



EDITORIAL by TRUDY DEAN

Since our last Action Letter in February, things are really hotting up!

There has been increasing media interest in the mast issue and several national newspapers have been leading campaigns, for example the 'Daily Mail', the 'Times' and 'The Daily Express' which also featured us as a contact for these leaflets. The response was overwhelming. Over 150 phonecalls were received in the first 24 hours from people all over the country, from Cornwall to Kent, Wales to Norfolk and Scotland to Northern Ireland, and the numbers are increasing daily. I've done interviews for Medway FM, 'You and Yours' with our NIFATT friends, and 'London Tonight' following the 'Which' report on the dangers of hands free kits.

We continue to receive horror stories. For example an Orange mast at Burnage in Manchester was about to be put up at night and locals managed to put a stop to this by raising the alarm and parking their cars on the site.

As before, I reiterate that we are not trying to prevent masts being erected altogether. Our aim, and the aim of many others, is to ensure that the masts are erected in safe places, and that they are all subject to Full Planning Permission and therefore public consultation. Most people are not opposed to mobile phones as it is through choice that people use them. It is not acceptable that masts should be imposed on people, often without their knowledge in places which affect their homes or on their children's schools.

The report of the Scottish Parliamentary Committee is therefore **excellent** news. For the first time, people with political authority have accepted that there is 'reasonable doubt on health risks'. They have recommended as a result that all masts should require full planning applications, and that councils should adopt precautionary principles based on health issues. I recommend it as a good read for anyone wanting to hear some common sense on the issue, as well as reading some of the garbage put up by the DTI in support of the phone companies. We have summarised the main recommendations in this leaflet.

We are beginning to win the arguments. Don't give up. Remember- You are not alone!

Trudy Dean - Leader Liberal Democrat Group, Kent County Council



BRILLIANT NEWS FROM THE SCOTTISH PARLIAMENT



On March 29th 2000, the Scottish Parliament's Transport & Environment Committee unveiled its recommendations on telecommunications - including mobile phone masts. The main points were:

- **All masts should now require a full planning application** - this will mean a consultation period of about 4 weeks when the public can make their views known. Planning authorities can also take a much wider range of issues into account when considering the application, including landscape and public concern over the potential health risk. The English system of Prior Notification was rejected as complex, ineffective and lacking a process of advising and consulting the public.
- The Committee also recognised the level of public concerns, and concluded that there was '**reasonable doubt about health risks**'. **Councils should in future be allowed to view health as a material planning consideration i.e... a reason for refusing planning consent. Councils should also adopt a precautionary approach, based on health issues,** when dealing with applications. Such an approach would allow them to adopt policies prohibiting phone masts from schools, hospitals, elderly persons homes and residential areas, and favour less densely populated areas instead. More research into and the continual monitoring of health risks was also endorsed owing to the lack of conclusive evidence.
- Planning authorities should **identify suitable sites and options for mast sharing at an early stage**, and this might be used as the basis to press for **replacement of existing masts** to less damaging locations.
- **Mast sharing** should be a first priority, and a **national roaming agreement should be required of companies bidding for the next round of franchises.** (Roaming allows a customer of one network to use another operator's network as happens at present when mobile phones are used abroad. It therefore reduces the need for multiple masts in the same place.
- The Committee recommends a **lowering of microwave exposure levels to the ICNIRP level** which is five times lower, and wants **guidance on the status of levels recommended by the NRPB** who described them as simply advisory.

This report is a real turning point. The Scottish Committee has really listened and chosen to champion the people rather than the phone companies. We need to encourage the Scottish Parliament to adopt these recommendations, and we need the English Government to do the same.

This report is available on the website: www.scottish.parliament.uk or contact the Scottish parliament public information line on 0131 348 5000

INSIDE

Planning Advice on Article 4 Directions - How Planning Authorities can use them.

Leeds Appeal Decision - February 2000 Vodafone lost an appeal and was given 8 weeks to remove a mast erected under PDR which had been found to be over 15 metres.

Conservative briefing on masts - issued in February 2000

Scottish Parliamentary Committee - released March 29th 2000 Should be a best seller!



