

Report of the Environment, Planning and Countryside Committee's consideration of evidence taken on the planning aspects of electronic telecommunications apparatus

Introduction

1. At its meeting on 5 April, the Committee agreed to take evidence on the land use implications of mobile telecommunications, including permitted development rights. The Committee took evidence at its meeting on 28 June.
2. The organisations represented on 28 June were:
 - Mobile Operators Association (MOA)
 - Welsh Local Government Association (WLGA)

The organisations also submitted written evidence in advance of the meeting. The evidence is appended to this report, as is the transcript of the evidence taken in Committee.

3. The report that follows summarises the main issues raised.

Background

4. The Committee's consideration of this issue arose out of the Minister for Environment, Planning and Countryside's response to a Standing Order 31 debate on 8 February 2006, which was proposed by Janet Davies. Following that debate the Committee requested that the Minister set out the current legislation, policy and technical guidance of the land use planning system, with particular reference to permitted development rights.
5. The evidence session on the planning aspects of mobile telecommunications apparatus arose out of the Committee's discussions of the current land use planning system. The Committee wished in particular to discuss the implementation and operation of the Welsh Assembly Government's *Code of Best Practice on Mobile Phone Network Development*, published in July 2003, which follows very closely the Code of Best Practice issued by the Office of the Deputy Prime Minister in November 2002, and communication and consultation with the public on the siting of masts.

Technology and demand

6. It is a fact of modern life that consumer demand is driving the rapid expansion of the mobile phone network. Using mobile phones has transformed the way in which we conduct our personal lives. Their potential for direct, high-speed, high-quality communication is also important to maintain business competitiveness and improve customer

services. Our emergency services too depend on this vital piece of infrastructure.

7. There are now 62.5 million mobile phone handsets in the UK, a number greater than the population of the country, which stands at around 57 million. Since they are radio technology, they require antennae to operate. The antennae are located on masts, of which there are nearly 2,500 in Wales. The location of masts and the risk of radio-wave emissions from them have raised serious issues of public health concern.

Public perception

8. The level of public discussion about health concerns and consultation regarding the siting of masts is well known and we are aware of the strength of feeling in communities from the issues our constituents bring to our attention. While health concerns regarding emissions from mobile phone masts lay outside the Committee's portfolio, we were able to discuss health issues in the context of whether guidance and advice in the planning system is adequate to aid local planning authorities to deal with such matters.

Scientific advice

9. We heard that Sir William Stewart, who chairs the Health Protection Agency, had, in January 2005, called for a review of the planning process and that recent scientific research had made him more concerned about potential health risks. On the other hand, the MOA quoted Professor Lawrence Challis, a physicist who was vice chair of the Stewart inquiry on mobile phones, as stating that the amount of radio-wave transmissions from a mast is a thousand times less than that from a handset. The MOA were concerned therefore that independent scientific research was not being properly communicated to the public.

The Planning Regime

10. The challenge for the planning system is to provide an effective telecommunications system that delivers the benefits of modern, rapid communication, but that ensures that local people are consulted on development proposals and that their concerns are addressed.
11. The underlying primary legislative powers dealing with the rights of electronic communication operators to install apparatus are not devolved to the Assembly. However, in exercising such rights operators must abide by controls imposed by the land use planning system. The Assembly could amend secondary legislation, the Town and Country Planning (General Permitted Development) Order 1995, to exclude permitted development rights.

12. Planning Policy on telecommunications is set out in the Assembly's *Planning Policy Wales*, while planning guidance is contained in Technical Advice Note (TAN) 19: 'Telecommunications' and the *Code of Best Practice on Mobile Phone Network Development*, the main aims of which are to outline best practice on development control, consultation arrangements and environmental and health considerations.
13. A joint review of the code of best practice by Arup, a consulting firm, and the University of Reading was commissioned by the Welsh Assembly Government and the then Office of the Deputy Prime Minister. It published its findings in March this year. The three main recommendations of the review were: that the Code is revised; that it be put on a more formal footing; and that an independent body be established to deal with complaints from the public about the operation of the Code. **We recommend that the Welsh Assembly Government revises its *Code of Best Practice on Mobile Phone Network Development* in line with the findings of the Arup/University of Reading review and in conjunction with subsequent revisions to the UK Government's Code of Best Practice and further that it considers making the code a statutory document or incorporating relevant parts into TAN 19.**
14. It was clear to us from the evidence presented that there was not a sufficient level of awareness of the code. **We therefore recommend that the Welsh Assembly Government develops a communication strategy to raise awareness of its *Code of Best Practice on Mobile Phone Network Development*.**

Types of telecommunications development

15. Telecommunications development will normally fall into one of three categories: permitted development; permitted development that requires prior approval; development that requires an application for planning permission and/or listed building consent.

Permitted development rights

16. Planning legislation describes precisely what types of development in what context have permitted development rights and therefore do not require a full planning application to be made. Generally operators have permitted development rights to install radio masts up to 15 meters, while those in excess of this require full planning permission. However, some permitted development requires 'prior approval' from the local planning authority relating to the siting and appearance of the mast. (See below).
17. In its written evidence, the WLGA referred to a perceived problem with permitted development in that it feels that there is no clear mechanism for the public to express their concerns. It believes that this has

undermined public confidence in the planning system. To help the consultation process and to allow communities to participate in the decision making process, **we therefore recommend that permitted development rights are removed and that mobile telecommunications apparatus up to 15 metres be subject to the full planning process.**

Prior Approval

18. Local planning authorities have 56 days to determine applications for prior planning approval. If a decision is not reached within that timeframe, planning permission is granted by default. The WLGA informed us that this causes especial difficulties, and is contrary to all other applications for full planning permission, in the case of which, if not determined within 56 days, the authority would be granted an extension.
19. The MOA did not believe that revocation of prior approval would be good for network development and much preferred the option of early consultation. In its written evidence it stated that: "...changes to the planning system would not increase the level of consultation that takes place, and would do nothing to address the concerns that some people have".

Planning applications

20. The MOA suggested that many of the more controversial sites would be full-planning sites, it therefore did not believe that a full planning system, as exists in Scotland, would solve current problems, adding in its written evidence that local planning authorities would see a considerable increase in the number of full planning applications submitted.
21. The WLGA was firmly of the view in both its written and oral evidence that there should be full control on planning applications for mobile phone mast developments, as is the case in the National Park Authorities: "all developments should be subject to planning application, and the NPA system should be scrapped, as it undermines confidence". The WLGA went further and suggested that, prior to installation, mobile phone masts' equipment should be subject to a separate regulatory or licensing procedure that would deal solely with health risks.

Planning and Health

22. *Planning Policy Wales* gives general advice on all planning matters and states that health can be a material consideration in the planning system. TAN 19 states that provided a certificate is issued when an application is presented, it would not normally be appropriate for local authorities to consider the health aspects of the application.

23. The MOA acknowledged that, under current guidance, planning authorities were expected to be quasi-scientific experts on a complex scientific subject, and suggested that the view of central Government was that it should decide on applications because it has the resources and available expertise through the Health Protection Agency.
24. We were most concerned to hear of the difficulties the present planning system causes local authorities and in particular that they are having to do more work than might be necessary at the public's expense. The WLGA told us that the use of the planning process by stakeholders as a way to demonstrate health concerns raises false expectations. It did not believe that current national advice and planning policy, which emphasises the visual impact of any development, was adequate to equip planning authorities to consider applications. We were told that the planning system would normally hold that health and public safety is a material planning consideration. However, current guidance in the TAN dictates that it should not be necessary for a local planning authority, when deliberating on an application for planning permission or prior approval, to consider the health issues raised by telecommunications developments. **Since there is clearly a conflict between planning policy and guidance, we recommend that the Minister clarifies guidance in line with *Planning Policy Wales* to ensure that local planning authorities take health impact assessments into account when deliberating on applications for planning permission or prior approval.**

Consultation

25. Public perception is that there is insufficient consultation on the siting of electronic telecommunication apparatus and that where consultation does take place, the views expressed are frequently not taken into account. The MOA, on the other hand, informed us that most base stations are built without a great deal of concern or controversy because of robust consultation.

