

HSSH Scrutiny Sub-Panel - Telephone Masts Review

Evening Meeting

FRIDAY, 19th JANUARY 2007

Panel:

Deputy A. Breckon of St. Saviour (Chairman)
Deputy C.H. Egré of St. Peter
Connétable M. Jackson of St. Brelade
Ms. C. Le Quesne (Scrutiny Officer)
Mr. M. Orbell (Scrutiny Officer)

Speakers:

Mr. R. Glover (Planning Department)
Mr. S. Smith (Assistant Director of Health Protection)
Mr. B. Trower (Radiation Research Trust)

Connétable M.K. Jackson of St. Brelade:

-- Health, Social Security and Health Scrutiny Sub-Panel and it has been formed to review telephone masts. Some of you will have in front of you the terms of reference and I will just read them out for clarity: "The sub-panel has been formed to consider the concerns of the public relating to the perceived health implications as a result of the increase in applications for mobile telephone mast installations following the recent expansion of the mobile telephony market. In undertaking this review, the sub-panel will have regard to the advice provided by the Health Protection Department, international standards and best practice in respect of health precautions, health concerns raised by the public and, in reporting its findings and recommendations to the States." This evening, the panel is made up of the Chairman Deputy Alan Breckon, the Deputy Chairman Collin Egré, Senator Ben Shenton and me. This evening, we are pleased to have representation from what I used to call the Public Health Department, now called the Health Protection Agency, Steve Smith, and a colleague here from Planning. Also, we have representation, ladies and gentlemen, here from Barrie Trower, a Scientific Advisor to the Radiation Research Trust, who very kindly gave a presentation to the panel this afternoon. I am sure he will be pleased to answer questions later on. The Scrutiny Officers we have down there are Carol Le Quesne and Malcolm Orbell and they will be pleased to receive any written addresses from you, email addresses or any representations you would like. They can be made to the Scrutiny Office in Morier House or by email, the address of which is on the flyer there. So, if anyone does not really feel they want to speak here but wants to write, please do so. We would be very pleased to receive any representations. This meeting is being recorded, so that we can document exactly what goes on. We

can have factual evidence, which is what scrutiny is all about. It has been set up so that we can receive your views and inputs. We are very keen to listen. So, ladies and gentlemen, I am going to pass you over to the Chairman, Deputy Breckon, who will hold the floor and receive your questions and answers. Thank you.

Deputy A. Breckon of St. Saviour (Chairman):

Thanks for that, Mike. I understand you have to leave us in about 10 minutes or so and we also have an apology from Senator Ben Shenton, who is a member of the sub-panel but had a prior engagement unfortunately that he could not get out of. What I would like to do first of all is give you the background to why this sub-panel was set up because there has been comment that nothing was happening. But I would like to give you perhaps an alternative view to that. This panel in fact did not exist until about 6 weeks ago, so in fact it could not have done the review. Somebody else might have done it. It may not. But among the turmoil of whether anything should be done or not, there was a proposal before the States from Deputy Patrick Ryan that there should be a committee of inquiry into telephone masts, competition and a number of other issues. There was a particularly messy debate in the States when nothing was decided and Deputy Ryan, under some pressure, decided to withdraw that proposal. So, in effect, it was going nowhere and that coincided with my election as Chairman of the Health, Social Security and Housing Scrutiny Panel. I was a bit powerless because States procedures said that for 13 days I could not appoint any committee members, so I could not in fact do anything. I had no members, no budget, no offices, nothing, so that was it. But it was decided that rather than do nothing, we would ghost it as if we could. So we had an officer who was collecting information and I can tell you we now have 3 but within weeks we had a substantial bundle like that and that was submissions. We were looking ourselves on the internet. We were collecting information locally and trying to get this so we could land running, as it were. Part of the process is to have what they call a scoping arrangement, which means what we are going to look at and why, and that builds into terms of reference. We are actually doing that in November. Although people were frustrated, what then happened was the States agreed to the election of 3 members of the panel, Deputy Judith Martin, Deputy Roy Le Hérissier (who was there last night) and Deputy Sean Power (who is here tonight). That panel then agreed that there would be indeed a sub-panel, which consists of the members that the Constable pointed out, so that is really where we were. We had to then set in process how we had done this. So although some time elapsed, it was not as if nothing was happening. Things in fact were and many people, some of whom might be here tonight had made submissions in that time, might feel frustrated but it was not the fault of this sub-panel. I can give you that assurance. So, as they say, we are where we are but we have tried to respond fairly quickly. We had a meeting last night, we had a hearing this afternoon and next week we have 3 days of hearing. Also, on 15th February, we have presentations by 2 invited visiting speakers. Dr. James Rubin from King's College, London, is a researcher and lecturer at the Mobile Phones Research Unit. Dr. John Stather is yet to confirm but he is Deputy Director, Radiation Protection Division, Centre for Radiation, Chemical and Environmental Hazards, the Health Protection Agency. What the officers

have done is to look far and wide at who we might consult with and what opinion they might give us. So that is what we have done and that is the background to some of where we are. The role of Scrutiny, I might add, is not for my benefit and, in part, it is to engage and involve the public. This is part of that process and you are very welcome and your contribution I can say is valued and is worth something. It is not that nobody is listening. That is what we are here for, primarily. The process of scrutiny is evidence-based, so we have to test what people tell us and test it against each other. That is not difficult because we are going into some areas in which we are not qualified, so therefore we need to seek expert guidance. There is some difficulty in that because some people are conflicted because they have been paid by somebody or other, so therefore we have to question some of this as well. Tonight we have a number of handouts. If there is anything that you want to take, please take whatever it is. If there is something else that you want, please speak to the officers. This is an open process. It is about you engaging. We have a deadline of 25th January for submissions, but if something comes in after that, we are not pulling up the drawbridge. It would still be welcome, but obviously we do not want them in May because we need to move on. Hopefully we can report in by the end of the first quarter, if not before. Back to tonight, we have had a number of apologies including the Minister of Planning and Environment. He was hoping to get here and he might be here, but I understand he has been unwell and if he can he will show his face. We had some information given to us by Jersey Telecom. They are the longest-serving operator and therefore they knew some of the background history. In a moment, I will ask Deputy Collin Egré to present the story as given to us by Jersey Telecom. He will be followed by Richard Glover of the Planning Department. He will give us the process and procedure for Planning. Then Stephen Smith, who is the author of the report that was prepared for the States under Health and Social Services, the Health Protection of Public Health Services, *Mobile Phones and Health - Mobile Phone Base Stations*. There are copies of that there if anybody wants that. Following that, the floor will be open to questions. There is no time set for finishing, but obviously if the questions are coming thick and fast we will keep going. If they are drying up and we are talking about the weather forecast, we will adjourn and do something else. It is your meeting. I would now like to hand over to Collin and he will move us on. Thank you.

Deputy C.H. Egré of St. Peter:

Thank you, Alan, and thank you for allowing a poor St. Peter's Deputy to come across the border into St. Brelade. Before I move on, I will just give you a little bit of my background. Other than coming from St. Peter, I did spend 27 years in the Royal Air Force, 10 of those years flying. The majority of the rest of the time I was involved in air traffic control, both as an operator and an instructor, including dealing with radar theory and comms theory. I also did an MSc in Civil Emergency Management when I left the Air Force some 10 years ago, which has given me a fair background with which to deal with issues like this in an objective fashion, I hope. I will just reiterate what Alan has said. This information I am giving you now has been supplied by Jersey Telecom, so treat it with that view, please. They go on to say: "The Jersey GSM (Global System for Mobile Communications) network was opened in

December 1994. Since then, this second-generation (2G) network has been enhanced and upgraded to provide 2G, incorporating GPRS (General Packet Radio Service), offering high-speed data at up to 80 kilobytes per second, and most recently third-generation (3G) mobile telephone communications infrastructure.” The company state: “The mobile network is fully compliant with the international standards as required by license conditions 17.1 and 20.3 of the telecommunications licence for Jersey Telecom issued by the JCRA (Jersey Competition Regulatory Authority) which state: (a) The licensee shall develop and operate the licensed telecommunications system so as progressively to achieve standards in line with international best practice, (b) The licensee shall ensure that non-ionising radiation emissions from its licensed telecommunications system are within limits specified by the guidelines published by the International Commission for Non-Ionising Radiation Protection, known as ICNIRP, and that it complies with any radiation emission standards adopted and published from time to time by BSI (British Standards Institution), ETSI (European Telecommunication Standards Institute) and European Committee for Electro-Technical Standardisation and other standards specified by the JCRA.” Jersey Telecom states that they were complying such obligations in advance of them becoming explicit requirements under the licensing regime of the JCRA. As far as the company is concerned, it states that the Island of Jersey presents a number of design challenges for them, given its geographic topography. They state there are many hills, valleys and bays - as we all know - which require specific coverage solutions. Through the use of carefully positioned macro cell sites and a number of dedicated micro cell sites with small antennae, Jersey Telecom has been able to provide a mobile 2G network with over 99 per cent geographic outdoor coverage and hopes to attain similar coverage levels for the 3G network. Rolling out the network in this manner, utilising micro as opposed to macro sites, has struck a balance between providing the required level of coverage to subscribers while avoiding the need for significant mast structures across the Island. They also state: “Given the close proximity of the French mainland, there is an international agreement about frequency use and the output power of some cell sites and this has generally led to the use of lower powered cell sites. It should be borne in mind too that the GSM does not lend itself to the use of high-powered cell sites. Such cell sites would be able to transmit their signals easily to any handset; however, the output power of the average handset is less than a watt and its range and therefore its ability to communicate back to the cell site is limited. The practical reality is that the power in each direction will be evenly balanced. It also states that Jersey is unique in being composed almost entirely of granite and many of the buildings are also made of granite or concrete blocks made of granite chippings. Granite is a very good absorber of radio waves and frequencies used for mobile telephony and this makes 100 per cent indoor coverage difficult to achieve, and is another reason for having many low powered cell sites rather than fewer high powered ones. In order to provide the capacity to service the needs of many simultaneous users, it is necessary to reuse individual frequencies many times over. Again, by having many low powered cell sites, it is possible to use the same frequencies on non-adjacent sites. The introduction of competition means that the frequency spectrum, once solely occupied by Jersey Telecom, must now be shared, making frequency use even more critical. Thus, cell site radii must be shrunk further, requiring even more sites to obtain

the necessary coverage. This will be required by the competitors.” Jersey Telecom also quotes some key facts. They are: “At present, there are in excess of 102,038 GSM consumers. Jersey Telecom estimates that the mobile penetration is now reaching over 116 per cent.” In fact, what they are saying there is there are more mobile telephones in Jersey than there are people in Jersey. That figure, by the way, is from figures obtained in December 2006. They also state: “The network supports both post and prepaid customers with prepaid roaming having been launched on 1st July 2004.” They also state: “Mobile coverage is now almost 100 per cent across the Island with very high levels of in-building use achieved. The same standards are being applied to the rollout of the 3G network, enabling customers to attain the benefits of a high-speed data network. The network is based on the standard GSM 900 and 1,800-megahertz and more recently 2,100-megahertz technology with GRPS services launched in September 2002.” Call success rate of their GSM 2 and 2.5 G network, they state, is in excess of 98 per cent with dropped calls well under 1 per cent. It is interesting to note that calls are carried via 3 submarine cables: one directly to France, one to the UK via Guernsey and one directly to the UK in conjunction with the 3 microwave links; 2 links to Guernsey and one to France. In their conclusions, the company states: “Jersey Telecom has been providing a high quality mobile telecommunication service in Jersey for over 20 years. It currently supports more than 100,000 subscribers and maintains a penetration of 116 per cent. It is a resilient and modern network, which is continuously expanded and upgraded, allowing subscribers of both residential and business services access to the latest voice and data network facilities for both private and business use. The topography of the Island and the unique challenges this presents, the need to share the frequency spectrum between the mobile operators and the need to re-use frequencies to increase spectrum efficiency requires the use of many small cell sites rather than fewer more powerful sites. Independent surveys have shown conclusively that the emissions from all the Jersey Telecom cell sites are only a small fraction of the safe level recommended by the International Commission for Non-Ionising Radiation Protection. Jersey Telecom in conjunction with its suppliers has the experience and expertise to build, operate and maintain an inherently safe mobile network.” The last paragraph is a good advert. That is the complete element of the submission that was given to us by Jersey Telecom.

