

2.6 Connétable D.J. Murphy of Grouville of the Minister for Planning and Environment regarding policy on applications for the erection of mobile telephone masts in the Green and Countryside Zones:

Following the submission of applications for the erection of 2 mobile phone masts on agricultural fields in Grouville, would the Minister advise Members whether it is his policy to approve applications of this type in the green zone and countryside zone, and would he state what pressure, if any, he has received from the Jersey Competition Regulatory Authority or the Minister for Economic Development in relation to such applications?

Senator F.E. Cohen (The Minister for Planning and Environment):

Applications for telecommunications equipment are assessed on a number of Island Plan policies. The most relevant is NR.12. It states that the conditions under which telecommunications equipment applications will be determined. Each application submitted is assessed against the criteria of NR.12. Accordingly, I impose greater restrictions on the design of equipment in more sensitive areas. There will undoubtedly be an impact on the Countryside and Green Zones; thus I have made a decision to only allow wooden telegraph pole designs that minimise the impact and significantly lower emissions. The disadvantage is that they cannot be shared. The alternative would have been to allow lattice masts that could have been more easily shared. However, this would have required many huge lattice masts and I considered this an unacceptable impact. Only one-fifth of the Island's surface lies within the built-up area boundary, therefore by definition, Island-wide coverage necessitates placing installations in the countryside. I can confirm that neither I nor my officers have had any contact with the J.C.R.A. (Jersey Competition Regulatory Authority). Furthermore, the Minister for Economic Development has not brought any pressure whatsoever on me in relation to mobile phone applications.

2.6.1 The Connétable of Grouville:

Is the Minister aware that of the 33 applications which have referred to the Countryside Zone where there is a presumption against development, 30 have been approved? Is that a normal ratio? Secondly, there appear to be 38 applications on properties owned by the States, of which 34 have been approved. Is this a proper ratio as well? I would ask the Minister if he could answer those questions.

Senator F.E. Cohen:

I do not think I can comment on whether it is a proper ratio. What I can do is comment on the fact that if we are to have Island-wide coverage, this necessitates a number of masts to ensure that we do have effective Island-wide coverage. It was not my decision to allow the multiplicity of licences, but an effect of the multiplicity of licences is the large number of applications. I have already explained how I deal with the applications, and I am trying to minimise the impact, but as I previously stated, there need to be masts in the Countryside and Green Zones if we are to have Island-wide coverage.

2.6.2 Senator B.E. Shenton:

Can the Minister confirm that where masts are on States-owned land that the appropriate public liability insurance is in place?

Senator F.E. Cohen:

I am not aware of whether appropriate public liability insurance is in place, but I will certainly ask the question and relay it to Senator Shenton accordingly.

2.6.3 The Connétable of Grouville:

I am not at all happy about the answers to the questions. It seems that there is a presumption for development of these masts in the Countryside Zone and not against. The figures speak for themselves, Sir. I would like to ask the Minister if he has heard the expression, "Just say no"?

Senator F.E. Cohen:

The position is that each application is considered on its merits. However, that is within an envelope of requiring Island-wide coverage for mobile network operators. My objective is to minimise the impact, and I have done so by limiting applications to wooden telegraph poles. I simply am not able to say a blanket "no". I have to consider the applications on their merits.

2.6.4 Connétable A.S. Crowcroft of St. Helier:

Is the Minister aware of the visual impact on the signal station and the proposed S.S.I. (Site of Special Interest) of Fort Regent of the proliferation of masts that have appeared in recent years, as well as the potential with damage to the S.S.I. from their installation?

Senator F.E. Cohen:

I am aware of the number of masts that have been erected on the signal station. I am also aware that a number of these masts are not related to mobile telecommunications networks, but other radio operations. I am concerned about the impact on the signal station and I have already determined that I will be having a full investigation into the effects on the signal station.

2.6.5 Deputy C.F. Labey of Grouville:

Does the Planning Minister not accept that while the health issues are still unknown, because the mobile phones have not been with us that long, a precautionary measure to planning ought to be adopted, just like the French have done?