The Mobile Operators' Association Ten Commitments

26. In 2001, the MOA published a list of 10 commitments to best siting practice. The aim of the list was to improve consultation with local authorities and the planning system, and with the public in communities close to the proposed sites. The MOA told us that in publishing the commitments it wished to increase transparency in the consultation process as the network expands. The 10 commitments to best practice were incorporated in the Welsh Assembly Government's *Code of Best Practice on Mobile Phone Network Development* thus making them part of the planning regime.
27. One of the 10 commitments states that the MOA would participate in obligatory pre-rollout and pre-application consultation with local

planning authorities. Since 2001, each operator has provided its forward network building plans for the next 12 months to local authorities. In 2005, under the auspices of the MOA, the plans of the five operating companies were sent out electronically in a single hit to every local authority in the UK. As well as providing this information, we were pleased to hear that the MOA's members offered to hold meetings with local authorities to discuss the plans at as early a stage as possible. We were however concerned to learn that the response rate in taking up this offer is extremely low with up to 90 per cent of authorities in the UK not taking advantage of the opportunity to discuss these forward plans. **We therefore recommend that the Welsh Assembly Government, using the auspices of the Welsh Local Government Association, encourages local planning authorities to take up the offer of meetings with the MOA's members following distribution of their annual network development plans each autumn.**

28. Since the operators' annual forward network building plans are not confidential, once they are distributed, they could be put in the public domain immediately by local authorities and specifically be sent to councillors and community representatives. **We therefore recommend to local authorities that they publish the MOA members' annual network development plans and arrange for them to be sent to key stakeholders as early as possible and that the Welsh Assembly Government revises its Code of Best Practice to reflect this.**

Pre-application dialogue – traffic-light rating system

29. The MOA told us that it believed that pre-application consultation with local authorities and communities, "is the single most important thing in helping us to develop our networks in a way that is environmentally friendly but which also meets the needs of the 62.5 million handset users". It has offered, on a voluntary basis, to have pre-application dialogue with planning authorities and communities in the proximity of the proposed mast before lodging the planning application with the local authority. It devised what it referred to as "a traffic-light rating system", to attempt to determine which sites might require greater community involvement in pre-application consultation. In the case of a red-rated site, which is thought to require more public consultation than others, it is compulsory under the 10 commitments for the operators to contact local ward councillors and community councillors in order to identify potential community concerns.

Consultation with schools

30. We questioned the MOA on why, despite being included in TAN 19 and the code of best practice, we had been informed of a number of examples where there had been a breakdown in communication between operators and schools at the consultation stage of a proposed

telecommunications development. We therefore wished to discover how the operators ensured that local schools and governing bodies are properly consulted. The MOA could not account for this and reiterated that operators were aware of the need to consult local schools as a requirement under the code of best practice.

Site Sharing

31. Mast sharing is one of the MOA's 10 commitments. A report by Ipsos MORI, which was distributed to us during the evidence session, states that two-thirds of planners disagree that mobile phone operators make sufficient effort to share base stations. The WLGA informed us that most local authorities would advocate mast sharing and would consider that option before discussing new development. **We recommend that guidance be revised to make a commitment to the feasibility of site sharing obligatory in all applications.**
32. We raised the particular problem of mast sharing in rural areas, based on information that we had received from Ofcom. Whereas five in six masts are shared in Cardiff and Swansea, the figure is as low as one in 10 in Pembrokeshire and one in six in Ceredigion. We also expressed our concern at the lack of co-operation between operators in rural areas, which may be hindering economic development and investment.
33. The MOA told us that it has set up a group to monitor the issue of site sharing. The group has developed a database, which is available to all operators. It told us that operators always look to sharing as a first option because it made good business sense, since sharing a mast is cheaper than constructing a stand-alone structure. However, it also informed us that because of radio clearance requirements, there must be separation of a few metres between antennae on masts, which in some instances makes sharing impossible.

Environment, Planning and Countryside Committee

EPC(2) 10-06(p4)

Date: 28 June 2006

Venue: Committee Room 1, Senedd

Title: Mobile Operators Association Submission

Introduction

There are now around 62.5 million mobile phones in use in the UK. The development of the mobile telecommunications industry in the UK has transformed the way in which people go about their personal and business lives. The ongoing development of the networks is of continuing importance to the Welsh economy and will help businesses in Wales to remain competitive.

There are currently around 47,000 base station sites in the UK to support the calls and access to other services from those phones. The operators need to continue to develop their networks in order to meet their licence requirements to provide 3G network coverage for 80% of the UK population by the end of 2007.

According to Ofcom, at September 2005 around 39% of all phone calls in the UK were either to or from a mobile phone. In Wales, 13% of households only have access to a mobile phone – this is the second highest figure in the UK. In total, 89% of households in Wales have access to a mobile phone. 73% of adults in Wales have access to one or more mobile handsets, a figure which rises to 87% of under 45s.

The importance to high quality mobile telecommunications to businesses in Wales cannot be overestimated. 47% of SMEs (small and medium sized enterprises) in Wales use mobiles phones. Access to mobile communications allows many businesses to operate more effectively and to respond to their customers much more efficiently than before.

The need for base stations

Mobile phones cannot work without a network of base stations in places where people want to use them. The operators need to ensure that there is an efficient network service in place to allow people to use their phones when and where they want.

To get a good reception on a mobile phone you need to be close enough to a base station to receive a signal. The signal from a base station has a limited range and they are typically able to only carry a maximum of around 120 calls at the same time. In addition, natural barriers such as

hills and mountains, as well as buildings, can have an affect on the distance a signal from a base station can travel.

Mobile phone users in the UK area are increasingly demanding better coverage, more capacity in the networks to stop calls from being lost, and more services to be available on their phones. Mobile network operators are responding to that customer demand, which results in a need to increase the coverage and capacity of the networks.

This demand is particularly apparent in those areas that do not have complete network coverage, including some rural parts of Wales. This is made clear in approaches to the operators from MPs and AMs whose constituents may be concerned that they do not receive the consumer, safety and public service benefits of mobile telephony that are available elsewhere in Wales and the UK. The Welsh Assembly Government is keen to improve communications across Wales, and it is important that the operators are not deterred from providing this through unnecessary planning restrictions.

We understand that some people are concerned about the perceived health effects of mobile phone technology (addressed in the section below on Health and Planning), and we are committed to addressing those concerns in an open and transparent manner.

Ten Commitments to Best Siting Practice

In order to address those concerns the five UK mobile network operators introduced the Ten Commitments to best siting practice in 2001. The Ten Commitments are now contained in the Welsh Assembly Government's Code of Best Practice on Mobile Phone Network Development.

The implementation of the Ten Commitments over the last five years has seen a significant improvement in the way in which operators consult local communities, how they interact with local authority planners, and provide strategic information on their plans for network development across Wales.

The aim of the Ten Commitments is to ensure transparency in building mobile phone networks, to provide more information to the public and local planners and to boost the community's role in the siting of radio base stations.

We believe that pre-application consultation is the best way to address people's concerns, and answer their questions, about mobile network development. It is at the pre-application stage that genuine dialogue with community representatives and other stakeholders can be had.

In addition to consulting on individual applications, the operators send an annual rollout plan to all LPAs every autumn. The operators request meetings with the LPA to discuss their rollout plans for the area in the

following 12 months. Unfortunately, only a small percentage of LPAs take up the offer of a meeting to discuss the rollout plans.