Deputy A. Breckon:

Thank you for that, Collin. I ask Richard Glover of Planning to give the situation regarding planning for telephone masts.

Mr. R. Glover:

With the exception of antennae that cannot be seen from the public road or antennae placed inside buildings and equipment that has been installed by or on behalf of the States, all telecommunication equipment requires planning permission. Once the planning application is received and registered, the application is advertised in accordance with the Planning and Building Law 2002. Appropriate consultations are sent out, asking for bodies’ comments on the applications as submitted. All the

telecommunications applications are sent to the Health Protection Service of Health and Social Services Department, seeking their comments. I will come on to their involvement a little later. The relevant policy against which all telecommunication applications are judged is contained in the Island Plan 2002, policy NR12, which states: “Telecommunications development will normally be permitted where (1) siting and design will not unreasonably affect the character of the area; (2) all practical possibilities of sharing facilities have been explored; (3) there will be no unacceptable impact on residential amenity and (4) the proposal is in accordance with other principles and policies of the plan.” If we look at those in turn: in terms of siting and design not unreasonably affecting the character of the area, before any applications have been received from any of the companies, each company has provided a network plan to Planning which identifies all the mast sharing sites and the anticipated number of new sites that will be required in order to gain coverage of the Island. Then, for each individual application, the operator has to demonstrate they have considered the best design solution in terms of the visual impact on the area of what they are proposing. Where there are no lattice masts, towers or appropriate rooftop sites, for instance, companies have to apply for new masts. In these cases, the masts have been specified to be designed as similar to replica telegraph poles and the design hides as much equipment as possible inside the pole. It is thought to be the most appropriate design for Jersey, rather than the mass-produced designs that you can see either in France, elsewhere on the Continent or in the UK. The disadvantage of the wooden-clad pole is it cannot be shared by more than one operator. The only way mast sharing is possible is to build large structures in order to achieve the separation for the technical specification that the equipment needs between them. This brings us on to the second point of the policy, which says: “All practical possibilities of sharing facilities have been explored.” The initial contact by the companies includes a site coverage plan to demonstrate how they foresee serving the Island. In assessing whether there are any sharing facilities available, we have to take this into consideration in order to provide a network for the companies. All existing infrastructure that can support additional equipment - and that means either lattice masts or rooftop sites - is currently being shared by at least 2 of the companies on the Island and, in some cases, all 3 are co-located on the same site. The only way that we can create new facilities for the companies to share is to build large lattice-type masts. The minimum size for one of these would be 30 metres in order to accommodate 3 companies. The conclusion has been that it would be better and have less marked impact on the environment to have more of the smaller masts than insisting on single large masts that are shared by all the companies. We then look at whether there is an unacceptable impact on residential amenity. In this case, the visual impact of every application, whether it is on existing infrastructure or new, is individually assessed from neighbouring residential dwellings. Other amenity issues such as whether there will be an increase in traffic, whether there is any implication for highway safety, noise or light pollution are always taken into consideration, but this has to be a balanced approach. We have to consider whether it is an unacceptable impact on residential amenity, not whether there is any impact whatsoever. There has to be a point where we will accept impact. The fourth point of the policy is that the proposal is in accordance with other principles and policies in the plan. This is a catchall phrase that is used in every policy within the

plan to ensure that there is compliance throughout all developments on the Island. In addition to the normal information that we always require with planning applications, such as scale drawings and photomontages and site plans, all applications for telecommunications equipment have to be accompanied by an ICNIRP certificate. That is the International Commission for Non-Ionising Radiological Protection. This provides an estimated maximum emission level. This is insisted upon and the companies have to come up with calculations to show what they think the emissions will be. This goes beyond what is current practice in the UK and, indeed, what was recommended by the Stewart Report, both of which only require a certificate of self-compliance where the companies submit a certificate signed by a suitably qualified person to say: "This will accord with ICNIRP standards" and no actual figures are provided. When we send out the consultations on the applications, this information is sent to the Health Protection Department, who comment on the proposed limits. So, every single application and what the estimated emissions will be is considered in detail by Health Protection. In determining the application, the Planning Department considers objections raised on potential health grounds, if there are any, against the comments received from the Health Department to take a balanced view as to the reasonable decision to take. With all applications that have been approved so far, there has also been a condition attached to the consent that, again, goes well beyond the Stewart Report recommendations and is current practice in the UK. The condition requires that, following commissioning of any mast, the company has to test the actual emissions from the site and submit that to the Planning Department. This is compared against what the estimated emissions were and is also subject to consultation with the Health Protection Department, who will give comments as to what, if any, the likely health impacts are. So far, up until 15th January, since Cable and Wireless arrived in the Island, which also prompted Jersey Telecom to move to upgrade their existing facilities to 3G, there have been the following numbers of applications. This does not represent the total number of sites that may be developed because some sites, as I have said, are already shared, so there might be double counting. Also, not necessarily all the applications will be followed through. It all depends on how the coverage is being achieved by each company. Jersey Telecom has had 59 approvals and they still have 3 applications pending. Cable and Wireless have 51 approvals with none pending. Airtel have 29 approvals with 18 pending. The anticipated total installations for all 3 companies (again, this includes where there may be co-located installations) is currently estimated to be approximately 150 installations. Of this total, between 70 and 80 will be wooden-clad replica telegraph pole designs, so that will be 70 to 80 new poles, 40 of which are already in place. The remainder are installations on existing lattice towers or rooftop sites. Since it was determined that the sub-panel would be considering these issues, every application that has been approved has also had another condition attached, which says the permission is conditional upon the findings of the sub-panel. So all those permissions will have to have regard to what the outcome of these investigations may be.

Deputy A. Breckon:

Steve, would you like to speak?

Mr. S. Smith:

Yes. As you are aware, a copy of the report that we produced is available at the front. If you require a copy, please take one. Just to expand a little bit on what Richard has said in terms of our involvement here, every consultation that we receive we look at in detail to confirm that there are no issues in terms of non-compliance with the international standards. Clearly, as a small jurisdiction, Jersey is reliant upon national and international organisations who are considered, if you like, the experts for us from which to draw our advice when we undertake a piece of work like this. Clearly, in our particular instance, we have relied heavily on the Health Protection Agency, Radiation Protection Division, the World Health Organisation and the standards which they have produced in terms of what we are looking at here. Over and above those standards, in the UK there is in any event an agreement between the providers of this equipment and the UK Government that they would be looking to provide services which are a magnitude lower in terms of emissions than the standard. The advice I have received from the Health Protection Agency, who have undertaken extensive testing in the UK, is that that has been complied with. Certainly the information that has been provided by the suppliers here with regard to their individual applications equally shows that the emissions from their particular apparatus will be a magnitude below the required standards. In some instances, those are as low as 1,000 times less than the standard in terms of emission. So, if we are looking at a comfort zone in terms of the potential exposure of people to the standard, then clearly we have a very good margin to be satisfied with. As an example, one of the particular cases we looked at in detail very recently was a mast in St. Martin where a resident had raised with us concerns about a particular emission from a fairly close mast. We were able to obtain both estimated values and, in this particular instance, measured values in terms of the emission from the mast and we were able then to calculate what the particular effects were likely to be on the property. In that particular instance, the measurement calculation worked out at 8 one-millionths of the standard in terms of the effect on the property. So that gives you some understanding of how low emission values are in particular instances. Obviously, not everyone is like that, but certainly many of them are at least 1,000 times lower than the standard that ICNIRP has put forward. In terms of what we have required in the report here, we have required the operators to provide evidence at the end of the period where they have had a permit granted to ensure that the levels they have provided to us are in fact being met. This is a further measure to ensure that what is happening on the Island and what the residents are being exposed to is correct. The measurements we have found so far certainly are well within that and we have had no reason to question any of the figures put to us so far. In working on this report and also in keeping up to date with what is happening in the mobile technology market, clearly we have close links with the Health Protection Agency. We are advised by them of what is happening. They are people who have their fingers on the pulse, if you like. Something people have picked up on is that their reports, both the Stewart Report (2000) and the NRPB (National Radiological Protection Board) report (2004), clearly do not say that sites are safe. In any scientific issue, no organisation is likely to say that something is entirely safe. Clearly, the standards put in place are there and are designed to turn what

otherwise could potentially be a danger into something which is a managed hazard. The continuing research that we see peer reviewed and provided with comment on from the HPA suggests that the overall comment that there is not a concern for human health still continues. There is research which is ongoing. There will be a paper produced in the next few months from the University of Essex, where they have been looking at electromagnetic radiation and hypersensitivity, which will provide further information on some of the concerns people have had. We have had comments from Denmark, where a very wide study looked at cancer and its effects. At the moment, certainly the information we are continuing to receive is supporting the comments which have been stated in those previous reports and which we reiterate here. Currently, there is no cause for concern. But clearly, the academic organisations and the international organisations are continuing to look at the situation.

Deputy A. Breckon:

Thanks for that. Just before I take questions, what I propose to do is just run through and give a brief résumé of what the 3 speakers said and then it is over to you. We do have a roving microphone. If you do want to ask a question, I ask that you put your hand up, please, and say who you are for the benefit of the recording. We will be transcribing this as well. Deputy Collin Egré got us underway with the view according to Jersey Telecom. He said that GSM came in 1994 and Jersey Telecom said that their network is fully compliant. They use macro and micro systems. They have an agreement with the French regarding signalling and the many granite features in the Island mean that they have many low power units. He mentioned what they had said about the competition and the saturation was 116 per cent but, like cars, we all have one more than we need. There are 102 mobile phones and that is the agreement they have. Those facts were from December 2006. They claim to have 100 per cent coverage of the Island and they have a call success of 98 per cent. There are 3 submarine cables and 3 microlinks. They have had high quality mobile services for over 20 years and they say they are sharing and caring. They use a lot of small sites and they have, they say, safe levels of operation. Richard Glover, who is Director of Planning, gave us the background to the applications and the process that is required under the Building and Planning Law 2002. They are pleased to receive comments in general and refer them to the Health Protection Unit for their opinion. All this operates under policy NR12 under the Island Planning Law 2002. The siting and design of masts is the visual impact and there was the introduction more recently of replica telephone poles. I think that was at the insistence of the Planning Minister. However, the downside is they cannot be shared. Mass sharing does involve a large facility and, in general terms, they are asking the operators to show their site coverage for the Island. They want to have a look at this and then set that against sharing, perhaps, in the network. There are lattice arrangements, which can be up to 30 metres if new ones would be required for the 3 operators. There are also many rooftop operations. The general conclusion of the Planning Department was that small is better. Considerations are given in residential areas about neighbours, traffic and possible nuisance. The question is: is it acceptable or unacceptable? Scale drawings need to be submitted and certification and a demonstration of emission levels and the requirements exceed the recommendations

