

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.