We remain committed to local consultation and we recognise that this is particularly important in areas where sites are near to residential areas and sites such as hospitals and schools where concerns are sometimes heightened despite the confidence in the safety of the technology shown by all leading scientific bodies.

Good quality consultation is the key - changes to the planning system would not increase the level of consultation that takes place, and would do nothing to address the concerns that some people have.

The operators have a range of consultation techniques, set out within the Ten Commitments, that they use to consult with local ward and community councillors and communities on a proposal before an application is submitted.

The operators' performance under the Ten Commitments has twice been reviewed by independent auditors Deloitte. The most recent review, published in January 2005, concludes that the operators have continued to show demonstrable progress in the implementation of the Ten Commitments.

A copy of the Ten Commitments, and the two Deloitte reviews, can be found on the Mobile Operators Association website at www.mobilemastinfo.com.

The planning regime in Wales

Welsh Assembly Government has put in place a system which achieves a careful balance between providing the country with a mobile telecommunications system which is fit for the 21st century and which delivers efficiently the enormous benefits of mobile phone technology to the Welsh population. At the same time, the Assembly ensures that local residents are able to have their say in development proposals that may affect them.

This system involves the streamlining of the planning process for certain types of telecommunication development via the permitted development and "prior approval" processes. Permitted development rights are not exclusive to the mobile operators. They are a fundamental part of the planning system in Wales. Permitted development regimes streamline the planning process by reducing the need for local planning authorities to determine an application for a small scale development which would have little impact on the visual environment. In addition, and just as importantly, permitted development rights actively encourage developers (including the operators) to develop small and less intrusive structures, thereby reducing their impact on visual amenity.

Local planning authorities are required to determine prior approval applications for ground based masts within 56 days. 56 days is a reasonable period within which a local planning authority can fully consult with communities and determine an application for prior approval. In fact, the operators in practice go much further than the strict requirements of the prior approval system, through the voluntary pre-application consultation set out in the Ten Commitments. The prior approval process enables local residents to have a proper say in developments that affect them.

It would not be appropriate to address any perceived weaknesses in the current permitted development/prior approval rules through their abolition – they should be addressed by improving the efficiency with which local planning authorities consult locally over prior approval proposals and process objections from local residents where they arise. The removal of permitted development rights will do nothing to address the concerns that some people have regarding the development of the mobile networks.

The removal of permitted development rights would result in a large increase in the number of full planning applications submitted to local planning authorities. The increase in their workload would have a severe adverse impact not only on telecommunications development, but on other forms of development dealt with by the planning system which would be caught up in the log jam.

The proposals would result in a significant adverse impact on the mobile operators' ability to provide a service which consumers in Wales want and rely upon. A large and increasing number of people are using their mobile handsets as their primary means of communication. Those handsets simply will not work without a network of base stations in place where people want or need to use their phones.

Health and planning

There have been calls, both in the Welsh Assembly and elsewhere, to allow local planning authorities to give greater weight to perceived health concerns when considering applications for mobile telecommunication apparatus. It is sometimes suggested that this would be a more 'precautionary' approach to mobile network development. This was suggested by the motion debated in a plenary session of the National Assembly for Wales on 8th February 2006.

The motion called for mobile operators to be required to submit with a planning application a precautionary principle statement which "*describes the effect upon the environment or human health which might arise from the installation or use of the telecommunications masts and associated apparatus*". Where the statement indicated a threat of damage, a lack of full scientific certainty about the threat should not be a ground for granting planning permission.

The proposal had at least three significant flaws that would have been counter productive in dealing with public concerns about health. First, it would have introduced into local decision-making on planning applications some extremely vague and general concepts. The fundamental point about the precautionary principle is that, for the very reason it is so vague, it should be used as a tool for the formulation of policy rather than a pass/fail test for individual applications. The proposal would create difficulties for local planning authorities tasked with interpreting the precautionary principle for specific cases and would result in wildly inconsistent application, and unfairness and confusion on all sides.

Second, the proposal was contrary to a fundamental principle of Government policy, namely that planning control and health regulation are two separate regimes. Paragraph 86 of Planning Policy Wales: Technical Advice Note 19 (Telecommunications) states that *“Local planning authorities should not seek to replicate through the planning system controls under the health and safety regime. Enforcement of health and safety legislation in this area is a matter for the Health and Safety Executive (HSE). If, once a mast is in operation, there is evidence or concern that an operator is not meeting their responsibilities in a particular case HSE may investigate and, if necessary, require action to be taken. HSE do not need to be consulted on individual planning applications (except for development near major hazard sites).”* Local planning authorities simply do not have the experience or resources to address complex representations that may be made to them on health and safety grounds in the context of telecommunications development. The system would create more difficulties for already overburdened LPAs if they had to perform this role and it would again result in inconsistent and unfair outcomes on all sides and without the necessary expertise it would only raise concerns further.

More recently, the NRPB report *Mobile phones and health 2004* supported the Government's view that *“while planning is necessarily a local issue, the assessment of evidence related to possible health concerns associated with exposures to RF fields from base stations is best dealt with nationally.”* The Telecommunications Masts (Planning Control) Bill contradicts the advice of the Government's senior independent scientific advisers on this issue. In addition, in November 2004 the Court of Appeal upheld the Government's view that if a proposed mobile phone base station meets international exposure guidelines for public exposure it should not be necessary as part of the planning process to consider further the health aspects and concerns about them

Third, and perhaps most importantly, the current framework is already based upon a precautionary approach to its rules on telecommunications development. The Government's approach has been to apply the precautionary principle at policy level to shape the detailed practical planning requirements, as shown below.

All UK mobile operators' base stations must comply with the public exposure guidelines of the International Commission on Non-Ionising

Radiation Protection (ICNIRP) as recommended by the Stewart Report in 2000.

As part of its findings the Stewart Group called for a precautionary approach and recommended that the ICNIRP guidelines be adopted. The ICNIRP limits for exposure for the general public are based on the same science as those set out by the previously used NRPB guidelines, but as an additional precaution, maximum exposure levels are five times lower. The operators accepted this recommendation and all base stations are ICNIRP compliant.

An independent audit of mobile phone base station radiofrequency emissions undertaken by Ofcom since 2001 confirms the Stewart Report's expectation that "*exposures are expected to be small fractions of the guidelines.*" The details of the audit of around 400 sites, mostly close to schools and hospitals, can be viewed on Ofcom's website: www.ofcom.org.uk. Typical readings from these audits are hundreds or thousands of times below the ICNIRP exposure guidelines.

As part of their Ten Commitments, the operators provide a copy of an ICNIRP compliance certificate to Local Planning Authorities with every planning application lodged. This is a statutory requirement in Wales.

Independent scientific review bodies in the UK and around the world have consistently concluded that the weight of scientific evidence to date suggests that exposure to radiowaves from mobile phone base stations operating within international guidelines do not cause adverse health effects.

Code of Best Practice review

The Code, which also covers England has recently been reviewed by Arup and the University of Reading (commissioned by Welsh Assembly Government and the Office of the Deputy Prime Minister). The main conclusions of that review were:

- There have been significant improvements in the process of planning for mobile network development, especially in relation to information dissemination and consultation
- LPAs vary in the extent to which they engage in planning for mobile network development as set out by the Code of Best Practice.
- Beyond the very active community groups, the wider public has very limited awareness or knowledge of the Code or any of its components.
- LPAs were very positive about the impact of the Code on the operators' performance, commenting on significant improvements in the information submitted with applications, and increased transparency in consultation

- Site-specific pre-application discussions are of considerable value, where LPAs have the resources to offer such a service.
- The Code has had a significant positive impact on mobile phone mast development. This impact is increasing as awareness of the Code and its requirements becomes further embedded within the operating practices of the industry and LPAs.