of the Lord Stewart Report. Also, these are referred also to the Health Protection Department and they will consider anything that is referred to them. There is a balance on the suggested health implications against the other things within the Planning Law. Conditions can be attached and they do commission tests. They compare estimates with the actual, once the things are in situ. Again, the Health Protection Department is asked to comment. We were told that Jersey Telecom, Cable and Wireless and Airtel have respectively 59, 51 and 29 and, between the 3 of them, there are 21 planning applications outstanding. A total for the 3 telecom companies is estimated to be 150, of which 70-80 would be wood and 40 of which are already in situ. This sub-panel has caused a change in tack from the Planning Minister in that he has given a conditional permit for 12 months subject to the findings of this panel. As I said at the start, that is why these things are not a waste of time. It could well make a difference. Steve Smith, Assistant Director of Health Protection, told us that as well as being a Jersey organisation, they rely on other professional organisations and standards, not just in the UK but elsewhere. There is an agreement with the UK Government and service providers. In general terms, they work at lower levels. There are some compliance issues, below which the Jersey telecoms have demonstrated they work. He also mentioned some comfort zones and sometimes these can be 1,000 times less than some of the recommendations. In his professional opinion, that is a satisfactory margin and that is backed up by professional advice. He quoted an example of a mast at St. Martin where estimates had been given. Emissions were measured and he said that a lower value had been recorded. The operators are required to provide information and measurements and they have to be within agreed limits. They do bear in mind things like the recommendations of the Stewart Report and the NRPB of 2004. He did acknowledge that no site can be considered entirely safe, but he mentioned turning danger into a possible managed hazard. Although there might be a concern for health, there is research ongoing, like at the University of Essex. He mentioned Denmark and generally they are looking in other areas as well as the UK and taking professional and technical advice. So, ladies and gentlemen, that is where we are to date. It is now over to you. If anybody would like to ask any questions, the only thing I would say is that these 2 gentlemen are civil servants, so they cannot answer political questions. Collin Egré is across the border from St. Peter, so if you want to give it to him in the neck, now is your chance. I am here also. Obviously, if it is of a technical nature, we might need to seek advice. I did say earlier that we have 3 days of hearings next week. Perhaps one benefit of sessions like tonight is you might ask us questions that we might like to ask of someone else like the telecom operators, the World Health Organisation and a number of other people with professional knowledge, including the Competition Authority. We can ask the questions you ask us. Having said that, we are not just going to sit here and do nothing. We will try and respond where we can. Thank you.

Ms. M. Dubras:

Thank you. My name is Mary Dubras and I have concerns about the site at Les Creux Country Park. I have come to this late because I thought in the *JEP* it was marked as Field 195A but I think now it is actually Field 195. Could I have clarification on that, whether that is correct, because there does not

seem to be a 195A? It is the site adjacent to the car park at Les Creux Country Park and I would also -- my concern on health is there is a current permit on Field 195, which is on the right-hand side as you go in to the Country Park for 30 allotments for the parish, which is badly needed this side of the Island. It was only held in abeyance because the Sports, Leisure and Recreation, at that time, did not have the funds to complete the work. There were changes made to reduce the cost. It is still valid and the health aspects on the land, I think, are important to address. Thank you.

Deputy A. Breckon:

Richard may like to comment but can I say, if an application has been submitted and the details are incorrect, then it would not be allowed. It would need to be submitted again. So obviously you would need to watch --

Ms. M. Dubras:

I am sorry. That is 2 years ago. I had finished work and was a planner, so I do know that. Thank you.

Mr. R. Glover:

I am afraid I cannot tell you the exact details. I do not have any of the applications with me. But certainly we will clarify that. If there is a mistake and it is moving significantly, then it will be re-advertised.

Ms. M. Dubras:

We now have 2 other allotment areas, one in Trinity and one in St. Lawrence, and the old one at Grouville and there is very much a need for allotment areas on this side of the Island. To lose it --

Mr. R. Glover:

If a permit is granted, it will not override the allotment permits. If you have concerns over the health, then they are concerns that are taken into consideration when the application is determined.

Ms. M. Dubras:

I am just concerned about if a mast is going there and if the allotments then do come into fruition, if the States have money for them, which is the way things are going, how many people want organic food and vegetables. How will the mast affect the land?

Deputy A. Breckon:

What we can do certainly on the planning issue, if it is not correct we can look at that and we have a note of what that is and somebody can get back to you on that if you give us details. But the other thing is let us assume that the field number is correct and it is considered. Then that is what these guys are here for: to give an opinion on that. Having said that, you have 21 days, as you know, if the application

has been advertised, to raise any objections you might have about the siting of it and whatever else. But they would then give professional opinion, as you know, about the planning issues and then Steve will be asked to comment on the health issues, depending on where it is and what is in the vicinity. I would assume, with a planning application, if there is another application that overlaps, be it residential or allotments, then that is taken into consideration as well. It does not override it. It is considered, I would think, alongside it.

Mr. R. Glover:

It is. All representations are taken into consideration and all the issues and material considerations are balanced against each other in reaching a decision.

Ms. M. Dubras:

Because the Sport, Leisure and Recreation Committee are now defunct, I do not know who I am addressing the application for the allotments or whether it is. I know the funds at Les Creux -- they only have 45,000 in the coffers at the time and the --

Deputy A. Breckon:

I have no idea about those things, I am sorry.

Ms. M. Dubras:

I do not know who progresses Les Creux, effectively, and who runs it and who then takes up the concerns for the general public of the Island about what is used at Les Creux. They have bowls, they have the walks and the new pathway for La Moye School. So it really needs to be addressed to whichever committee are running that.

Deputy A. Breckon:

The Minister responsible is Senator Mike Vibert, who has education support.

The Deputy of St. Peter:

Just to clarify one point you have made there, one of your concerns is what effect electromagnetic radiation has on the land?

Ms. M. Dubras:

Yes.

Mr. S. Smith:

From the human aspect, I am assuming at the moment that because it is part of Les Creux Park, the public has access to it, in which case the aerial, if it is provided there, will certainly have to comply with

ICNIRP standards. If the public has access to that area, the level of emission affecting that area must be a magnitude below the current standards. So, whether it is open to the public as a walk area or whether it is open to allotment holders at a future date, that should still be taken into consideration.

Mr. P. Harrison:

My name is Peter Harrison. Two technical questions, small ones, for Mr. Smith. Firstly, when you talk about levels of emission 1,000th of the acceptable standard, are we talking about an exponential scale there when you are using the term "1,000"? In the same way that one would measure sounds, for example, decibels, they move up exponentially. In other words, it is not a linear scale. It is an exponential scale. Is that the nature of measurements of emissions of this type?

Mr. S. Smith:

The noise is slightly different because, of course, it is a logarithmic scale. We are not talking about a logarithmic scale here, as I understand it.

Mr. P. Harrison:

I accept that, yes. When I talk about a exponential scale I mean a logarithmic scale? You are not talking about a logarithmic scale?

Mr. S. Smith:

No, we are talking about actual figures in terms of watts per metre or watts per centimetre.

Mr. P. Harrison:

The other part of the question was, when you talk about testing, does it mean that your department has the means to test or are you in the same position that the UK Government often seems to be in, for example, when evaluating the effect of medicines, namely that it relies upon the producer of medicines to undertake tests and report the results. So, do you test or do the operators test after the event?

Mr. S. Smith:

No, the tests are not done by us. We do not have the resources or the equipment to do that, or the expertise to use that equipment. My understanding is that in many instances the operators bring in an independent person to do that. In the UK, the work that was undertaken by the HPA in terms of their measurements was undertaken by HPA staff. So I am sure what you are alluding to is the independence of the information that we are being provided.

Mr. P. Harrison:

Yes, and what confidence should we have in subsequent tests.

Mr. S. Smith:

Yes. To a degree, we are still in the hands of the operator. Unfortunately, that is a situation that, to a degree, we have to put up with, unless the States are prepared to undertake independent testing of these. At the moment, certainly that would be a fairly expensive exercise and not something which has been suggested at the moment.

Mr. P. Harrison:

It has not been suggested?

Mr. S. Smith:

No.

Mr. P. Harrison:

Have you any idea what the approximate capital cost would be to enable your department to do that?

Mr. S. Smith:

I have not, no.

Mr. P. Harrison:

Okay. In the basis of those questions, I commend it to the panel that that is something that ought to be addressed. Thank you.

Mr. J. Fox:

My name is John Fox, I am from La Moye area. My concern is collective output of transmissions, so putting aerials in places where there are other aerials. In one case, there is the radar we have to put up with up there, the weather radar station which, I believe, puts out hundreds of kilowatts of power, certainly a lot of it -- whether this is taken into consideration when putting up these aerials whether there are other transmissions in the area and they are just adding to it already? We know we have to have these aerials in the area. Everyone wants a mobile phone, so we have to put up with it, to some extent. But I wonder if they would look at that. The Radar Club has massive aerials all over their bunker at the moment. We now find there is a telephone aerial we did not even know was up there and 175 metres away we have a radar pulsing 360,000 pulses a month, I think, or something. You probably know more about that.

The Deputy of St. Peter:

I would have to know more about the radar itself, but I could certainly look into that one.

Mr. J. Fox:

But are collective outputs from other transmissions taken into consideration at the same time?

Mr. S. Smith:

The standards which are produced by ICNIRP are designed to take consideration of other environmental exposure, such as television and radio. Clearly, even since ICNIRP produced the standards in 1998, the level of wireless activity has increased significantly, partly because of computerisation with wireless technologies in people's properties, baby monitors, et cetera, all of which add to that RF band. That is part of progress, I suppose, in terms of technology. But the standards that they have produced are designed to take that into consideration.

Deputy A. Breckon:

Regarding that, I suppose some of what you are referring to is at the airport?

Mr. J. Fox:

For people who live near the airport, that is another issue.

The Deputy of St. Peter:

There is a weather radar down at La Moye, which sits on the coast. But there is also the signal radar as well, which is what you mentioned?

Mr. J. Fox:

Yes, it is about 170 metres away from one of the houses and the telephone aerial is less than 50 metres away from my neighbour and about 75 metres from me. There are other aerials on the building as well and I am worried about the collective issue. We already get interference on the television from the radar tower going round. A little white strip goes round each time it pulses, so we know we get a belt of something.

Deputy A. Breckon:

It could well be, following on from the previous question, that the monitoring then is not just a specific piece of apparatus; it is combined. So that point has been picked up.

Mr. J. Fox:

Indeed. If we put all the aerials in one place, we really have problems, or someone has.

Mr. B. Trower:

Barrie Trower, Scientific Advisor to the Radiation Research Trust. I have one question, really, in 2 parts, Sir. My question is to do with safety levels. The mobile communications industry themselves commissioned their own safety report over a period of 6 years with 200 scientists and at a cost of 28.5

million dollars. They found that around masts there were a multiple of illness, mostly women and children, and a threefold increase in cancer. My first part of the question is have you reviewed this when setting your own safety levels? The second part of my question is, on page 9 of the ICNIRP certificates that the gentlemen are referring to, it says that this is a guide and you should review current literature when setting your safety levels. Do you do that, Sir?

Mr. S. Smith:

Yes, because we take advice from the Health Protection Agency and, as you will be aware, the Health Protection Agency's report in 2000, and their 2004 report, were based on significant research of peer-reviewed papers when coming to those decisions. Of course, that work is ongoing. They are due to report again, I believe, in 2008 on the research which has been occurring since 2004. Clearly, as the leading organisation and the people with the expertise to peer review and check on the academic papers that have been produced, we are reliant on them in terms of what we ask for here.

