASTS****SCOPE OF REVIEW****1. Background; Government Policy; Stewart report.**

The rapid growth in mobile phone use over the last 10 years has been accompanied by public debate about possible adverse effects on human health. This concern has related not just to the emissions of radio frequency radiation from the phones themselves but also the emissions from the base stations that receive and transmit mobile phone signals. Such base stations normally consist of one or more radio transmitters and receivers as well as radio antennas and these are often located on towers or the roof of a building.

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**2. Planning Controls**

The controls, which are partly set out in Govt Planning Policy Note PPG8 of Aug.2001, and the General Permitted Development Order Part 24, are complex, but broadly-speaking fall into one of two categories:-

**A. Masts which do need full planning permission.**

Those more than 15 m. high above ground level (but not necessarily those on buildings).

Those in Conservation Areas.

**B. Masts which don't need full permission; are those under 15m and outside Cons. Areas.**

These come under PERMITTED DEVELOPMENT; effectively they are Granted permission by Government Development Order, but have to go through PRIOR NOTIFICATION procedure wherein a Council may object to Design and Siting, (e.g. colour of pole, pole too thick, could be moved a few metres one way or another or be screened by planting); and has to do so within 56 days or the scheme will automatically benefit from permitted development. No scope here for objecting on health grounds.

**3. UDP policies**

The ADOPTED (i.e currently valid) Unitary Development Plan (1998) says that locations of telecom equipment should minimise any adverse effect on visual amenity of the locality or on individual buildings.

The REVISED DEPOSIT UDP is at public Inquiry stage and carries less weight until after Inspector's Report.

It requires evidence that locations outside of residential areas and not close to schools/hospitals have been considered; and that Government guidelines on emission levels are met with. It refers to the importance of mast or site sharing.

**4. Public Consultation.**

This is carried out (A) by the Phone Companies and their agents **before** they submit planning applications, and (B) by the Planning Service once a formal application is submitted.

At the stage when they are **contemplating** a new installation or siting, the Phone Companies have a procedure for contacting Local Councillors, Local amenity groups, Local schools, and, later on, the Planning Service, to gauge initial views for or against.

When the formal application is submitted to Planning Service, the Operators enclose copies of letters to all those they have consulted, together with any response and any analysis of that. We find they actually do this. They don't seem to get much response from those they consult.

Consultation by the Planning Service; once formal application submitted, Planning will notify residents in the vicinity, typically this will run to between 40 and 60 addresses; more where there are blocks of

flats involved, less where site is 'open' e.g. some recent applications on Hampstead Lane or Aylmer Road opposite open space or school playing fields.

This amount of consultation is in excess of what would be done for say the erection of one or two new houses, and reflects the likely 'visibility' of a mast in the street scene.

Site Notices are put up where proposal is in Conservation Area.

If local residents are well organised the response could be substantially greater than the number of consultees; objections might come from people who live 400 metres away or more, who dislike mobile phone masts anywhere.

In general we feel the amount of consultation is sufficient to gain a view of public opposition.

There could be a requirement to put up a Site Notice for **all** proposed installations, whether or not in Cons Area.

## 5. **Current Practice on dealing with applications**

This is to refuse wherever possible on Design and Appearance grounds. There are some instances where it is very difficult to object to roof-top mountings, but we would refuse the majority of large free-standing mast proposals.

## 6. **Other areas of Council involvement.**

### **Street scene; street lamp post installations etc.**

Is there a need for an 'in principle' decision as to whether the Council as Highway Authority should not agree to 'lamp-post swap' types of installation for antennae?

**Existing Installations** -- **On blocks of flats.**  
-- **On roofs of schools.**

It would be for Housing and Education to explore whether there were any escape clauses in existing agreements which would permit the removal of existing masts.

**Note**; the implication however is that Operators would seek out nearby privately-owned sites.

## 7. **Practice of other Boroughs.**

The actions of neighbouring authorities with regard to discouraging mobile phone masts needs to be explored.