LEEDS MAST APPEAL

DECISION

1995 - Vodafone erected mast under PDR legislation in Sycamore Avenue Leeds

1999 - Leeds City Council measured the mast and found its total height, including concrete plinth and 'headgear' to be in excess of 15 metres therefore should have been subject to Full Planning Permission

Leeds City Council served an Enforcement notice on the mast

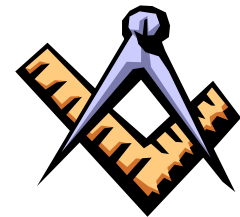
Vodafone appealed against this decision - saying plinth and headgear do not count towards the 15m height

An official inquiry was therefore carried out. This culminated in a site survey on 25th January 2000

The Planning Inspector turned down Vodafone's appeal, and gave the company 8 weeks to remove the mast. He said the plinth and headgear should be counted within the 15 metres.

Definition of 'headgear'

The concrete plinth has to be above the ground to be included. The term 'headgear' refers to anything (other than the antennae) which is on top of the mast and holds or supports the antennae (for example brackets). It also includes the lightning conductor.



N.B. If the Planning Inspector had found in favour of Vodafone, in doing so he could have granted 'Deemed Planning Consent'. Before issuing enforcement proceedings against excessively high masts, Planning Authorities will therefore **first** consider whether a full planning application, had it been sought, would have been approved. They will clearly only proceed to enforcement action if any full application would have been refused.

Don't forget - if a mast near you is found to be over 15 metres, you need to raise all the arguments again, as if you were opposing a full planning application, firstly because you will need to convince the Planning Authority they should take action and **secondly** the Inspector will need this information. Even if s/he decides to grant permission, you may achieve conditions which will help e.g. screening the mast from view..

THE STEWART REPORT

In July 1999, the Government instructed the NRPB to set up a commission, headed by Sir William Stewart, to look into the "concerns about the possible health effects" of mobile phones, base stations & transmitters. It is called the Independent Expert Group and is due to report in April 2000, with publication in May.

Earlier this year, the Expert Group conducted a number of open meetings in Liverpool, Cardiff, London & Belfast. The meetings in Belfast were well attended (approx.. 80 people) and present were the majority of the Expert Group (including Sir William Stewart himself). Members of the public gave accounts of their experiences and concerns and the majority of people found the meeting very constructive.

Lobby your MP to support the release of the results of the Stewart Report to be made public as this is in question at the moment.

ARTICLE FOUR DIRECTIONS

A Planning Authority can serve an Article Four Direction on an applicant who enjoys Permitted Development Rights. The effect of the Direction is that the PDRs are removed, and so a full planning application is required. Planning Authorities have to have strong and specific reasons to serve the direction in respect of any particular proposal. In the case of mobile phone masts, Planning Authorities have to refer all Article Four Directions to the Secretary of State for his approval.

WHOOPS! SORRY!

We misprinted our website title in the last issue. The correct one is:

<http://freespace.virginnet.co.uk/mast.action/kent.htm>



GETTING TECHNICAL

Some of the more technical questions we are not in a position to answer. But we have spoken to some of our technical contacts and have answers to the following questions:

•Do trees interfere with signals? Yes - trees absorb radiation, unless they are wet - then they reflect it.



•Are there any technical reasons why companies cannot share masts? No - but it means companies have to agree on set wavelengths. Between two masts, there is constructive interference where phones absorb the energy of two waves. To share a mast, companies would have to agree to set different waves.

•Have there been any reports of effects on animals? Yes - a recent study by the Bavarian State Government in Germany discovered that there was a significant drop in the yield of a herd of cattle near a newly erected mast and incidents of 'Extraordinary Behaviour Disorder'. When the cattle were moved away, their yield and behaviour returned to normal. When moved back to the mast area, their symptoms returned. There are other such reported examples (Loscher & Kas of Universities of Hanover Veterinary School & University of the German Army in Munich 1998). You might like to share this info with any local farmers thinking of leasing land to phone companies. Discussions are also going on about whether a **land owner** can be held liable for any ill health effects from masts.



One person who contacted us in response to the 'Daily Express' article on the 8th March told of how she had mapped out all the masts in her area and the local vet alleged that the same area had seen a high incidence of cancer in animals.

ACTION/ SUCCESS STORIES

Masts Have Been Rejected From Sites All Over Britain - Here Are A Selection of Examples:

- New Barn - Mast rejected on the grounds that Orange had not considered enough alternative sites. This was a PDR mast.
- Bromley - A 6 metre mast (also PDR) was rejected by the Borough Council on 9th March 2000 as Orange had not considered 'all the alternative sites' and the siting and appearance of the mast would have 'a deleterious impact on the residential amenities currently enjoyed'.
- Both Medway Council and Canterbury City Council have recently rejected microcells. Medway rejected it on the grounds of lack of information and the location map being incorrect.