Mr. B. Trower:

But there are recent papers in 2006 that show illnesses and cancers around masts, at a level of tens of thousands below what you planning for this Island. Are you saying that if the Health Protection Agency - and I advise Dr. Bell that advises the Health Protection Agency - do not tell you, you do not look at them and consider them?

Mr. S. Smith:

No. What I am saying to you is that paper will be looked at by the Health Protection Agency and it will be part of the formation of their policy in the future. Clearly, if the HPA policy in the future changes because of research that comes their way and they make a decision on that, then clearly in this jurisdiction we would review that. Contrary to what you are saying, of course, the Danish study in terms of cancers that was produced just before Christmas showed that that was not the case. So we have a conflict of opinion there. But at the end of the day all of those papers are reviewed by the professionals and we rely on the professionals in terms of our understanding.

Mr. B. Trower:

With respect, Sir, the Danish study has been internationally disreputed because 4 of the people producing these statistics were found to have links with the mobile industry and the statistics themselves are only concentrated on 16 per cent of the population that use phones. It has been discredited.

Mr. S. Smith:

That is something that the Health Protection Agency will look at. They will peer review the documentation, as they do with all of these. If that is the case, then no doubt that will consider their opinion and we will look to see what they have to say in the future.

Mr. D. Stuart:

Good evening, David Stuart. Just a question for Richard Glover about the commissioning again. For the commissioning results they test actual versus estimated and then submit that to Planning and then that presumably gives them a continued licence to use that site. As part of their ongoing operations they will no doubt modify bits on the mast and maintain it, et cetera, is that taken into account at any oversight by Planning?

Mr. R. Glover:

You mean if at a later date beyond that initial --

Mr. D. Stuart:

Yes, do you periodically review -- they have said we plan to put a site with a certain level of emissions on this point, do you go back to them and say: "Can you prove to us that you are still within the consent of the application"?

Mr. R. Glover:

No, that is beyond the scope of the planning process. The planning process only controls the actual development and how it starts operating. The other thing is that once an operator has coverage, I cannot foresee a point where they would need to radically change what the emissions from that site are. If they do modify it, they will require planning permission for any other equipment that they put on there and we will attach another condition in relation to that.

Mr. D. Stuart:

But they could effectively do it without you knowing, and there would be no oversight because you have the means to monitor that.

Mr. R. Glover:

To turn it up and down, is that what you are saying? They will not require planning permission to do that, so it is beyond the control of the planning system.

Mr. D. Stuart:

Is there any mechanism for comeback, if you like? Do you have the ability to stipulate who does their commissioning? Are you saying that they could choose to use private individuals, could you stipulate an independent expert to use?

Mr. R. Glover:

It would be unreasonable to stipulate an independent. We would say an appropriate person. If a suitably

qualified electrical or electronics engineer is willing to put their indemnity insurance at risk by signing something that they do not believe is true, then more fool them. It would be unreasonable for us not to accept a certificate signed by an appropriately qualified person, no matter who employs them. We could not do that. That would be an unreasonable step for the Planning Department.

Mr. D. Stuart:

In terms of the commissioning, are you aware of the extent of our they commission or do they just give you: "This is the number we are happy with"? Do they take a surveyor arc around the poles?

Mr. R. Glover:

I believe so, yes.

Mr. D. Stuart:

Is that following a standard for commissioning and they would say: "We would expect you to commission to standard X, Y, Z."

Mr. R. Glover:

ICNIRP accepts that is how those readings have to be taken down.

Deputy A. Breckon:

Under the heading "The States of Jersey should ensure that", one of the recommendations in the report Steve prepared is: "measurement of actual levels of radiation from base stations must be undertaken following commissioning to show compliance and to be a condition of the planning permit." So, Planning would say: "What is it?" The operator would tell them and then it would be monitored. After the installation a check would be done to see that compliance had been done. That is one of the recommendations. Of course, that is something we are looking at.

Mr. S. Smith:

In terms of equipment, it will permit so many connections as a total. The figure that they provide in the certificate is the maximum output they would expect.

Mr. D. Stuart:

So that is maximum possible banding limit?

Mr. S. Smith:

Yes. Once the number of mobile connections reaches its maximum, then clearly people cannot connect to the service. The comment that Deputy Egré made earlier around them saying that 98 per cent of connections are made, that is saying that they are within the maximum period for the equipment.

Clearly, if in a particular area they are getting a shortfall because there are too many requests to connect to the system, then in order to keep that 98 per cent or 100 per cent, they would need to provide more equipment. That more equipment then means they would have to come back to the planning process.

The Deputy of St. Peter:

The point that I am picking up on this one is that there obviously is some concern - and I have it as well - that we do not have any independent monitoring system. We will have to look at that. In so doing, we will make sure that there is ongoing independent testing on the output of the masts in the future. But it is a question that we will ask of other people at another meeting. That is what I am picking up, as a summary.

Mr. S. Hayward:

I practice natural medicine. I would just like to ask if you are aware of the recent court case in the UK where an elderly couple - I think they were 70 years old each - contracted leukaemia. They took Cable and Wireless to court, who put the mast up 20 metres from their home. First of all contract leukaemia at 70 years old and both of them is fairly unusual within 6 months of the mast being erected. They took Cable and Wireless to court and Cable and Wireless paid them £2 million in compensation. I wondered if the panel were aware of that? Also, are the authorities in Jersey aware that if there are any problems in the future, they might be liable for compensation such as giving planning permission for masts in very near proximity to houses?

Deputy A. Breckon:

We are not aware of that and obviously, if there is some reference where we can get access to that, we shall. Is that a case that was in court or settled out of court?

Mr. S. Hayward:

It went to court and it was settled out of court without Cable and Wireless admitting liability. But they did pay £2 million in compensation. It was recorded in several health magazines.

Deputy A. Breckon:

Are there any details for that or any contact you could give that we could try and trace that then?

Mr. S. Hayward:

I can do that. I do not have it with me tonight.

Deputy A. Breckon:

Afterwards we can give you our contact details and if you can give us that, we will certainly have a look at it.

Ms. J. Simpson:

My name is Jane Simpson. Unfortunately, I work in a building where there is a microwave dish on the top. There are now 2 masts on top of the building. At home, 30 metres from my cottage, I have a yellow telephone box. In that telephone box is a Jersey Telecom mast, which does not require planning permission because it is in a structure. This 150-mast figure obviously is in addition to existing Jersey Telecom masts, yes?

Mr. R. Glover:

Yes. The register of planning applications cannot be considered a comprehensive record of all the installations on the Island because Planning do not know about the ones that do not require planning permission. It is not a Planning function, so Planning does not have those record.

Ms. J. Simpson:

I have a measuring device. It is pretty basic but it will register what is coming off these masts. It is a granite cottage and the granite protects me, but the windows do not and neither does the roof where I live. So I am getting radiation from the towers 24/7. My thyroid is playing up and I have had quite a few problems with my thyroid. I am undergoing treatment at the moment. My neighbour has just had hers removed because it has turned cancerous. I am wondering whether there is any research in the Island to check if there is any clusters around, for instance, the mast at St. Mary. I am thinking of cancer and immune diseases.

Mr. S. Smith:

We subscribe to the South West Cancer Registry, which will provide us with information about new cancers. What the registry does not give us is the total number of cancers across the Island at any one particular time because obviously there are people who may be in remission at a particular time which effectively takes them out of that level. Those figures are looked at on a regular basis. But, to my knowledge, there is no evidence of clusters of cancers on the Island which would suggest there is a problem with mobile phones or anything else that has been suggested from time to time. We have issues on the Island around PFOS (Perfluorooctane Sulfonate) that you will be aware of. There have been concerns about the emissions from the power station and emissions from Bellozane because all of them provide materials which potentially have the ability to create cancer. But, to my knowledge, we have never been made aware by the medical profession that there are issues with clusters associated with certain areas. In fact, I would be very surprised because the population is so small. There is a reasonable amount of moving about within the population. It would be very difficult to predict that.

Ms. J. Simpson:

Is there going to be any monitoring of existing Jersey Telecom masts?

Deputy A. Breckon:

It is not just Jersey Telecom. We are not necessarily just concentrating on Jersey Telecom.

Ms. J. Simpson:

No, but all the concentration seems to be on new masts. Nothing seems to be said about ones that are already there, which I have to say are sited in some places -- for instance, I am at La Rocque and the mast is very close to the house, 30 metres. Yet, if they had spent a bit more money, they could have stuck one out on the end of the pier and it would have covered a bigger area.

Deputy A. Breckon:

We are not just concentrating on Jersey Telecom. We are looking at the situation we have at the moment, so it is not just Jersey Telecom and it is not just new masts. It is what the situation --

Ms. J. Simpson:

It is all of the masts on the Island.

Deputy A. Breckon:

Where there is no information, the recommendation of this report, for example, could be that the information is available of sites, including the ones that maybe we do not know about, to the public. If you want to go and look at it somewhere like the library or the parish halls, you should be able to do that. That could well be a recommendation. Then, if you have a problem about something that perhaps Jersey Telecom had done before they needed planning permission, when they were a States committee, then that is something that could be looked at. But we cannot look at it at the moment because we do not know where it is. So I do not doubt what you say, but we do not know that, so we need to find that out.

Ms. C. Coote:

In March, we campaigned at St. Brelade for the Fire Station not to have a mobile phone base station put up there and we arranged a public meeting and at that public meeting, we had Jersey Telecom, somebody representing them - there was about 3 of them with their lawyers - and also Cable & Wireless, and they were all there. A question was asked directly to Jersey Telecom, because Jersey Telecom had their mobile phone mast in situ at the time. Planning had no idea where Jersey Telecom's masts were, and that is 100 per cent true. The question was asked direct to Mr. Ringsdore, who is a director of Jersey Telecom; he was asked how many mobile phone masts he had currently in Jersey. He said over 100. I said: "Is that 190 or is that 110? Tell me" and he said approximately 110. So that is your statement before the Planning Department. You have stated that Jersey Telecom has - I think he said - 56. I am not directing my comments, I am just --

Deputy A. Breckon:

Yes, that was applications, not masts. That was applications.

Ms. C. Coote:

Yes, but what concerns me is that we keep referring to the Stewart Report and we want to use the Stewart Report, but one of the big recommendations in the Stewart Report is we should know, and there should be a website that identifies every single place of a mobile phone mast; wherever, it should be there. Any member of the public should know exactly where it is. There is one in Les Creux Park, which is in the car park, and is just a stick. That is there. It is not even listed on your website. That is just one I know about, but I know there is a lot more out there, and this lady here, she has great concerns, because she is living right next door to one, and you were asking about clusters. I can tell you now, there is only one cluster, and that is Jersey as a whole. **[Applause]** Oh, sorry, my name is Caroline Coote.