Senator F.E. Cohen:

Firstly, I am not quite sure what French measures the Deputy is referring to. Yesterday I was in contact with the French Agency for Environmental and Occupational Health Safety, and they have confirmed the French have not adopted any specific regulations relating to exclusion zones between mobile phone base stations and schools and residences. The current position is, as far as I am aware - and bear in mind I am not a scientist - that the I.C.N.I.R. (International Commission

on Non-Ionising Radiation Protection) have set limits which are regarded worldwide as safe. I am assured that outputs from the Jersey wooden telegraph poles are no more than 1/50,000 of the I.C.N.I.R. allowed limits. I think we are taking a reasonably precautionary position, but I am not in a position obviously to be able to say that I can guarantee the safety of masts. What I can do is say that I am not aware of any dangers.

2.6.6 Deputy R.G. Le Hérisier:

Would the Minister not acknowledge that it is part of his role not to accept uncritically, for example, the presence of 4 potential operators with a potential for 200 masts, and that it is his role to analyse whether a more aesthetically pleasing and viable solution can be found, rather than this unbelievable proliferation on such a small land entity?

Senator F.E. Cohen:

As I have already explained, there were 2 alternatives: either a larger number of small masts, and I believe that the wooden replica telegraph poles, while not ideal, are the best I could come up with. The alternative to that was a large number of very ugly, very tall masts of the size of the masts at Les Platons, which I believe is 52 metres; or the one at Five Oaks, which I believe is 57 metres. There simply is not an opportunity to reduce the number of masts if we go the wooden telegraph pole route, because you cannot share them. The way they are designed is that the pole is hollow and a lot of the electronics is hidden inside the pole, so if you try and share them you end up with a proliferation of bits screwed on to the side of the wooden pole and it becomes extremely ugly. There really is not an alternative to the path that I have chosen, bearing in mind that I was faced with the position of 3, and potentially 4, licences having been awarded. I am trying to limit the impact, but I cannot limit that to zero.

2.6.7 Deputy J.B. Fox of St. Helier:

Both the Minister and I have seen more decorative versions in Africa of these types of poles that do have a significant improvement on that which is going up at the moment, by the way of palm trees, and I just wonder if the Minister might not consider a third option of seeing whether these might not improve the look of our countryside's inappropriate form? **[Laughter]**

Senator F.E. Cohen:

The Deputy and I have discussed the large artificial palm trees that proliferate in Zambia, which I have seen. I did look at this quite seriously. The problem is that Jersey, as you know, has many small valleys and it is simply not a case of sticking one or 2 artificial palm trees up - or any other more familiar tree - and expecting to cover the Island. **[Laughter]** You simply cannot do it. I have also been exploring the approach that I understand was taken by the Mayor of Barcelona, who was concerned with the number of masts that were appearing in Barcelona. He commissioned Norman Foster to design an iconic tower and told the operators to stick all their masts at the time, but I am told that that is not suitable for Jersey. The sort of numbers of very tall masts, whether they be lattice or palm trees, would be

unacceptable. We are certainly talking of a minimum of 12, and we may be talking of up to 40.

2.6.8 The Connétable of Grouville:

In one of his previous answers, the Minister said he was obliged to provide Island-wide coverage for these operators. Does that obligation override the obligation of the Planning Laws?

Senator F.E. Cohen:

As I have already explained, the policy NR.12 - I think that is the correct number - includes the methodology of assessing these applications, and I am doing just that. I am applying the policy NR.12 in a proper way, I am trying to minimise the impact, but I am stuck with a very difficult job where there are currently 3 operators - with a fourth potentially in the wings - and if they are to have Island-wide coverage, which is the basis of their licences, there simply is no alternative to masts in the countryside. There are 2 choices: how many operators do we have, number one; and the second choice is do we go for very tall lattice masts and have fewer, or do we go for a smaller number of wooden replica telegraph poles? I have chosen the latter and I think it is a reasonable choice.