- Richmond-upon-Thames - PDR mast rejected on grounds that the location (near a school) meant there was reasonable public concern over the possible health risks. The Council said the closeness of the school was an important factor.
- Wealden District Council is holding a forum on April 14th for Councillors and representatives from the phone companies. Orange, Vodafone, One2One and Cellnet are attending and giving presentations and answering questions. A representative from our Group is attending but the meeting is closed to members of the public. Encourage your local council to organise a similar event.
- Anyone speak Catalan? We have details from Barcelona about exclusion zones.....we think. Any offers to translate it?

Media Interest


April edition of WHICH? magazine includes a lot of clear explanations on phones, and concludes that many shields do not give full protection from radiation. The hands free kits they tested actually increased radiation levels threefold, and fed it more directly to the brain through the earpiece. Their advice is 'Don't waste your money.' _____

The 'Daily Express' has run a series of articles on the effects of mobile phone masts. On the 8th March our office was published as a contact and as a result, we received over 150 telephone calls asking for help. We got a further 48 following the 'You and Yours' broadcast.

The 'Kent Messenger' group has been mapping all the masts in Kent and any effects people have reported. Send them details of any Kent cases you know.


GOVERNMENT & COUNCIL ACTION

County, District & Borough Councils Have Been Taking Action To Restrict Masts & Monitor Their Locations. Thumbs Up To The Following Councils:

- Kent County Council - Has banned the construction of all masts on its land, property and highways, including schools, pending the results of the Stewart Report, as have Sevenoaks and Dartford District Councils and several other Councils within Kent.
- Kent & Medway Towns Fire Authority - Banned masts on their fire stations. 
- Bournemouth Borough Council - refused a 27 metre mast earlier this year on visual grounds. However, this decision was later overturned by the Government on 8th Feb 2000. An antennae within a water tower was also refused, which goes to public inquiry in June.

National Political Groups

•Labour Party - Are still awaiting the Stewart Report which is due out in April. There is doubt as to whether this report will be made public or whether the Government will act upon it. Lobby your local MP to raise questions in the House of Commons about its publication, after all - the results could affect everyone.

No clear guidance has been given by the Government on what it intends to do in the face of such public concern and it has given no lead on changing policies on their siting. 

•Conservative Party Briefing. Bit short on teeth but a step in the right direction. The main points were:

- ~To give local communities & Planning Authorities a greater say over mast decisions
- ~Proposes Full Planning Permission will be required by more but not all mast applications.
- ~Proposes an exclusion zone of 15metres which is insufficient but at least recognises the need for such a measure and allows for a review in time.
- ~Proposes to enforce mast sharing and a better balance between environmental & commercial concerns



•Liberal Democrat Party - MPs have raised a number of questions in the House of Commons as regards masts and the Stewart Report. 1999 Conference advocated by overwhelming majority the removal of Permitted Development Rights, ensuring all mast applications have to go through the full planning process. Phil Willis has tabled the question at our request

Questions In Parliament



28th January 2000 - Dr Howard Stoaate to the Secretary of State for Health, re NRPB guidelines on emission levels (Hansard Vol. 343 No. 35)

1st March 2000 - Mr John Bercow moved a Bill on Telecommunication Masts asking for the NRPB to study the non thermal effects of microwave radiation, and requesting full Parliamentary debate on research work (Hansard Vol. 345 No. 54). Its second reading was due to occur on the 7th April 2000 but parliamentary time did not allow this. Watch this space.

There have been various other questions too. See the back page for details.



The Precautionary Principle



What is it?

The Precautionary Principle is part of the 1993 Maastricht Treaty. It covers cases where scientific evidence is insufficient, inconclusive or uncertain and preliminary scientific evaluation indicates that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the high level of protection chosen by the European Union. All Member States (such as the UK) are bound to this, and there is some unhappiness that the UK Government has not yet included it in environment planning policies and guidance.

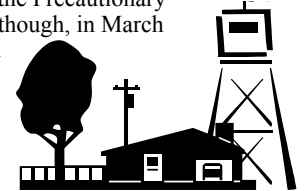


How will it help me?

It can give a useful platform for a campaign against a mast if the site is near residential areas, schools, hospitals etc. At present, as there is no conclusive proof either way about the effects of mobile phone masts, it is a useful tool for encouraging Planning Authorities to think more seriously about where they are sited.