Mr. R. Glover:

Yes, if I can just try and clarify on the JT (Jersey Telecom) thing, my understanding - and we said this at the time - because these issues were raised on the back on the Western Fire Station, there is 2 issues. First of all, one I have said a couple of times is that the Planning Register cannot be considered a comprehensive record of where all the installations are. The only thing we can keep a record of is what planning applications have been made, so that is through the planning process. The second thing is to do with the relationship of Jersey Telecom with the States in the past. I might not have all the pieces of the jigsaw, and I will have to put these together. Because Jersey Telecom's relationship is as a States organisation in the past, it seems clear that there may have been occasions where Jersey Telecom relied on the exemptions that are referred to at the beginning of my presentation in order to put installations up, back in 1994, or during the 1990s when they were rolling out their initial mobile telephone system. As I said, the States' bodies now - so that is things like the Fire Service and the Ambulance Service - do not require planning permission to put telecommunications equipment up. My feeling, and I cannot prove this one way or the other because I do not have all the information, is that Jersey Telecom in some cases applied for planning permission for installations, and in other cases, did not apply. We certainly tried to look at the list that Jersey Telecom provided us when we were trying to clarify this. We looked in our records as to what they had applied for planning permission for and there were not significant gaps, but there were gaps where we knew there were installations that required planning permission, and there was no record of a planning permit ever being granted, and those installations may well have been there since 1994. So again, even with Jersey Telecom's historical installations, planning cannot be seen as having a comprehensive register because of the way Jersey Telecom, probably quite legally, was allowed to operate. When I said the 59, those applications have been received from Jersey Telecom for installations where planning permission is required, so it is not ones in buildings and it is ones that can

be seen from a road, where they have upgraded to the 3G technology. The 3G technology, the first people to want to introduce that was Cable & Wireless, so when their first applications came in, Jersey Telecom said: "We need to upgrade as well." So the 59 applications - I think it was 59; yes - that are referred as pending are for upgrades and new installations, because of the technology involved, to facilitate Jersey Telecom having 3G. But I think the key is that planning cannot be relied upon, and it is not an error of planning, it is just because of the situation, to have a comprehensive record of where the installations are.

Mr. S. Smith:

Can I just make a comment there, because obviously one of the recommendations in my report is that the mobile phone operators deliver with the States of Jersey a database of information available to the public on radio-based stations. Clearly, the planning map at the moment is a start to that, but there is a long way to go for us to get all of them.

Ms. C. Coote:

That was in April. April last year that started, so it has not been progressed very much, and we are now January. Sorry, just one more thing. In your report, Mr. Smith, this report, you have current network installations. This report is your recommendation to us as a professional, and you have here: "Jersey currently has a mobile phone network in place, operated by Jersey Telecom. This was done in April of 2006. Jersey Telecom, with in excess of 100 base stations around the Island ..." Now, come on, what do you say to that?

Mr. S. Smith:

Well, it is correct, is it not?

Ms. C. Coote:

Yes, but where are they? You do not know.

Mr. S. Smith:

No, which is why my report recommended that there should a map which is available to the public, for everybody to be able to know where they and the States set ups are.

Ms. C. Coote:

But this was done in April 2006, and we still cannot be sure where they all are. You know, it is not good. This one at Les Creux Country Park was put in in March 2006, and planning have no idea about it, and it is within 300 metres of La Moye School. The children get dropped off and they have that mobile phone mast right in front of them. Is that acceptable? Is that how we are going to live in the future?

Mr. S. Smith:

In terms of the school, just bearing that aspect in mind, it will depend on the directionality of the actual antennae and where that particular footprint comes down to ground. If they are complying with Intelligent Platform Management Interface, then the footprint of that emission should not be within the school grounds at all, it has to be outside. That is one of the requirements of the planning process. Clearly, they need to provide details about where the footprint of that will go. If this is one that has not been picked up, then obviously that is something which will need to be looked at, and hopefully we would get it as part of this mapping process. But this report went to the Council of Ministers and ultimately it will be for the Council of Ministers to make the decision on whether the recommendation is implemented or not.

Deputy A. Breckon:

Can I just add to that, just to reiterate, it says: "Mobile phone network operators deliver, with the States of Jersey, a database of information available to the public on radio base stations." That is not to me, it is to the public. Now, that is a recommendation that was in Steve Smith's report on 12th April 2006. Part of the function of the Scrutiny Panel would say: "That was a recommendation. Who has done anything about that?" Without pre-empting anything, that question has been asked and we will ask that somewhere and that could well be part of our conclusions, that somebody is proactive on it, and this is about to happen - or somebody has done nothing about it - so the points you have raised will be taken and acted upon, because these recommendations are not to go on the shelf, they are a recommendation for a good reason. It is because you can have a degree of comfort, or you can have a degree of concern, but you can only do that if you have the knowledge, and you need to have that. That could be freely available, and as you say, it could be on a website, but it could also be available in parish halls, in the library, and indeed, in schools so we can get the young people, because they are big users of mobile phone, so should they not know, and make informed decisions about whether they should be doing this and whether they should be demanding that? That is some of the discussion we had last night.

Ms. C. Coote:

Can I ask something? Could you just look at Terrestrial Trunked Radio as well, because we need to know where they are. Sorry, because I do not have the microphone, I cannot speak up. The Terrestrial Trunked Radio.

Deputy A. Breckon:

Yes, we have that on the agenda. Can I give you that assurance?

Ms. C. Coote:

If we can have that listed as well, because we should really, as Islanders, know where they are.

Deputy A. Breckon:

The only thing with the TETRA, I understand it is a statutory provision and because it is a police facility, then I am not sure how much of that they want to get in the public domain, in case there was some sabotage or something like that. So I do not know what that is so I cannot give that guarantee, but if it is possible, then that would be the same as well.

The Deputy of St. Peter:

Equally, when we talk about the base stations, we will be looking at all stations, not just the big stations, but all the small ones as well.

Deputy A. Breckon:

There is a gentleman at the back.

Mr. J. Sutton:

Yes, Jeremy Sutton. I am a resident of St. Aubins. I have a certain amount of telecommunications experience, but I just make it clear I am not employed by any of the mobile operators, nor do I have any interest in any of the mobile networks. I fully support the suggestion that the States have an independent body that go round and spot check power outputs and so forth. I mean, without that, we are really in the dark, and that could be funded through the mobile telecommunications licences on a spot check basis, because to say that the maximum number of users on a base station, that is the maximum you can get, is a function of the amount of data put out, the distance from the mast. With new data services, there will be more power. But I think we have to be really careful, and I do believe there is a huge misunderstanding here that the more base stations there are, the worse it is, and I have to make this point, which is a very logical one: the amount of power put out by a base station - again, we have discussed - is the functioning number of phones talking to it. If there was no phones talking to it, there is no power emitted. There is more power emitted to the user from the mobile phone itself, because that is the transmitting part that they are very close to. The other function is the distance the user is from that mast, so taking it from the health report here, and it is quite true: "It is therefore advantageous to have a base station which is close and accessible to limit the power output of the mobile handset and therefore the impact on the user" because the mobile handset just comes down in its level of power. What we are seeing here is that the more masts you have and the more micro cells that you have close to you means that the lower power outputs that are being transmitted and the minimum number of users attached to any mast. The danger we get into is: "Not on my patch" and then you have fewer masts, larger outputs, and what people have rightly discussed as clusters. So in the mobile market, a mobile network experience, the function of the power or the amount of radiation is determined by the number of mobile users there are; the number of mobile phones there are in the Island; the distance they are from those base stations and obviously the services and the increased number of data services and so forth, and

power outputs. So what I would like, if we could, to request is that the sub-panel do put to the experts that they are communicating with those assumptions that it is a function of the number of mobile phones, not base stations; in fact, the amount of power output by one mast is inversely proportional to the number of masts. The more masts, the better, the more micro cells the better; that is the first assumption; secondly, the distance from them. Therefore, the conclusion is drawn out that there should be more micro cells. For example, in London, they are putting them in offices so that the outputs of mobile handsets are as low as possible and also, again, I go back to the support that there should be spot checks that are measured. But I do warn everybody, really, that to say: "Not on my patch" and: "No, we cannot have another mast", the more masts there are, the lower power there will be in those clusters. If you really are concerned about mobile safety, do not use a mobile, because the power that you are having, there is more power coming out of that mobile phone to you than there is from the mast. So maybe the Scrutiny Panel could also suggest that what the mobile phone companies do, when they sell the phones, is the phone power is available, it is part of the manufacturing and it is made available to the user, so people can select low power phones. Thank you very much.

Deputy A. Breckon:

Thank you for that. Obviously, you have raised a number of points there; worries which are the funding for the monitoring coming from the licence fee. That is interesting, because at the moment it goes to the Jersey Competition Regulatory Authority, who monitor the operations of not just the mobile operators, but the landline operators as well. So at the moment, they get the fee, but having said that, there does seem some merit in that suggestion. Also, the point you touched on there about the smaller level and more of them, that is something the lady touched on, and we have found before, in that they do not need permission to put them in telephone boxes - and some are apparently, to make the network - but we certainly note what you say. We do have questions prepared for the witnesses we have over the 3 days next week, and we can certainly include that in that, because it is fairly profitable business, and that is why some people are in it, so having said that, if there is a cost to monitoring that business, then it is the industry itself usually that would pay for it. So that is indeed a good suggestion and we will certainly test that with them. We will also ask the Jersey Competition Regulatory Authority. For example, we could ask them how much they get from the operators, what they do with that. If it is just staff costs and if it is not investigative costs, then we could perhaps say: "If you have conditions attached to a licence, do you monitor it, if you say that is what you are going to do" then we would certainly ask that question. Thank you for that, and that will obviously be used.

Ms. C. Garnier:

Good evening. This is just a statement for Steve Smith, really. You talk about international levels for ICNIRP guidelines, but they are not really international level. It is often stated that emissions for Jersey masts are well below the ICNIRP guidelines, normally 1,000 times lower than these, but are you aware that the Salzburg level is 10,000 times lower than the guidelines, and they have a really good coverage

on that?

Mr. S. Smith:

Yes. I mean, as I explained previously, there is a variance because of the type of equipment and the size of the base station that goes in for the coverage. As the gentleman previously mentioned, the outputs are very dependent on the number of users at any one time, and the information that the people provide to us is that maximum that would come from a particular site that they are putting in, so if we have very few users in an area, the standards are going to be very much better. As I stated to you on that particular instance with St. Martin, we are in a magnitude even lower than Salzburg on that particular antennae, and that would not surprise me on others on the Island either, but clearly, it depends on the level of use.

Ms. C. Garnier:

Which is why the spot checks are really important, and it comes back to that. It comes back to that we will probably end up having these networks, although by the amount of mobiles that telecoms have already sold, I do not know who is going to be buying them, but that aside, it does come down to having spot checks.

Mr. S. Smith:

Yes, and we fully support that.

Deputy A. Breckon:

Can I ask now if there is anyone who has not asked a question who would like to do so? Anyone who has not?

Mr. G. Langley-Smith:

It is just in response to what you were saying. I fully understand the ideal in having more micro cells in order to keep the power low, but we now have 3 - virtually 3 - telephone companies and TETRA, so surely the emissions are going to be a lot more overall than the state we were in before Cable & Wireless and Airtel arrived?

Mr. J. Sutton:

No, because it is a function of the number of customers, not the number of masts. The answer to that question is that it is a function of the number of customers, because the power is being output by the mast, so if you, as a customer, move from Jersey Telecom to Airtel, you are not creating any more radiation at all. You are just taking it elsewhere.

Ms. J. Simpson:

I am a bit confused. Perhaps the chap behind me can help me. I have been out in the wee small hours of

the morning and measured the radiation coming off the phone box and it is just the same as it is during the day, so how does that work?

Mr. J. Sutton:

I think that we all agree they need to be measured.

Deputy A. Breckon:

Is there somebody there? Thank you.

