

ANGUS COUNCIL

ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE
23 MAY 2000

THE TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

REPORT BY DIRECTOR OF ENVIRONMENTAL AND CONSUMER PROTECTION

ABSTRACT

The Transport and Environment Committee of the Scottish Parliament has recently published a report on the future development of Telecommunications in Scotland.

1. RECOMMENDATIONS

It is recommended that the Committee:

- a) note the contents of this report,
- b) inform COSLA of the requirement of additional funding if the recommendations of the Report are implemented by the Scottish Parliament, and
- c) support the conclusions and recommendations contained within this report.

2. BACKGROUND

The basis of the Committee's Inquiry which generated the report was the increasing proliferation of telecommunications masts throughout Scotland coupled with emerging concern expressed by the general public and planning authorities over the perceived lack of planning controls on telecommunications development at present.

The Committee therefore, sought views on the proposed planning procedure and policy framework for consideration of telecommunication development in Scotland. The terms of reference under which witnesses were invited to respond to the Committee were as follows:

- Whether telecommunication developments should be subject to full planning control.
- What factors should be taken into account in informing policy on telecommunication developments.
- What the published guidance from the Scottish Executive should contain.

A Report concerning this issue has been submitted to the Development Control Committee on 4 May 2000 (Report No 487/00) which agreed to note the Report of the Transport and Environment Committee of the Scottish Parliament into planning procedures for telecommunications development and await the response of the Scottish Parliament.

However, the involvement of the Environmental and Consumer Protection Department staff in assessing risk assessments and commenting on the proposals may have a considerable impact on the resources of the Department and therefore a separate Report was considered necessary to highlight the potential increase in the future workload of staff if the Parliamentary Committee's recommendations become law.

3. THE COMMITTEE'S RECOMMENDATIONS

The Committee recommended the introduction of full Planning Control for future Telecommunication Developments. This however, was only one of some thirty five recommendations contained in the Report and the following are the key areas covered by the recommendations.

3.1 Amenity

- The Committee suggested that a range of actions could be implemented to minimise the environmental impact of telecommunication develops such as early consultation between developers and planning authorities on strategic network requirements, site and mast sharing

design and the requirement on developers and operators to enter into national roaming agreements.

- The Committee recommended that the Scottish Executive must provide guidance to minimise the impact of telecommunication developments. This guidance in the opinion of the Committee should allow for local flexibility.

3.2 Health

The Committee accept that currently the Scientific evidence is inconclusive on the thermal effects and public health risk caused by the development of telecommunications. However, the Committee recognise that the public health issue associated with telecommunication developments is very complex. Based on the evidence the Committee received they consider that there is reasonable doubt concerning the alleged health risks associated with the use of the technology.

They are however of the opinion that health should be viewed as a material planning consideration and for the foreseeable future a precautionary approach should be adopted nationally with an element of local flexibility

- The Committee recognised the need for further research to be undertaken and for monitoring the research into health effects.
- Premises such as schools, nurseries, hospitals and homes should be considered as sensitive for environmental health reasons.
- By adopting the precautionary approach local authorities should consider a hierarchy of preferred locations for telecommunications equipment. If possible Local Authorities should avoid densely populated areas such as residential areas and weight their decisions towards sparsely populated areas eg industrial sites.
- The Committee is of the opinion that due to the paucity of scientific evidence they have not recommended the "cordon sanitaire" as a policy approach.

3.3 Policy Framework and Guidance

- From the evidence received from local authorities it was clear to the Committee that government must provide guidance on a range of matters within a national policy framework.
- The Scottish Executive should develop a national plan incorporating telecommunications development.
- In the interim the Scottish Executive should prepare National Planning Guidance, supported by a Planning Advice Note defining best practice.
- The Committee recommends that the guidance should be based on the precautionary approach and should cover health and safety, planning and development control, obligations etc, of telecommunications developers/operators. The role and responsibilities of the Scottish Executive and of other bodies, monitoring and reporting and good practice guidance for planning authorities and telecommunications developers and operators.

4. IMPACT ON THE ENVIRONMENTAL AND CONSUMER PROTECTION DEPARTMENT

The following recommendations of the Committee if implemented by the Scottish Parliament will have considerable impact on the work of the Department in this area.

- The Planning Department will be required to consult with the Environmental and Consumer Protection Department.
- The Department will be required to work with Tayside Health Board and will be responsible for advising on potential health risks arising from proposed developments.
- Each Planning Application for a telecommunication development should be accompanied by a Health and Safety Risk Assessment report which will be submitted to the Environmental and Consumer Protection Department.
- The Department will be required to assess the health impact of the proposal and make recommendations to the Planning department after consulting with Tayside Health Board regarding the development.

5. FINANCIAL IMPLICATIONS

If the recommendations are implemented there will be an impact on the professional and technical resources of the department in liaising with Tayside Health Board, assessing Risk Assessment relating to proposed developments and replying to consultation. The cost of complying with these recommendations cannot be quantified until the Scottish Executive provide guidance to the Department regarding its role and the formation of the National Strategy regarding the future telecommunication developments in Scotland.

6. CONSULTATION

The Chief Executive, Director of Finance, Director of Law and Administration and the Director of Planning and Transport have been consulted on the contents of this report.

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing this report.

S R Heggie
Director of Environmental and Consumer Protection

JB/FMCI
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