Ipsos MORI planners research

Ipsos MORI research of local authority planners carried out over the past six years shows positive improvement in all areas of consultation and information year on year. The main findings of the research are:

- Four in five planners agree that there has been an improvement in the quality of information and level of consultation by operators
- Seven in eight planners feel operators co-operate positively with requests for more information about planning applications
- Three-quarters of planners agree the operators provide them with enough information about their plans for mobile base stations within their local authority area
- Four in five planners agree that the operators make themselves available for discussion with planners before submitting applications
- Around a third of planners say that there are no areas for mobile phone operators to address more effectively - up from just over ten per cent in 2001
- Operators are successfully filling the information gap for planners that was identified five years ago. They are meeting planners' expectations and delivering improved information and communication, both with local authorities and local communities.

Conclusion

The operators will continue to develop their networks in Wales, in consultation with local communities, planning authorities and AMs and MPs, in order to provide high quality mobile networks for businesses and communities across the country. The planning system in Wales needs to continue to strike the right balance between placing sufficient controls on development, allowing local communities and other stakeholders to be consulted, and enabling the operators to respond to the continuing increase in consumer demand and should not discourage operators from improving coverage.

Environment, Planning and Countryside Committee

EPC(2) 10-06(p5)

Date: 28 June 2006

Venue: Committee room 1, Senedd

Title: WLGA Briefing – Electronic Telecommunications Masts

Introduction

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

Summary

3. It is important to recognise the policy differences that exist between NPA's and Local Authorities LPA's on this issue. In the National Parks a planning application is required for all such developments. However it is clear from experience that this does not provide the answer for dealing with the public's perception that their health concerns are not taken fully into account. Even if all authorities required a planning application the "weight" given to the perceived health risks is still debateable under the current certification process and guidance. It could be argued that all that would be achieved by bringing all developments into the planning regime is a heightened degree of publicity, but it won't make the decision making process less problematic nor give the objectors any more confidence that their health concerns have been taken on board. However there are broader reasons for arguing that all developments should be subject to the full planning process.
4. The role that telecommunications infrastructure plays in the effective delivery of emergency services and the ability to respond to incidents appropriately is vital. Therefore this discussion should be framed within the context that Telecommunications Masts are a vital piece of infrastructure to the economic and social well being of Wales. However this does not detract from the need to deal with public perceptions and concerns over health and visual impact and ensure that there is a suitable process to ensure continued public support and engagement with the planning system.

5. It is clear that the planning system is being used as a vehicle by objectors and third parties to highlight their concerns on health. Whilst this is understandable, it places Local Planning Authorities in a very difficult position of balancing the weight of public opinion against the clear advice and guidance offered by national Government as to what is and is not relevant as material consideration.
6. In this regard the WLGA consider that there should be further research undertaken on the possible health risks of telecommunications development and that the issue of whether there should exist a separate regulating process (potentially outside the planning system) to consider the health impacts of all base stations and associated developments prior to their erection should be considered. This would potentially allow the planning system to concentrate solely on the planning merits of the application, as advocated by current national policy and guidance.

Background

7. This issue is one that local authorities have been concerned by for some time. The debate held by the NafW in Plenary debate on 8 February 2006 (Item 9: Debate on Standing Order 31 motion (NNDM) 2736 tabled by Janet Davies AM) highlighted some genuine concerns and some real examples of where the public perception was that the system had 'failed' them. It is clear WAG policy to allow the development of an effective telecommunications network across Wales as a key economic and social policy aim. The way that PPW is currently framed supports this position. In many ways the planning system is seen as the tool to deliver this network effectively within broad health parameters set out by the Stewart Commission. Indeed LPA's are advised that they cannot set different criteria or unduly prevent such developments as this would impact upon coverage and effectiveness of the system.
8. However PPW does suggest that Health issues can be a material concern in this instance. The issue here is how the system currently operates with 'permitted developments' that there is no clear mechanism for the public to express those concerns and to feel that they have had them taken on board in the decision making process. This undermines public confidence in the planning system. The detail of planning policy and the context within which LPA's must take these decisions are understandably lost upon the general public. It is the end result where permission is 'granted' by their locally elected politicians who 'appear' to not want to take on board their genuine concerns over health issues which places the planning system in an invidious position.

Planning policy

9. In terms of LPA's outside National Parks the latest position regarding the installation of telecommunication masts is that all such masts under 15 metres in height are classified as "permitted development" under the terms of Part 24 of the Town and Country Planning (General Permitted

Development) Order 1995. Nevertheless, it has always been a condition of such permitted development rights that any masts require the “prior approval” of the Local Planning Authority by means of the “prior notification” consultation arrangement. Although Local Planning Authorities were initially given 28 days for consultation, this was extended to 42 days in June, 1999, and subsequently extended to 56 days in 2001.

10. In terms of planning Guidance and Policy, the following documents contain the most up to date guidance to Councils when dealing with telecommunications proposals.
 - Planning Policy Wales (March 2002) – Paras 12.11 to 12.13, which provides advice on telecommunications generally, Development Plan policy and Development Control.
 - Planning Policy Wales (Technical Advice Note) 19: Telecommunications (August, 2002), which provides more detailed advice on all aspects of planning for telecommunications development.
11. By way of further background, the following issues are also relevant to the determination processes, procedures and policies that currently exist.
 - The publication of the report of the Independent Expert Group on mobile phones (the Stewart Report) in May, 2000 recommended that Central Government should abolish the prior notification procedure and require that all masts should require planning permission irrespective of height. On issues relating to health, the report considered that “the siting of base stations in residential areas can cause considerable concern and distress”. It also stated “the fact that base stations up to 15 metres in height can be installed in residential areas without the need for a full planning applicationto be unacceptable”. The report expressed concern that the current (then) planning procedures had an adverse impact on those who are subjected to insensitive siting of base stations. However, and importantly, the report concluded as follows:

“We conclude that the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of guidelines.”
 - In April, 2001, the then Minister for the Environment, Sue Essex, concluded that masts below 15 metres in height would still benefit from permitted development rights, but that the time period for dealing with the prior approval submission would be extended to 56 days for ground based masts and those sited on buildings. The Minister also announced that school governors should be consulted on all proposals for masts on or near a school or college.

- In line with the Stewart Report recommendations for a precautionary approach to mobile phone technology, the Federation of the Electronics Industry undertook to implement in 2001 ten best practice commitments, as follows:
 - Develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities.
 - Participate in obligatory pre-rollout and pre-application consultation with local planning authorities.
 - Publish clear, transparent and accountable criteria and cross-industry agreement on site sharing, against which progress will be published regularly.
 - Establish professional development workshops on technological developments within telecommunications for local authority officers and elected members.
 - Deliver, with the Government, a database of information available to the public on radio base stations.
 - Assess all radio base stations for international (ICNIRP) compliance for public exposure, and produce a programme for ICNIRP compliance for all radio base stations as recommended by the Independent Expert Group on Mobile Phones.
 - Provide, as part of planning applications for radio base stations, a certification of compliance with ICNIRP public exposure guidelines.
 - Provide specific staff resources to respond to complaints and enquiries about radio base stations, within ten working days.
 - Begin financially supporting the Government's independent scientific research programme on mobile communications health issues.
 - Develop standard supporting documentation for all planning submissions whether full planning or prior approval.

The debate in Plenary on the 8th February highlighted a number of examples where this best practice has perhaps not been followed.

Relevant Issues and Options

12. In terms of the current position, the progression of development proposals by local planning authorities are divided into two distinct approaches, namely:
- (i) Applications submitted under the prior approval procedure, where the General Permitted Development Order has already in effect granted an 'in principle' permission for the development, conditional upon the operator applying for a determination as to whether its prior approval for the siting and appearance of the proposed development is required.
 - (ii) Applications which require full planning permission by reason of their height and/or location (e.g. full planning control is exercised in Conservation Areas). In such cases a whole raft of material planning considerations can be considered. Is this where the NPA's would fit???
13. In terms of current policy, Planning Policy Wales (March, 2002) recognises the above diversion in approach. In addition the following key points are raised as being relevant in terms of providing guidance to Local Planning Authorities:
- The extent to which masts can be shared.
 - The need for installations to blend in with backgrounds.
 - Uses should also be made of existing buildings and other structures to site antennas.
 - Siting should, as far as practicable, minimise the impact on amenity and appearance of buildings.