Ms. D. Canavan:

I apologise, I have a chest infection. My name is Diane Canavan. Apropos Les Creux, there is another one going up at Les Creux; they have just put in an application. Children are dropped off at Les Creux and La Moye. That is number one. I believe that the drug I think is called "Spice" is likely to be taken out of circulation, even though they know nothing of the effects, and that is only affecting the few people that wish to use it anyway, so not like the masts that we are forced to accept whether we like it or not. Another thing, I am not positive on this, but I believe that all these phone companies that are coming in, when you make a call, if I am on Jersey Telecoms and I want to make a call to somebody that has a mobile on another one, then it costs more than just phoning somebody else on Telecom, so it is not the public that are making or getting a better service, it is the companies that are making the money, and the ultimate aim is to make more money out of something that we do not know enough about. Another thing - sorry - is that I believe the farmers get quite a lot of money for having poles in their fields and they get it for 10 years, I am told. So, can the farmers get insurance to be sued later on for when everybody gets ill? Surely, can we not wait until 2008 until further reports are out? Thank you.

Deputy A. Breckon:

Thank you for that. You have raised a lot of points there. I will just come back on one thing, and the public and the indemnity insurance is one issue. It was suggested to us this afternoon that then it is down to the landowner, and the Government and the operator tend to walk away and say that it is on your land, so if people are being paid lots of money, then there could be some repercussions, but it is something that we are looking at and investigating, because we do not have any evidence of that. We do not know what leases exist, who is being paid what and who is liable, but that includes the States of Jersey, who could well have masts on their own land, so again, this is something that we are investigating. Regarding farmers getting money, most of the farmers I have ever heard have said they have never received any money. **[Laughter]** I am not saying they are saying they have not received it, so that is really poor farmers, yes. You touched on a number of issues there, and one is the sort of competition and who is pocketing it, but I do know that the operators are fairly keen to poach business from each other, and it is something that we will be looking at, how they operate within that. But these things are an issue, as is the fact that the base stations need electricity supply, so if operators dig the road

up, who pays to reinstate it? So there are some other issues connected with it, which is not necessarily related to health, but we will be addressing these as we go along to see if we can find some poor farmers who have benefited from this, and if they are going to tell us. If not, we have ways and means of finding this out, but there are all sorts of stories doing the rounds. You mentioned about payments upfront, about annual leases, however long it is for, but we have no knowledge of that at this stage, but we will find out, and I am sure it will be included in the --

The Deputy of St. Peter:

I am not wishing to defend the farmers per se, but in fact, it is landowners per se. It is not just farmers, because there are people who bought up land for commercial reasons so that they will get a value return at the end of the day. Now, anecdotally we heard at our meeting that someone may have been paid approximately £60,000 for the privilege. Now, that is a huge figure, and we are going to test that to see exactly what --

Ms. D. Canavan:

I was told £8,000 a year for 10 years.

The Deputy of St. Peter:

Yes. Well, that is even more. We will find out exactly what that score is.

Mr. Le Riche:

Mr. Le Riche, a local fisherman. On the north arm where they have the mast, when we are going in there fishing, all you can hear is noise from the generator.

Deputy A. Breckon:

That is the base station attached, is it?

Mr. Le Riche:

Yes, on the end of the arm, the north arm.

Deputy A. Breckon:

Yes. What is the noise nuisance? Is that a consideration, the noise that anything would generate? I do not know what the noise is.

Mr. S. Smith:

Yes. I mean, if it requires a generator to provide the necessary electricity supply to generate it because there is not a mains supply, then yes, there are potential issues from the noise from the generator. It would need to be sited to ensure that it is not causing nuisance.

Mr. Le Riche:

The other thing, at the north arm, they have put a bigger one up.

Mr. S. Smith:

Yes, the fact that it puts a larger mast up does not necessarily mean that the size of the generator or its output would change. I mean, that is a particular function of what they need to run the system. The critical point is is the noise emission from the generator plant giving rise to nuisance at somebody's property? If it is, then that is something that we would look at.

Mr. Le Riche:

Yes, it is quite noisy. I mean, a peaceful night, and you hear the noise from that, you know?

Mr. S. Smith:

Well, if you have an issue with regard to it and you feel that it is a problem for you, then please contact my department and one of my officers will investigate and we will look into it for you.

Mr. Le Riche:

Thank you.

Deputy A. Breckon:

The lady there had her hand up before. Did you want to speak? Yes.

Ms. R. Wilson:

It is Ruth Wilson. I had a point following on from quite a long time ago. It was about the list of recommendations that were made in 2006 and how one of them seemed not really to have progressed at all. Yesterday I was at the meeting, and I was immediately struck by this point when it was read out, with specific concern to my situation. The second point recommended that: "The States of Jersey should ensure that there should be improved consultation by the network operator with the community prior to the selection of a site for a base station." It just happened in my case, and I do not know how many more. The news that one is being built 40 metres from where I am living by the landlord- I am on his property - I had to find that out by opening up the page of the paper and looking at where the application was, and then the next day, I spoke to the landlady and said: "Oh, have you heard about this mobile thing, because I am really concerned about the situation?" She said: "Oh, yes, it is going up on the field opposite on our property, a third of a way down the field" and I was standing there. You know, I just was put into a such terrible situation, emotionally and every other way, and really, since then, do not think I have recovered. I have been stressed and upset for the last couple of weeks, and so much of that stress, I feel, could have been avoided by people coming into the area prior and doing that on the

plan for that particular application. They have a newly developed housing estate on the same landlord's land, and it was not recorded on the plan that was given out by the committee, so 13 houses are not included, which are closer to the mast than before. There was something said if there was an error in the application, then that mast would have to be reapplied for. I am asking if the fact that they did not include those houses on the plan will mean that that particular site will have to be reapplied for.

Mr. R. Glover:

No, it will not, because the plan will demonstrate where the site is for the development. The plan does not necessarily have to reflect exactly what has happened around the site. It needs --

Ms. R. Wilson:

But surely you are saying --

Mr. R. Glover:

It needs to reflect exactly where the plan is so we can say: "That is where it should be" and either that is where it is or it is not there.

Ms. R. Wilson:

So you are telling me that they were aware of this housing development when they made their conclusions or not?

Mr. R. Glover:

As I have said, every single site has been visited and walked round by the officer who did the assessment and made an assessment in relation to what was there on the site.

Ms. R. Wilson:

Right. So it just was not added on to the planning document that was given out? It is just a minor detail, but it has caused me stress.

Mr. R. Glover:

When you say the planning --

Ms. R. Wilson:

The map that somebody received from planning for me, of my particular application, did not have the development, behind where we are living, on it. There is no indication that there are those houses there, so it looks like it is less well populated than it is.

Mr. R. Glover:

No, we do not look at the plan and make the assessment there. We visit the site and make the assessment on the basis of the site visit.

Ms. R. Wilson:

I am just saying it has caused me stress, because it was not on there, as another part of the whole stress, but perhaps you could talk about the fact that the second recommendation has in no way been fulfilled for this particular mast. I mean, from what I hear from the people I have spoken to, there are a lot of people --

Mr. R. Glover:

From the perspective of the planning system, it is not within the planning system's power to require the operators to carry out public consultation prior to them establishing a network.

Ms. R. Wilson:

No, but it is one of the recommendations that was made. I am making the point that it is a recommendation from the same batch of recommendations. How many of the others have been forwarded or not? What I am saying is my confidence in what is happening is being affected - you know, someone else's point and my feeling about that point - and then I am looking at the rest of the points thinking: "Well, have we gone forward since then, and if we have not gone forward since then on these points, how far forward are we going to go on about all these things that we are talking about, and how long do we have before everything is in there anyway?" You know, my child's health is at risk. That has been stated here, that there is risk, and it is not fine for me to have the posts put up and taken down in maybe a year. That is not fine for me. You know, that is not acceptable.

Deputy A. Breckon:

Can I just give you some assurance on that? Those recommendations were made in Steve Smith's report based on an assessment at the time, which was over 8 months ago, and this panel will be asking who has done what since then. What you have said there, that recommendation has said: "There should be improved consultation by the network operator with the community prior to the selection of a site for a base station." We have the 3 operators in next week. We can say to them that a recommendation was made in that report, what have they done to give some comfort to that recommendation? Carol will get a note of that and we will ask the question.

Ms. R. Wilson:

I do think if they have not done anything, then it should be put to them that they need to in the future.

Deputy A. Breckon:

The other thing I can say with that is that will not be dependent on the conclusion of our report, because

the way the system works for evidence, the evidence is taped and it will turn over very quickly, so within 48 hours, we will have a transcript of that - that is a written record of it - and then it goes back to the people who have given evidence, just to make sure that they have not made a factual mistake. They are given about 7 days. You know, if you said it was 30 and it was 50, then they are given a chance to correct that. After that, we will publish that on the website, and if that is the case, if you want, you can tell the officers - you can have a paper copy as well - but we should be able to give you that information within a fortnight. We should be able to give you that, and we will ask them, what have they done? If the answer is nothing, we will say: "The next question is when are you going to?" So that is all you --

Ms. R. Wilson:

Right, okay. Thank you.

Deputy S.C. Ferguson of St. Brelade:

I am sorry, I do not mean to take up the meeting, but I had the impression when I came in that a number of people did not realise they can go to the Scrutiny website and read all the transcriptions of all the hearings. It would be helpful if you perhaps gave them the website address.

Deputy A. Breckon:

Yes. Again, we have contacts there. All the information that goes out should have the contacts on. If anybody has any problems, please do contact us, because as I said at the start, this is public consultation. We are not here for our benefit, we are here to discuss things with you and that includes the contact because tonight is part of the process, 3 days of hearings. We have some people coming over again; that is part of the process. We are accepting submissions, whether they are people's own submissions, and I think the lady said last night that she was worried that it would not all be. It does not matter: if people want to make a submission, they can make another one. Although we have said 25th January, if it is a week or so after that, it is not a problem and please feel fairly relaxed about it. We are not necessarily looking for everything that has capital letters in the right place and commas and full stops. If you have an opinion, then please share it with us, because that is why we are here, and it is part of the process; not for our benefit.

Mr. G. Langley-Smith:

I just had 2 questions. One is back to this gentleman, because I am not totally sure. Are you telling us that when all the masts are in place that some are going to be emitting more than others, or some are not going to be emitting all the time? Because I have understood that provided a mobile is on, it is tracking that mast, so those masts will be emitting.

Mr. J. Sutton:

My understanding is - and I have to say, I do not work for a mobile operator - yes, there are keep alive

signals, small little signals. Again, the strength of those signals is proportional to the distance of that device from the mast, so more smaller cells means lower power everywhere, and no concentration points. Obviously, this is a concern. If we have lots of equipment on top of one person's roof, it is a concern, and it needs to be measured, but the more cells you have, the less the distance from them and therefore the lower powers. Again, it is function of the number of customers, and also, remember the power, the strongest power you are going to get as a user is from your phone, not from the mast, so if you have a concern, do not use a phone.

Mr. G. Langley-Smith:

Thank you for that. My second question is to Steve Smith. Is it true then that the whole of your strategy is based upon the Health Protection Agency? Also, I would like to know what you felt about the ECOLOG report which was sent to you.

Mr. S. Smith:

Sorry, about which report?

Mr. G. Langley-Smith:

The ECOLOG report, which was peer reviewed, 220 peer reviewed articles, commissioned by the T-Mobile in Germany and other international scientists, and it was sent to your office twice, I believe. I would just like your comments on it.

Mr. S. Smith:

I have to say, I have not seen that.

Mr. G. Langley-Smith:

Why not?

Mr. S. Smith:

Well, I have not seen it. I will look out to find out why I have not seen it.

Mr. G. Langley-Smith:

Yes. It has been sent to your office twice.

Mr. S. Smith:

Right. Well, it may well have gone to one of my officers, but I have to say, I have not seen it. But I will obviously look at that when I get back to the office.

