

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.