Given the widespread concerns relating to the possible or perceived health impact of telecommunications masts, paras. 12.13.7 to 12.3.9 are particularly relevant. In summary, the Assembly considers that provided the development meets certain criteria, "it should not be necessary for a Local Planning Authority in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them".

14. However, it is extremely interesting to note para. 4.14 of the very same document which states, somewhat in contradiction to para. 12.13.8 as follows:

"The effects of development on, for example, health, public safety and crime can also be material considerations, as, in principle, can public concerns in relation to such effects."

15. From the above, it is clear that whilst the WAG are indicating that health can be a material planning concern and indeed the Courts have held that health can be a material consideration, generally, in the case of telecommunications development, given the specific guidance and regulations in place, the authority need not concern itself with the health impact of the development provided other guidelines are met. However, it is fair to conclude that public opinion and concerns relating to health impact can still be an important material consideration when these concerns are made alongside other general environmental and visual impact concerns.
16. More detailed guidance is provided in Technical Advice Note 19 – Telecommunications which provide the following advice (in summary):
 - Protection from visual intrusion and the implications for subsequent network development will be important considerations in determining applications (para. 56).
 - Telecommunications development will need particular locations to work effectively (para. 56).
 - Evidence of a consideration of the potential of mast sharing should be submitted and provided by the operator on request (para. 57).
 - Authorities should take full account of the specific siting needs of operators (para. 65).
 - Local Planning Authorities should ensure that they understand the constraints faced by operators, whereas operators should be prepared to fully explain and discuss the feasibility of alternative solutions (para. 66).
17. Technical Advice Note 19 includes a full section devoted to the findings of the Stewart Group and the issues relating to health impact.
18. From the above, it is apparent that the ability of local planning authorities to intervene in the siting of new telecommunications developments is limited not only by virtue of the permitted developments rights that exist but also the policy and guidance that relates to telecommunications. In this regard the guidance is very much geared towards the promotion of the industry and recommending that local planning authorities should be mindful of the needs of the industry.
19. Notwithstanding the above, all applications should be considered having regard to the specific characteristics of the development in question, the character of the site and the surrounding area as well as the potential impacts on the area in visual terms. The availability of alternative sites is also clearly a material factor.

20. It is also fair to conclude that notwithstanding the advice and guidance provided on issues relating to health risks, it is clear from submissions made that the planning system is being used as a vehicle by objectors and third parties to highlight their concerns on health. Whilst this is understandable, it places local Councils in a very difficult position of balancing the weight of public opinion against the clear advice and guidance offered by national Government as to what is and is not relevant as material consideration.
21. In this regard the WLGA consider that there should be further research undertaken on the possible health risks of telecommunications development and that the issue of whether there should exist a separate regulating process (potentially outside the planning system) to consider the health impacts of all base stations and associated developments prior to their erection should be considered. This would potentially allow the planning system to concentrate solely on the planning merits of the application, as advocated by current national policy and guidance.
22. The experience of this issue within National Parks Authorities is different because of the different framework they operate under in so far that all applications are subject to the full planning regime. However it is clear from experience that this does not provide the answer for dealing with the public's perception that their health concerns are not taken fully into account. Even if all authorities required a planning application the "weight" given to the perceived health risks is still debateable under the current certification process and guidance. In effect all that would be achieved by bringing all developments into the planning regime is a useful heightened degree of publicity, but it won't make the decision making process less problematic nor give the objectors any more confidence that their concerns have been taken on board.

Conclusion

23. The use of the planning process by stakeholders as 'a way in' to raise issues of health concern raises false expectations, given national advice and policy
24. The need for planning control on masts is essential, it should be full control, all developments should be the subject of planning applications and the PNA system should be scrapped as it undermines confidence
25. The masts should require planning permission as should the equipment, but before the equipment is installed it should perhaps be subject to a separate regulatory/licensing procedure that looks solely at health issues/risks and so on. This requires further work to evaluate the pro's

and con's of any such approach. This will potentially leave the planning system to concentrate on with visual and design matters

Record of Proceedings Transcript – 28 June 2006

Agweddau Cynllunio ar Offer Cyfathrebu Electronig
Planning Aspects of Electronic Communications Apparatus

[224] **Glyn Davies:** [*Inaudible.*]—that is Stuart Eke—I think that that is the right pronunciation—Mike Dolan, and Dr Kevin Bishop from the Welsh Local Government Association. It is not Richard Parry Hughes who is accompanying them—you do not look much like him, Delme. Finally, we have Rob Thomas, and then Catherine Milner from the Pembrokeshire Coast National Park Authority. We tend to run these sorts of sessions pretty informally. I have not discussed this with Members, but, normally, we have a discussion about issues, the clerk writes a report for us and then we look at it in our next meeting and decide what sort of report we want to send and to whom we want to send it. That is what we have tended to do with these sorts of things in the past. To start off, please make your presentations on what you think we ought to know. Stuart Eke is the first name that I have on the order, and, as you are nearest to me at the end of the row, we may as well start there, Stuart.

[225] **Mr Eke:** Actually, I will hand over to Mike.

[226] **Mr Dolan:** Where I come from—[*Inaudible.*]

[227] **Glyn Davies:** That is a hospital pass in Wales.

[228] **Mr Dolan:** I am the executive director of the Mobile Operators Association, and my association represents the five UK mobile phone operators on—[*Inaudible.*]—between health and planning issues, that is—[*Inaudible.*] We have been doing that since 1999 and the Welsh Assembly—[*Inaudible.*] On this issue we speak—[*Inaudible.*]—with a single industry voice. I thank the Chair and the members of the committee for the opportunity to be present today, to have this discussion and to be involved, because dialogue with key stakeholders on this report—[*Inaudible.*]—is a really important part of our business.

[229] When I first came to England in 1999, there were approximately 23 million mobile phone handsets in use in the UK. Today, there are 62.5 million, so, in a space of just under seven years, we have almost had a trebling of the number of handsets in use in this country—which exceeds the population, in fact.

11.30 a.m.

[230] One fact that is not understood by many people is that these mobile phones are small hand-held radios and, because they are radio technology, they cannot work without antennas. The antennas sit on top of structures that are often commonly

referred to as 'masts'. Without a network of those masts or radio base stations to support their use, the phones simply will not work. Given that a mast can handle only about 120 to 140 simultaneous calls, as call traffic increases, with larger numbers of people using their phones and using them more often, you must expand the network. That is why we call it a very much demand-driven network. It is the customer use of the mobile phones that drives the need for the network and its expansion. You will understand, from what I said at the outset, that a trebling of the number of mobile handsets in the United Kingdom in a comparatively short space of time has brought with it a need to expand the networks at a rapid rate.

[231] Having said that, I am sure that it would be apparent to you all, from letters and representations that you have had from your constituents, that, while people absolutely love their mobile phones—they have taken to this technology, it is important to their daily lives and to the economies of the countries in which it operates, particularly those with rural areas, such as Wales—there is a level of public concern about the masts and whether any adverse health effects stem from those masts. Back in 2001, following the publication of the Stewart report, the operators published a list of 10 commitments to best siting practice, to improve consultation with local authorities and the planning system, and with the local people who would be using the technology near where they work and live. The aim of those 10 commitments to best siting practice was to increase transparency in the building of a network and to increase the role of the community in that function. We have always believed that pre-application consultation with local authorities and local communities is the single most important thing in helping us to develop our networks in a way that is environmentally friendly but which also meets the needs of the 62.5 million handset users.