Mr. G. Langley-Smith:

It seems to me that there seems to be an abdication of responsibility here. We seem to be relying on HPA. We are quite capable of reading papers. We have read mountains of papers. I think it is time that the officers of health in this Island started taking it a little bit more responsibility and read some of these papers themselves. There is so much out there indicating the dangers of these masts, and it is time that somebody, as I said, started reading these, and took more responsibility. [Applause]

Mr. S. Smith:

Certainly, while we have a certain amount of expertise, we would not have the resources or the expertise in which to be able to peer review individual documents provided by academic organisations. That is why we have relied on one of the leading international organisations and national organisations, which is the HPA. We speak with their officers and we link into their information on radiation, just as we link into them on lots of other specialist aspects such as chemicals and poisons, right across their organisation. They have the expertise. They have officers who are paid to go through these papers and to look at them in an academic view and to provide information to their organisations, who represent both the British Government and people who sit on the World Health Organisation and provide information into those bodies. It would be remiss of us not to be tapping into that resource and using them in order to understand what is happening internationally. As I said to you right at very beginning, we have a very small department. We have very limited resources. It is not physically possible for us to cover all of that ground. We have to rely on others to help us do that, and in that respect, we rely on the HPA to assist us.

Mr. P. Harrison:

Peter Harrison again; I live in St. Lawrence. I am going to, if I may, attempt to make a political point to you, the politicians on the panel, and when I have finished - which I will keep short - we can base from the reaction of us on the floor as to whether or not you need to be putting this as part of your report. It is not to do with health, but it is to do with the process which has led us all to be here this evening. At the beginning, Deputy Egré read out a statement from Jersey Telecom. First of all, Jersey Telecom, at this moment, is wholly a subsidiary, or is a wholly owned company of the States of Jersey. The States of Jersey is an institution which represents the population of this Island. It is this Island, so our telephone company had provided, at a price to us, a comprehensive mobile telephone system. It was slightly more expensive than that which one could obtain at the margins if one went to the mainland to get a similar service, but essentially it was comprehensive, and indeed, they have a saturation level. It is controlled and owned by the States and we, the population - including those here this evening - rely upon the 50-something remunerated representatives, some of whom work harder than others, to administer that system. At some stage in the process of getting enthused with the idea of having more competition and regulating that competition, somebody has clearly lost sight - I say somebody; the system, the States - of a number of issues. It is nothing to do with officers here or technical departments. It is to do with strategic vision. We already have saturation of a system at a given level, which was ordinary Global

System for Mobile Communications, then G2 came along, and now G3. You, the States collectively, have invited in 3 other companies. It is inefficient and clearly sub-optimal to have 4 companies putting up their own systems with their own frequencies in an Island this size. **[Applause]** It produces lots of masts. Now, putting aside the point as to whether or not the aggregate emissions are greater or not, based upon the point the gentleman at the rear made earlier, on which I cannot comment, the fact remains that from an ECOLOGICAL point of view, and from just a general amenity point of view, why have 4 times the coverage of whatever level of masts in order to achieve an effective system for 4 different companies? I must emphasise here - and I will not go on, because I think you will already have the gist of this - that it is not about the Planning Department. This is a strategic question. Just because it may be considered appropriate to have more supermarkets on the Island, if somebody can convince themselves that that will bring down the cost of cornflakes throughout the Island, that is a completely different issue from a system such as telecommunications. It is not as if we did not have one. It is not as if we did not have one that worked particularly well, and it was not as if we did not control it. We, the people in the States, have total control over the monopoly provider. If it was a monopoly price and it was considered to be sub-optimal for the Island in terms of the costs, then the States should have benchmarked it against, let us say, the mainland or Europe, decided it was not cost effective and told the managers paid by and directed - directly or indirectly - by our elected representatives to sort it out or get new ones that could. **[Applause]** Why do I feel it legitimate to make this point at this time? It is because it clearly does affect people's health. **[Applause]** There is a lady here that is upset, but I can tell you that I went to a cocktail party the other weekend and there were several ladies there, and some men too - it is not a sexist thing, this - that were very concerned about this subject. Many, many people are concerned. Now, part of it is through ignorance. We are all ignorant to a degree, because we do not have the facts. It is quite clear - and I say this in the best sense - that everybody in this room, we are all ignorant. We do not have the facts. In fact, we have a lamentable lack of facts and we do not have joined-up Government. That is quite clear. That is not a criticism of the 2 professional gentlemen who are up there, but it is quite clear that we do not have joined-up Government. That is the job of the 2 politicians, and all the other 50-odd politicians, to get joined-up Government and to protect the population. I will stop at this stage, but that is where half the anger is on the street and in the fields, if you like. I stop. Thank you. **[Applause]**

Deputy A. Breckon:

Can I answer some of the points you have made? I have been in the States now for just over 13 years, and for most of that time, Jersey Telecoms was a committee of the States. A decision was taken, for a number of reasons, that it was not within modern standards that you should be the regulator and the operator, and that was the situation with Jersey Telecoms. They could have licensed somebody else, but they were unlikely to do so. The upside is that Jersey Telecoms made £12 million, £13 million, £14 million profit - it depends which way you look at it - but that went in to the treasure of the States, so it went for general things, for health and education, whatever else. A decision was taken that Jersey

Telecoms must stand alone and wash its own face and that competition should be brought in to make it do that, so that perhaps consumers could benefit. That was a decision that was taken by the States and it was done under the Jersey Telecoms law. I cannot remember the year; it was probably about 2000, I think. It is a few years ago and a board was set up. The only link now with the States is the responsibility for Jersey Telecoms lies with the Treasury and Resources Minister, and Jersey Telecoms have to produce income for the States. That is the only link, and things like the concession that is given to senior citizens for cheap lines, they could take that away if they want now. They tried to, they threatened to once, and the States have no authority to interfere with that. So that is that situation. The second strand that the States added, and this has all been approved by legislation, the Jersey Competition Regulatory Authority was set up under the Competition Law 2005 and that was they have *vires* under the telecoms law and they issue licences and they can do certain things. Now, those decisions were not taken by me, although - or by Collin Egré - they were taken by the States of Jersey, so I know exactly what you are saying. So that is the situation that we have, and then the licensing authority is not now the States of Jersey, it is the Jersey Competition Regulatory Authority. The States have decided that it should be an independent body who will decide - they decide, not the States - whether or not an operator should be given a licence. We have the same situation coming up with Jersey Post. I cannot see loads of postmen running around, but at the same time, there is competition and they are looking at them. What the Competition Authority have done with Jersey Telecoms, they have made them reduce some of their prices; for example, broadband was looked at. They said: "You are making too much money. Reduce your price" and certain things they have done, but where the community want the benefit from is up to the community to decide, but if you will notice, at the moment there is another Scrutiny review going on, which is about the sale of Jersey Telecoms. Now, if that happens, various prices have been rumoured, then it will be nothing to do with the States. It will be somebody else and it will be subject to the States' agreement, but attached to that is people power. If people do not want it, they can say something about it. They can talk to the politicians. They can say: "Well, we do not want you to do that. We would like to have some control over the service that we get, how they do business and how they operate, because we think it is affecting us. We would like a reliable service. We do not mind paying for it, but we would also like to influence their things, environmental and whatever they may be." So that is really it, and these are decisions that have been taken by the States, because British Telecom is an example. There was a presentation about 6 weeks ago. Somebody came and explained the position about the Italian telecom market, but in general terms, what happens with governments, governments see telecoms as being a nice thing to sell, and that is really the stage we are at in Jersey at the moment, and if you have a think about that, it is not just me or the Deputy of St. Peter, it is other people involved with that. There are some conflicts there between price, between competition, public service and whatever, and decisions were taken that this should be the situation. Now, that might not answer all the points you raised, but at the same time, it is, if you like, where we are. Regarding cornflakes, we are doing that one next week. We are doing that 29th January. You should get something in the door, and with another hat on, I have done some work on that; there is some real issues

there, so I know where you are coming from that. But that is really where we are. I do not know if Collin would like to add anything to that, but it is a political question you asked, so it is not really fair to ask the officers to deal with --

The Deputy of St. Peter:

Yes, the point I would make, following on what Alan has said, I am fairly new to the Scrutiny role; in fact, very new. This is the first time I have sat on a Scrutiny Panel. The reason why I am here is because I am concerned about where we are now in relation to the commercial aspect, and moreover, the health aspect. What I am here to ensure on your behalf and on behalf of those people who elected me in St. Peters is to make sure that we take an objective view, without the pressures of certain Members of our Government who might try and put pressure on us, that we are without those pressures so that we can come up with an objective view over the whole of this issue. Now, I have learnt an awful lot over the last week, because we have been working flat out at this, and there are conflicting issues, there are issues that have been brought up with regard to the big boys and what pressure is being put on who to make what recommendation about various items. We are going to test all this and hopefully, at the end of the day, will come out with a truthful recommendation, which will be in the public arena. You will see what we have said. You will see then what reaction is taken by our overall Government, and to me, that is part of good politics, as we stand.

Deputy A. Breckon:

Is there anybody who has not asked a question who would like to ask a question? The gentleman here.

Mr. A. Wilson:

My name is Andrew Wilson. If you did - and this is a big if - make a recommendation that there should be no more masts or there should be a much reduced proliferation of masts in the Island, what chance do you think there is of revoking the licences offered to Cable & Wireless and Airtel?

Deputy A. Breckon:

The difficult reality on that question at the moment is we do not know how many masts there are, where they are and what exactly they are doing, so it is difficult to say that we cannot have any more when we do not exactly know. The question we are asking is, as I said before, it would appear that the recommendations in there, if they have been done, at the moment they are not known to us, so we would be asking that. But again, it is about sharing, it is about signalling, it is about has everything been done? This has been an issue for planning because, as was said before, that they do ask the question of the operator: "Have you considered mast sharing, depending on the location of it?" and that is something that Richard had said before. Did you want to say anything?

Mr. S. Smith:

Very briefly, can I clarify a couple of points? When you meet the 3 operating companies next week, you might ask the one that has been here the longest, Jersey Telecoms, for full disclosure on where their installations are, whether they are phone boxes, whether they are whatever, you know, where the missing links are. Just demand it. I think it is my view they have a moral responsibility to give you that information. That is the first thing. The second thing is, can I clear up some points Caroline Coote made on the Les Creux? Les Creux and the one mast that is there, and the second application that is in, they know about it, because I had a meeting. They are not listed, but they know about it now. The mast that is there, the Jersey Telecoms mast they know about. The Airtel mast, that has an application in, I went to see that 2 weeks ago, and I have explained to them that the school traffic, as you go into Les Creux, there is a clearing. Right there is a Jersey Telecoms mast and they are proposing to put another one about 20 metres into the field, the field that that lady referred to earlier on tonight. I have made my representations to the Planning Department that school children are in and out under that mast all day and I have asked as to whether it is appropriate. I just wanted to say that. Thank you.

Deputy A. Breckon:

Thank you. Anybody who has not asked a question? Yes, the gentleman here.

