

Highway approvals for mobile telephone masts

Chiltern Local Committee

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1 Purpose of report

- a To inform the Local Committee of the procedures governing the approval/erection of mobile phone telephone masts within the public highway.

2 Proposed action

- b The Local Committee is invited to NOTE the report.

3 Supporting information

- c There has been widespread concern expressed about the erection of mobile telephone masts in the Chiltern and South Bucks area during the recent past. This report has been produced to clarify the procedure through which mobile phone companies seek approval to site their masts within the public highway.
- d Three mobile phone companies have erected masts to date to eliminate poor reception areas to achieve better service for their users. These companies are: Orange PCS, One2One and BT Cellnet.
- e Each company has been granted a **licence** by central government, under the Telecommunications Act 1984. This allows them to install their masts within the public highway, subject to the approvals outlined below.
- f In effect these companies have been afforded the rights as Statutory Undertakers.

County Council (highway authority) approvals

- g The licence granted under the Telecommunications Act requires the mobile phone companies to ensure their equipment is sited so

as not to create a safety hazard. This is to ensure the masts (and ancillary equipment eg ground level cabinet) are sited to avoid, for example, obstructions to sight lines at road junctions/accesses or obstructions to pedestrians, disabled, cyclists using footways etc.

- h The companies seek advice from the County Council upon issues of highway safety/highway obstruction. Staff from the area office visit the sites in question and assess potential hazards.
- i To date the companies have been willing to resite their equipment as a result of highway matters raised by area staff.

Street light swap overs

- j Central Government have stated that they place considerable importance to keeping to a minimum the number of radio and telecommunication masts and of sites for such installations. Their policy is to encourage mast and site sharing, where that is appropriate.
- k Orange use a mast which can double up as a street lighting column and have used this type of mast successfully in Bucks and in other authority areas. The County Council employ Hyder Consulting to oversee these installations.
- l BT Cellnet and One2One have been approached to establish if they have similar plans for street light swap overs.

District Council (Local Planning Authority) approvals.

- m Under Part 24 of the Town and Country Planning General Development Order 1995 the mobile phone companies are required to follow a 42 day prior approval procedure.
- n The 42 day prior approval procedure requires the company to erect a notice on site and inform the District Council in writing about the details of their proposals. During this period the District Council can require details of the siting and appearance of telecommunication equipment and can approve or refuse the same.
- o Factors to be considered by the District Council include materials, colour and design.
- p In strict terms the District Council are only able to consider siting and appearance, but it is usually at this stage residents voice their concerns to the District Council about other aspects. Pre – discussions with the District Council can usefully involve residential groups, parish councils and amenity bodies.

- q If the District Council does not make a decision within the six week period the development can proceed.
- r The companies have a right of appeal to any objections raised by the District Council, but generally they do try to resolve matters without resorting to this.

- report ends -