[232] One of the most important things that we did in the 10 commitments was to introduce a system whereby each operator would provide annually to every local planning authority in the country its forward network build plans for the next 12 months. So, for the first time, local authorities could see over the horizon as to what was coming to their patch over the ensuing year in terms of proposed network development. When operators provided that in September/October each year, they also offered to hold a meeting with local authorities, to sit down and talk about those plans. At that point, when those plans often consist of no more than little Xs on maps, driven by radio planners, that provides a real opportunity to have a meaningful dialogue with local authorities and communities on the location of future base stations. That has been going on since 2001 but, last year, for the first time, under the auspices of the Mobile Operators Association—my organisation—those plans were sent out electronically in one hit to every local authority in the United Kingdom. We offered, again, to meet the local authorities and we sincerely hoped that those offers would be taken up.

[233] Unfortunately, to date, and this has now been going on for five years, the response rate in taking up the offers of meetings has been incredibly small. When we started, the response rate was down at about 2 per cent to 3 per cent; it has now increased somewhat from that level, but even now, it is still a small number. We still think that this is perhaps the single most important thing that we can do. We will

continue to encourage local councils to respond to those offers of meetings and ask the National Assembly to give any help possible in encouraging councils to do so, because where they have taken place, they have been phenomenally successful. We have a number of examples of good practice. It gives an opportunity for dialogue between the operators and the local authority and with local communities. The 10 commitments to best practice are now contained in the Welsh Assembly Government code of practice, which was published in July 2003, so they are now part of the planning regime here.

[234] Beyond the annual roll-out plans, we offered—and this was a voluntary commitment—to have pre-application dialogue, again with local authorities and local communities, ahead of specific site builds, so that, before any planning application was lodged with the local authority, there would be a meeting between the operator or its agent and the local authority planning officer to determine the amount of pre-application consultation needed for that site, to try to engage with the local community. We devised what we call a ‘traffic-light rating system’ to determine whether one particular site might need more community consultation than another. That is agreed with the planning officer and it is then carried out. It is only after that has happened, with feedback from local authorities and, where appropriate, from local communities, that a planning application is then lodged. So, that, again, is part of the 10 commitments and code of best practice.

[235] The Welsh Assembly Government and what was then the Office of the Deputy Prime Minister in England, commissioned a review by Arup, a consulting firm, and the University of Reading to see how well the code was working. The main conclusions of that review were: that there had been significant improvements in the process of planning for mobile network development, especially in relation to information dissemination and consultation; that local authorities varied in the extent to which they engage in planning for mobile phone network development as set out in the code; that beyond the very active community groups, the wider public has a very limited awareness or knowledge of the code or any of its components; and that local authorities were very positive about the impact of the code on operators’ performance, commenting on significant improvements in information submitted with applications and increased transparency in consultation. They also found that site-specific pre-application discussions, which I referred to earlier, are of considerable value where local authorities have the resources to offer such a service. We appreciate that the resourcing issue is a major one for local authorities. Finally, they found that the code has had a significant positive impact on mobile phone mast development and that impact is increasing as awareness of the code and its requirements becomes more embedded within the operating practices of the industry and of the local authorities.

[236] As well as that review that was carried out by Government, we had previously had the operators’ performance in relation to the 10 commitments assessed independently by Deloitte. It assessed it very early in its operation, during the first 12 months, and concluded that the operators had made demonstrable progress in the way in which they were implementing the 10 commitments. We asked it to assess it again a couple of years later and it said again that it was continuing to make that demonstrable progress. Those reports are in the public domain and on the Mobile

Operators Association website.

[237] Finally, in relation to external evidence as to how well the operators have implemented their 10 commitments in the code, for the past six years, we have commissioned perception research by Market and Opinion Research International, which is now Ipsos MORI, to determine what local planners think about the operators and how they interact with them. It takes a sample of 100 local planners right across the United Kingdom, but picks up each of the four countries of the UK. The headline results of that—and the 2006 research has only just been made available to us—are that: four in five planners agree that there has been an improvement in the quality of information and level of consultation by operators; seven in eight planners feel that operators co-operate positively with requests for more information about planning applications; three quarters of planners agree that the operators provide them with enough information about their plans for base stations within their local authority area; four in five planners, or 80 per cent, agree that operators make themselves available for discussion with planners before submitting applications; and around a third of those planners say that there are no areas for the operators to address more effectively—that is up from just 10 per cent in 2001. We had MORI produce booklets with the first five years of that research, and we have copies available, which we can distribute to members of the committee to look at that research, which is also published on our website.

11.40 a.m.

[238] In conclusion, Chair and members of the committee, the operators will continue to develop their networks in Wales to support the mobile telecommunications system, which is of such importance to Welsh society and the Welsh economy. We will continue to do that in consultation with local communities, local authorities, Assembly Members and MPs in order to provide a high quality mobile network service for communities across this country. Thank you very much. We have several colleagues from the operators sitting at the back so if specific questions are asked when we come to the discussion, and questions and answers, we can have some assistance from those people who build these base stations as their day job. Thank you very much.

[239] **Glyn Davies:** We will just go down our list of presenters now, so we will hear from Dr Kevin Bishop next, unless you are also throwing a hospital pass out.

[240] **Dr Bishop:** No, it is not a hospital pass; it is a generous pass to councillor Delme Bowen to catch, who I think will lead off.

[241] **Mr Bowen:** I will start with a few introductory remarks, Mr Cadeirydd.

[242] Diolch am eich gwahoddiad. Mae'n bleser bod yma ar ran CLILC. Thank you for your invitation. It is a pleasure to be here on behalf of the WLGA.

[243] Our delegation includes officers from the local authority, Rob Thomas, and a national park authority, Cathy Milner, because we felt that it was important to address the issues across the two different approaches. One is where planning permission is required in all cases, and the other is where it is required solely on the planning merits of the application, as advocated by current national policy and guidance.

[244] We welcome this opportunity to speak to the committee about this issue that is of real concern to many communities. The level of interest is shown in the fact that most local councillors will be aware of many issues raised by constituents in their locality, many of which were replayed at the recent Plenary debate here at the Assembly. The reality is that people have significant concerns regarding the perceived health risks and the sitings of telecommunication masts. There may be arguments over the science and evidence underpinning these concerns, but it is indisputable that the public has these fears and concerns, and they have not yet been allayed by the Government or the industry. The WLGA concludes, in fact, that the use of the planning process by stakeholders as a way to raise issues of health concern raises false expectations, given national advice and policy. There is a need for planning control on masts—it is essential. It should be full control; all developments should be subject to planning application, and the planning and appeals system should be scrapped, as it undermines confidence.

[245] We feel that masts should require planning permission, as should the equipment. However, before the equipment is installed, it should perhaps be subject to a separate regulatory or licensing procedure that looks solely at health issues or risks and so on. This suggestion requires further work to evaluate the pros and cons of any such approach. This will potentially leave the planning system to concentrate on the visual planning and design matters.

[246] Lastly, the WLGA considers that further independent research should be undertaken into the possible health risks of telecommunication development to reassure the public over its real health concerns. Diolch.

[247] **Glyn Davies:** Moving down the list, are there any further contributions? Are we now moving back up the table?

[248] **Dr Bishop:** No, we are not coming back up the table. Well, I hope that we are not. We thought that Members would want an opportunity to explore some of the points that we have made.

[249] **Glyn Davies:** Does anyone else want to make a contribution? Janet, do you want to come in first, since it was you who started this?

[250] **Janet Davies:** Sort of. I think that it was the public that started it, actually.

[251] **Glyn Davies:** This particular discussion today was started by you and the

Minister's response to your debate.

[252] **Janet Davies:** Okay.