Mr. S. Langlois:

Hello, my name is Simon Langlois and I live up about 100 metres away from the rocket launcher on top of the south exchange. As regards Les Creux, 2 of my children go to La Moye and so I am aware of that antenna up there. The day job, basically I am an electronics and motor engineer and I have been making radar and radio communications for over 25 years, so I would like to lend my support to the gentleman at the back of the room. I would thoroughly recommend going for lower power, more of the lower power sites, low visual impact and less of the high power larger coverage sites, mainly because of the RF levels, the radiation levels are much lower and the health risks, as have been discovered each year, the levels seem to change, will be lower, because the powers are lower. Another point is, as I currently work with air traffic control radar and radio, there is in the Island owned by the States equipment that can measure field strength, so it would not be a large expense, I would not have thought, certainly equipment-wise, to go out and test field strength on any radio mast within the Island, whatever frequency it happened to be. The other thing I wanted to say was the point of individual GSM mobile phones. We are not really talking about a couple of hundred or whatever the figure is average power, say 10 watt or higher base stations, we are talking of 100,000-odd individual mobile phones each generating about 2 watts, especially when they are used inside a vehicle or inside a building, where they tend to go to maximum power because they have to try and get out of the building with their signal. That is more of a worry to me. I will not let my children use mobile phones. I do not have a mobile phone I use regularly myself. At work, I have to use mobile transmitters, mobile phone and TETRA, but that is for a relatively short time and I do not do it hours on end. I know it is outside of the terms of reference for the Scrutiny Panel, but really, mobile phones I would have thought, as well as cigarettes,

should have health warnings on them, especially for youngsters, who are most affected by the radiation. Thank you.

Deputy A. Breckon:

Thank you for that contribution as well, and it raises some issues that we will raise elsewhere. The other thing, just on the mobile phones, I did notice the other day - we did check this - when you buy one in the box, there is information with it, and it does say that there is a health warning, if you like, that comes with it. It is not like a packet of cigarettes where it is on the thing every time you use it, but it is in the box, but how many people read it; maybe there is an issue about it being more prominent. There is one at the back there.

Deputy D.W. Mezbourian of St. Lawrence:

Thank you. Deputy Mezbourian of St. Lawrence. I lobbied recently against a mast that was applied for within a radius of about 350 metres of St. Lawrence School. I was supporting the headmaster and the Parent Teacher Association who objected to the mast being erected in St. Lawrence. We argued on health grounds, arguing that it was detrimental to the health of the children and the staff and our objections were discounted and the mast was approved. I would to ask Mr. Glover, please, whether he is aware of how many mast applications have been refused and whether he is able to tell us here this evening of those that have been refused, what are the reasons that have been given for refusal?

Mr. R. Glover:

I am not certain how many have been refused, but what I can say is that none have been refused over concerns over health.

Deputy D.W. Mezbourian:

So what are the reasons that they have been refused?

Mr. R. Glover:

It would have been impact on amenity and visual amenity.

Deputy A. Breckon:

Anybody who has not asked a question who would like to ask one? The lady here.

Ms. M. Melvin:

My name is Marilyn Melvin. I have a report here talking about reports which I have come across, and it has been produced by Linda Field on what doctors do not tell you, which is principally on mobile phone masts. I have sent a copy of this to yourself, the Scrutiny Panel and also to Senator Cohen and Deputy Ben Fox, and Deputy Ben Fox has kindly circulated it to all States Members. It is quite comprehensive

about mobile phone masts and health issues and whatever. Somebody was talking about the micro cells and the macro cells and 2 gentlemen were saying that it is better to have the lower frequency of the micro cells. Just in this report here, it does state that the micro cells can be as little as 100 yards, so do we really want to go down that route of having mobile masts every 100 yards or so? I would also like to say, at the end of the report here, it says: "The mobile phone companies have tried to insure themselves against future health claims, but no insurance company in the world would take on the liability."

Deputy A. Breckon:

Thanks for your comments. That will be noted. Now, before this gentleman at the back, is there anybody who has not asked a question who would like to ask a question? Okay, the gentleman at the back. Unless there is anybody else, this will be the last question.

Mr. J. Sutton:

On a slightly different tack to the one I was on before, what you have raised and the gentleman in front of me quite rightly said about Jersey Telecom, a monopoly, why could it not stay on its own with one network? You talked about the sale of Jersey Telecoms. Really highly relevant, and I was hoping you were going to raise this, because I noticed that in your terms of reference, the competition is not there, it is mainly health. But if it is, then it is highly relevant. I am hugely passionate that there should be only one network, that all of the telecoms operators should have equal access on it to compete on a level playing field. Now, on the sale of Jersey Telecom, what the States should be doing is selling the retail arm of value, all those customers - and I am sure there will be a lot of operators here who would snap them up for a really good value - but maintain the Crown jewels, which are the network. Planning have been saying we cannot share infrastructure. Well, you can share the base stations and as you have virtual mobile operators and so forth, so one set of infrastructure, one set of infrastructure maintained by the State; that is the Crown jewels, that is the value, that is the asset that goes on the books as an asset, but let the operators compete in an even way. The problem we have at the moment is that the competition has been extremely good, particularly for business. Jersey is doing extremely well in attracting business now, because the cost of communications has come down. The 2 megabit private circuit, which does not mean a lot to most people - I do not want to bore you - used to cost £70,000 a year for a company to lease back to London. Consequently, people had very low bandwidth to London; all the finance industry and so forth. That price has now come down to £16,000, down from £70,000 to £16,000, a bit like the drop in the price of broadband due to competition, so it is a good thing. But the network, if we can compete or if the operators can compete in a level playing field on a well-maintained network, then there is an opportunity. I think there is an answer that could possibly make everybody happy. We maintain the Crown jewels and sweat that asset, as it were.

Deputy A. Breckon:

Can I say that on those grounds, there is another Scrutiny Panel looking at the sale of Jersey Telecoms,

and you are right in what you say, there is a separation. One is the infrastructure, which is how they operate the landlines and for mobile, which is like you say, a prized asset. Maybe it could be argued it is a strategic asset to the Island, because as we all know, we have a finance industry which generates about 80 per cent of what happens in the economy in one way or another, and were the telecoms operations to be under threat or not performing properly, then that would affect that industry that provides things for us all. But having said that, the other part of it is sales, and it is linked to that. Now, what the recommendations will be from the other Scrutiny Panel, I do not really know, because they are looking at that at the moment, but the Treasury Minister is keen to sell Jersey Telecoms and he has been advised, I think, by Citibank on that, and there is other advisors in it. I mean, I do not think the deal has been done, but minds are being made up, I think, that that will happen.

Mr. J. Sutton:

Well, I think to sell the customers, get the value from there. Sorry, I will shut up. I know I am being really boring, but on that point, the biggest problem that the JCRA have at the moment is this cost separation issue between retail and wholesale on Jersey Telecoms, and what happens is Jersey Telecoms can get away with overcharging the competitive operators for the wholesale access and then charging, in some instances, their retail customers less than the wholesale price. So if you split up the network, the JCRA has a much easier task to do to regulate our telecoms competition. Thanks very much indeed.

Deputy A. Breckon:

I do know that they have taken some specialist advice. I will take the last question from the lady.

Ms. R. Wilson:

It is just relating back to the question put by Deirdre Mezbourian. I am also from St. Lawrence and I have sat in a room with Deirdre, my 2 friends here and 2 other politicians for over an hour. It was Monday; it was a consultation: "Take along your problem to the States' session." Basically, one of the things I said in that room was: "I do not believe that the application for the war tunnels was turned down for aesthetic reasons when the application so close to the school was not rejected for health reasons." Now, when I said this, another Member of the Government within the room said: "Oh, is that what they told you in the paper?" so that suggests to me that the reason the application was refused at the war tunnels was either to do with money or pressure or something completely different, you know, something that we are not being told about. Perhaps I would like to know the details of that situation, because, you know, it does mean there is no fairness. Some people have big groups of people, and that maybe that would lead to -- you know, I feel very strongly about this particular question. It just really --

Deputy A. Breckon:

Well, can I give you an assurance? If there is a planning issue that has been pointed out by Richard, then there is a process for doing that, and if that has not been followed or there is a problem with that,

then that is certainly something we can look at, but obviously we are not aware of the details of every application, but we can get access to them.

Ms. R. Wilson:

I would like details of that particular application and why the war tunnels were refused, please. Thank you.

Deputy A. Breckon:

Well, Carol will make a note of that and we can find out exactly what that was. Thank you everybody. The Constable has gone, but thanks for the -- oh, there is a gentleman there. I have been around 3 times and asked if there was anybody who had not asked a question, so this is the last question.

Mr. J. Kirk:

Thank you very much. As a builder, I am wondering - Kirk is my name; Jack Kirk - as a builder, I am wondering, people living quite near the masts might be worried about the value of their properties. I know of a young couple in St. Martins and they are selling their property because they are putting 2 masts in a field nearby. Now, when people start to feel this way, I feel it could affect the price of property, which people these days will be very concerned about, so I wonder how people feel about that.

Deputy A. Breckon:

Well, that is certainly something we can take into consideration, but bearing in mind this is evidence-based, we would need some proof that there was 1,000 properties on the market that people could not sell and they had been reduced by £50,000. Now, I can personally say I have never known that in Jersey. Now, if there is evidence of that and somebody wants to supply it, that they could not sell a house or it has been reduced for a significant amount - not because the agent has overpriced it - but because there was something there that affected that, then we would really be interested in that, but we have personally not come across that. But that was raised last night as well about the price of property, but again, we will take note of that, and we will inquire of the profession whether that is the case and whether people who are buying and selling are asking that question and whether it is an issue. I will do that.

Mr. J. Kirk:

I am aware of it, and more people are going to be aware of it. I am sure an estate agent would not be telling people: "You will get a bit of a discount here because there is a mast next door."

Deputy A. Breckon:

Can I tell you something? If you are buying a property, then there is usually a search, and the search would say: "Has any applications been within the vicinity of that for roads; a block of flats to be built

next door?" so that you would be aware of it, and it goes to the utility companies, the gas, electric, water in case they are going to dig up the roads, whatever that is. Now, that search would include the planning records, so if somebody is going to buy a house, they would know that in the last so many years, there had been an application for that, and then they make a judgement on that, depending on what it is. Obviously, people like Steve have given advice on that. They would have access to that, hopefully. But we will certainly look at that, because that was raised last night as well. But the other thing is of course then that raises the question, if it is an issue, where do you get the compensation from? Is it from the landowner for the mast; is it the telecom operator; is it the Government for allowing it? It was suggested this afternoon that when that happens, everybody walks away; if it were to happen, I should say. Anyway, thank you. As I said, Mr. Trower gave evidence this afternoon, that will be transcribed and given to him hopefully within the next 4 or 5 days. He will have then 7 days to say whether that is a true and accurate record. People who give evidence are given that as a courtesy, because we take out the ums and ahs and then it is in case somebody said, for example, something was 31 and it was 50, and they realised they had made a mistake. The idea is it is not to embarrass anybody, it is to get a factual record of that. So that is it. So that should be there within 14 days, but maybe before. I would like to conclude by thanking - the Constable has left - the Constable him for the use of the facilities; Deputy Collin Egré, who is Deputy Chairman, for his contribution; Richard Glover and Steve Smith for their contribution; the 2 Scrutiny Officers, Carol and Malcolm. If there is any information you want to take, please do so. If you want to contact us, please do so. Anything you want to know, if you do not have access to the internet, then phone up; there are telephone numbers on there. Next week, 3 days, Monday, Tuesday and Wednesday, we have public hearings. It is in the States' Chamber. They are public hearings. Please come along if you get time. You do not have to stay all day. You can come in for an hour if there is anything in particular. We will make the schedule available. All the 3 operators will be there, the JCRA, the Jersey Electricity Company, we have the World Health Organisation and a number of others, and we have Monday, Tuesday, Wednesday and then on 15th February, we have Dr. James Rubin and Dr. John Stather. Again, that will be a public meeting - the venue to be decided - and that really is part of a process. It is not the end of the process. I just conclude by thanking you for coming along tonight, and your contribution hopefully does make a difference and it will count, and we are listening to people, not ignoring them. Again, thank you, goodnight and have a safe journey home. Thank you. **[Applause]**