Have any Councils taken advantage of this policy?

Yes, several. Mendip Council adopted the policy. Great Yarmouth Borough Council, January 1997- recommended masts be sited away from sensitive areas pending further evidence. March 1998- Harborough District Council did the same. March 1999 - Newtownards decided on a buffer zone of 200 metres from homes, schools & hospitals. Mendip also adopted the Principle in March 1999. August 1999 - The Local Government Association of England & Wales (LGA) issued guidance to its Local Authority Members to adopt the Precautionary Principle. September 1999 - The National Union of Teachers supported the LGA position. Most importantly though, in March 2000, the Scottish Parliamentary Committee has recommended that the Scottish Parliament adopt this approach.



Limits

It is not a justification for ignoring scientific evidence. It is there simply to help protect against the unknown.

Where can I find out more about it?

The relevant part of the Treaty can be found at <http://europa.eu.int/abc/obj/treaties/en/entr6d16.htm> it is called 'TitleXVI Article 130r' and should be available from libraries. Also Article 74 of the later Amsterdam Treaty. If you are unable to obtain or view a copy, send an S.A.E. to our office (address at the end of the page).



If you think a mast near you exceeds the emission levels recommended by the NRPB it is possible to have the levels measured but the cost has to be borne by the complainant (i.e. whoever wants the levels measured). This is a costly business though in the range of £2500 to £5000 and as much as £25,000 for it to be done properly! However, a broad-band metre survey with a short report is cheaper - from approx. £500 (Powerwatch). It is permitted for power densities to exceed NRPB guidelines within a couple of metres of the antennae. Contact the National Radiological Protection Board (NRPB) and Powerwatch (see below). Some phone companies will check the levels themselves - contact the owners of the masts near you



- Phone Mast Action Group Website - <http://freespace.virginnet.co.uk/mast.action/kent.htm>
- Scottish Parliament Report on Telecommunications - www.scottish.parliament.uk
- Powerwatch - www.powerwatch.org.uk - useful information on emissions.
- 'Electromagnetic Hazard & Therapy' - A quarterly news report. Contact Simon Best at simonbest@cybersite2000.co.uk or see the website www.perspective.co.uk



Questions In Parliament - Mr Norman, 2nd Dec 1999; Angela Smith 21st Dec 1999; Ms Shipley 12th Jan 2000; Dr Stoate 27th Jan 2000; Edward Davey 10th Feb 2000; Mr Sayeed 21st Feb 2000; Dr Stoate 28th Feb 2000; Mr Breed 16th March 2000; Mr Burns 20th March 2000; Mr Key 22nd March 2000. All written answers that are published in Hansard, the House of Commons publication and are available on the internet and from the House of Commons.

Aerial Group - A company that deals with mast construction etc. - their website often contains information about where future masts are to be sited. www.aerialgroup.com

Liberal Democrat Group - Kent County Council - Action Letters number 1 & 2 contain useful information on planning regulations and how/where to protest against masts. Also details of success stories, health effects and other contacts. See address below.

Details of bidding for new phone company licences www.spectrumauctions.gov.uk



DETR - Circular 04/99 Telecommunications, in particular Permitted Development Rights

Independent Expert Group - Website to contact them is <http://www.iegmp.org.uk> or write to Dr John w. Stather, Secretary of the Independent Expert Group on Mobile Phones, IEGMP/WW, c/o National Radiological Protection Board, Chilton, Didcot, Oxon, OX11 0RQ.

Bills In Parliament - Mr John Bercow moved a Bill on Telecommunications Masts on 1st March 2000. Its second reading was set for the 7th April but the House ran out of time. Lobby your MP to support it (Hansard Vol 345 No 54).

Radiocommunications Agency- www.radio.gov.uk or Wyndham House, 189 Marsh Wall, London E14 9SX Tel. 020 7211 0211

Other Websites: www.microwavenews.com www.cameo.freeisp.co.uk www.emfguru.com

National Radiological Protection Board (NRPB) 01235 831600 or www.nrp.org.uk

If you would like copies of Mobile Phone Mast Action Letters No. 1 & 2 or additional copies of this update sheet please send a covering letter and S.A.E. to the **Liberal Democrat Group, Kent County Council, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ. Tel: 01622 694239 Fax: 01622 694219 E-mail: libdem@kent.gov.uk**