[253] First, I thank you, Chair, for bringing this to the committee, and I thank everybody who has come. It is clear that the use of mobile phones is very popular. I think that there is a far greater health risk from the constant use of a mobile phone itself than from the transmitters. Nevertheless, the public is very concerned about the transmitters. The operators have made very positive statements about the system as it exists at present but, nevertheless, the planning authorities are not happy with what is happening to them and the public is not happy. I am having as many complaints as I have ever had about the installation of new masts. Members of the public do not really understand how permission is given, but when they do understand, I have to say that they do not like it. Members of the public do not feel that they are consulted.

[254] You were saying that there is a much higher degree of consultation than there used to be. I do not find that the public is saying that to me. The public says that it is not getting the consultation and that if it is consulted, it is not listened to. There is an issue there—anyone who is involved in something can go out and ask, 'What do you think?', but then, when you get back to the office, do you actually carry out anything to address those complaints?

[255] I am slightly concerned about the figures that you give from the MORI planners research. It is 2006 and therefore the figures have understandably changed from the 2002 research that I have here. You are saying that:

[256] 'Around a third of planners say that there are no areas for mobile phone operators to address more effectively—up from just over ten per cent in 2001'.

[257] You say that one third says that but that means that two thirds, presumably, think that there are areas to be addressed, which is twice as many as are happy. Not everyone agrees. There are planners who do not agree, and, after all, they are professionals. They are not just people panicking on the ground; they are the professionals who have to operate the system, and 20 per cent do not think that there has been an improvement in the quality of information; 25 per cent do not think that operators provide them with enough information. So, it seems that there is still a major issue here. Sir William Stewart, who is the chairman of what used to be the National Radiological Protection Board, which now has a new name—I am sorry, I cannot remember the new name—

[258] **Mr Dolan:** It is the Health Protection Agency.

[259] **Janet Davies:** In January 2005, it is said that Sir William Stewart had:

[260] 'called for a review of the planning process for mobile transmission masts and

said that recent research made him more concerned about possible health hazards than he was five years ago.'

[261] I think that you have to have some concern if someone of his standing is saying that. How will you all make the consultation better, higher, wider, deeper and then follow up the issues that are taken? Until you can make sure that the public has far more confidence in what is happening at present, planning authorities are put in a totally invidious position. They are getting a great deal of blame and are being caused a great deal more work at public expense in order to deal with the situation. I would like to ask those questions to you both.

[262] **Glyn Davies:** Does anyone want to respond?

[263] **Mr Dolan:** I am happy to respond in the first instance, Chair. I fully acknowledge what you say, that people do still remain concerned—[*Inaudible.*]

[264] **Glyn Davies:** Sorry, we are having real trouble with the sound equipment at the moment. Delme was just going to press the button on the only microphone that works. Although the microphone at the front works, it still has not come on. Once you press the button it cuts off—

[265] **Mr Bowen:** I was trying to be helpful.

[266] **Glyn Davies:** Yes, that is what everyone does, but it stops the equipment from coming on. It is not on now. I apologise, because it really is pretty outrageous from our point of view. We are all very unhappy about the inadequacies of the system.

[267] **Mr Dolan:** Chair, do you want me to start again?

[268] **Glyn Davies:** Yes. I think that that would be best, now that your microphone is on. People want to hear what you are saying in response.

11.50 a.m.

[269] **Mr Dolan:** Yes, indeed. I appreciate the concerns that have been raised by Ms Davies, and which are, clearly, raised by her constituents and those of other Members, I am sure. Again, it is interesting in that it is almost a paradox that people do not seem to be in any way concerned about the use of mobile phones, whereas they are concerned about the use of the masts. I was at a conference last week at which Professor Lawrence Challis, a physicist who was vice chairman of the Stewart inquiry, and who is now the chairman of the independent mobile telephone health research programme in this country, was basically saying that the amount of radio-wave emissions that you receive from a mast is about a thousand times less than you get from a handset. As a physicist, he simply cannot understand, nor can his scientific colleagues, why there is concern about that extremely low level of radio-wave

emissions. This issue has been looked at extensively by scientific bodies not only in this country, but around the world.

[270] The National Radiological Protection Board, which is now part of the Health Protection Agency and is chaired by Sir William Stewart, issued a report, 'Mobile Phones and Health', which was published at the beginning of 2005. It was a reassuring report, but one thing that it did was to list 26 separate international reviews that had been done on this subject around the world—there have been a couple more since then—and certainly, as far as base stations are concerned, those reviews all say the same thing, which is that, due to the extremely low level of emissions, which are typically many thousands of times below the international exposure guidelines, from a scientific point of view, people do not need to be concerned. Only last month, the World Health Organization issued a fact sheet on this issue, which, again, said the same thing. Therefore, what we hear from the international scientific community is that the emissions are incredibly low, that they are thousands of times within the health and safety guidelines, and we, as scientists, are saying to you that we do not think that there is an issue.

[271] The paradox is that a number of people out in the community are saying that they either do not believe us, or that they do not understand it or accept it, and they are still concerned about this. The real challenge for Government and for industry—and it is a major one, because governments and industries are not exactly at the top of the list of trusted people—is how to get the message across to people that this is what independent, third-party experts say on this issue. Certainly, more publications about the science and what is being said by health authorities, here in Wales and in the other countries of the UK, would be very welcome. The difficulty with industry telling people not to worry about these things, is that if we say that, no-one will believe us. They would say, 'You are industry, you would say that', and I readily accept that. From the point of view of my own conscience, I would hope not to be biased, and to be even handed. However, I accept that I am unlikely to be trusted in the public domain. Therefore, it is important that there be further information out there.

[272] It is a difficult issue for local authorities, and I am sure that the colleagues on my right, from the WLGA, would agree with me. I think that local authorities are stuck between a rock and a hard place, to use that expression. They are there as expert planners to try to get the right balance in the planning system, and they are almost expected to be quasi-scientific experts on an incredibly complex scientific subject. Government, across the board, has said that this ultimately needs to be a matter for central Government, as it has the resources and the expertise available to it, through the Health Protection Agency and its links into the World Health Organization, to give advice in relation to that. In terms of consultation, I appreciate what you say about the statistics, but if you look at the graphs and how they have run over the last five years, and now with the sixth year of research, we will be publishing a new book that will also show that. They are all going incredibly in the right direction as far as the planners' perceptions are concerned. What my colleagues and the operators tell me is that, in reality, most base stations are built without a great deal of concern or controversy, due to the fact that there has been good dialogue and consultation.

[273] However, at the end of the day, if people are really concerned about the health issue, then no matter what is done by way of consultation, they will not be happy if the base station is built, even if everything was complied with. We will do everything that we can, and the operators will also continue to do everything that they can, to have an early dialogue with local councillors and local people in order to take their concerns on board, and try to get this technology operating where people need it.

[274] **Dr Bishop:** Chair, as I understand it, the key issue here is the one of public concern about health, whether those concerns are real or perceived. The public looks at the planning system as the mechanism for addressing that concern, or they expect the planning system to address that concern. Normally, the planning system would hold that health and public safety is a material planning consideration, but if you look at our current guidance, we are told that it should not normally be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects of telecommunication developments. If you like, we have a contradiction here in the sense that we are being told that we can look at health implications as the material consideration. The public have concerns about this, and it does not matter whether they are real or perceived—they have those concerns. They look at the planning system as the means of addressing those concerns and then we are told, ‘It is not really a matter for you’. Those concerns are not being addressed and my colleagues at the coalface may want to make some further points about that.

[275] **Mr Thomas:** I think that that is the central issue. The guidance and the advice would be to assess all these things in terms of visual impact—does the mast or the equipment sited on a building have a visual impact? Is it acceptable to—[*Inaudible.*] The vast majority of concerns that are raised by staff in the Vale of Glamorgan, and countless other professionals across Wales, do not relate to the visual impact—they relate to worries over health concerns and radiation exposure as a consequence of these masts. As Kevin has suggested, it is largely immaterial if that is based on science or on worry. Those fears exist and they are relayed to elected members and to Assembly Members, and as a result, the concerns go on.

[276] It does not help when local planning authorities then concede that health is not central to this issue simply because the Assembly advice that is out there, and which is given in terms of a communication paper, says that we should not normally take that into account. The public do not accept that because they have concerns, so they want to challenge that. It makes it very difficult for elected Members and it also makes it very difficult as well, within the timescales allowed for us to consider these issues, to properly explain that to members of the public. As Members are aware, we are given 56 days to determine applications for prior approval. If we do not determine those applications within 56 days, planning permission is, by default, granted, which is another failing of the current system; with any other application for full planning permission, if you do not determine it within eight weeks or 56 days, you are allowed to extend that determination period to allow more discussion and more negotiation, whether it is more negotiation with members of the public to explain the position you are taking. The prior notification procedure does not allow that to happen. Once that

period expires, permission is deemed to be granted. That puts local authorities, and members in particular, in a very difficult position, which goes to the heart of your question about consultation. It does not allow that period for negotiation, for explaining, for sitting down with people to explain the stance that you are taking.

[277] **Glyn Davies:** Are you saying that the guidance for you as planning authorities is not clear enough? We, in this committee, would obviously have some sympathy with the dilemma in which you find yourself, because we are a committee that looks at planning issues; we are not the health committee. Normally, you would expect this issue to be one that the health committee discussed and decided upon. From our point of view, anything that we decide or recommend will be related entirely to planning issues. I can understand your dilemma. If someone says that this should be a material planning consideration in terms of some of your guidance, how the devil are you going to judge that? All the experts in the world are not clear on it and people disagree about it, so how are you going to decide this in the case of every single application?

[278] **Mr Thomas:** There are two or three key issues here. 'Planning Policy Wales' is the bible, giving general advice on all planning matters. It says that health can be a material consideration in looking at all planning issues. You then have the topic paper on telecommunication, which says that, provided a certificate is issued when an application comes in, it should not normally be appropriate for local authorities to look at health issues, because the certificate demonstrates that the radiation exposure is below what is acceptable. Most authorities would come clean and explain that to members of the public.

12.00 p.m.

[279] However, members of the public are not happy on the back of that, because they still have this perception and very real concern that health implications should be considered. Local authorities are in a very difficult position, in that they have to take on board and consider the responses that are received, but they must be considered in light of what the advice says. Members are lobbied on this constantly. It is very difficult for members of the public to understand and, even when consultations happen, people are not happy with the result. The local government system is in a very difficult position. The guidance is that we should not normally consider health.

[280] **Tamsin Dunwoody:** I will make a couple of points and I then have two very specific questions. First, I disagree with the statement that was made that people are not concerned about the use of mobile phones. I would like it recorded that I am now speaking as an Assembly Member. As a mother, I have concerns about the use of mobile phones with regard to my very young children. Secondly, the health perception is a very real issue. It has been highlighted here, time and again, that we, as elected representatives, are lobbied very significantly by our populations. They are extremely concerned about the perception of the impact on their health and on the health of their children, and about the siting of these masts on schools or close to residential areas. I represent people who have those concerns. I have problems, as do

planning authorities, with the lack of conclusive data.

[281] I will now go on to the two specific points. Point 18 of the WLGA paper is very relevant, but on the specifics, it says in the MORI paper that has just been given to us that two-thirds of planners disagree that mobile phone operators make sufficient effort to share base stations, and that that is not happening. I would like the WLGA—the planning people—to answer the specific question of whether that should be obligatory in all applications.

[282] My other specific question to the planning people is how many planning applications would this involve if they were all to go back through LPAs? I note that there are 2,500 masts in Wales, but over how long a period have those been established and put up? In other words, how many applications would you have to deal with? Would it be an onerous burden?

[283] **Mr Thomas:** On the sharing of masts, most local authorities would advocate mast sharing and, when applications come in, would immediately look to see if there are any other options as opposed to putting up new masts. We have a number of examples where we have done that recently. To be perfectly honest, we were very surprised, initially, when the applications came in, that they came in as stand-alone masts. When it was pointed out to the operators that there was an option for mast sharing, to be fair, they went away, spoke about it, came back and mast sharing has taken place. As part of the 10 commitments, operators look at mast sharing. Whether it needs to be obligatory is a matter for debate. Potentially, that would help local authorities in that they would have gone through the search, looked at masts and tall buildings where equipment could be sited and produced some kind of statement on that. However, the operators will tell you that they do that anyway through the 10 commitments.

[284] The second point related to the number of applications. From my perspective, it is quite straightforward. There will be always be a form of application; it will either be a full planning application for masts over a certain size or a prior notification application. So, the number of applications will not change—it is just the form that changes. The form will change from prior notification to a full planning application. The two main differences are that the fee for a full application is slightly higher, but the other, very real difference from my perspective, is the point that I made earlier that, if after 56 days you have not determined it, deemed planning permission is not granted; the authority still has a little longer to deal with it and to deal with these very real issues. Make no mistake, these applications, whether they are full or prior notification, generate a significant workload and a significant number of consultation responses, which have to be taken on board.

[285] **Glyn Davies:** The mobile phone operator may be able to tell us about the experience in Ireland and Scotland. Have both those countries removed permitted development rights? I read somewhere that that was the case in Ireland. What is the experience of those countries in terms of workload and capacity to deal with applications?

[286] **Mr Dolan:** They are obviously smaller countries than Wales and England combined. In Northern Ireland—[*Inaudible.*]—full planning system back in 2001. There has been some slowing down of the network as a result. Scotland has an almost full planning system, but it has not dealt with the issue of people's concern with regard to health. Even in England and Wales, many of the more controversial sites will be full-planning sites. As my colleague has said, even if you add an extra four weeks, it will not satisfy someone who is fundamentally unhappy—[*Inaudible.*]

[287] The other point that I would like to make on the 56 days is that it does not start to run until the planning application is lodged. If you look at the code of best practice, which includes the 10 commitments, much of the work of that consultation has happened well before any planning application is lodged—[*Inaudible.*] Where you can sit down many months ahead and talk to local authorities and local communities about that, and talk about the opportunities for site-sharing and so on, and with regard to a specific site application, you will do that before the planning application has been lodged. With a red-rated site, which is thought to require more public consultation than others, it is compulsory for the operators to contact the local ward councillors and community councillors in order to draw out any potential community concerns in that area. So, we do not think that full planning will solve the problem. To go right back to where I started, unless you are building the networks to keep pace with the incredible growth in the take-up of this technology by the public, then it will all start to fall over, and constituents would begin to ask why there is no coverage in their area, and why their calls are dropping out and so on.

[288] **Glyn Davies:** To a certain extent, our witnesses are not giving us the same recommendations. Do you want to come back in on this, Tamsin? I would like to bring in other Members if I can; Elin wanted to ask something. I will come back to you if there is a chance.

[289] **Tamsin Dunwoody:** That is fine.

[290] **Glyn Davies:** I want to finish at 12.25 p.m., so that we can have a five-minute discussion on our next meeting.

[291] **Elin Jones:** I would like to ask the mobile phone operators—[*Inaudible.*]

[292] **Glyn Davies:** That is the issue. People cannot hear, but is this being recorded for the Record of Proceedings?

[293] **Dr Jenkins:** The Record of Proceedings depends on the sound feed from the broadcasters.

[294] **Glyn Davies:** I really do not know what to do. It is frustrating, especially on an issue like this, when you cannot have a proper informal discussion. Sometimes, if you wait, the microphone comes on. Be careful, Mike, if you mutter under your breath, it

may go out live.

[295] **Elin Jones:** I would like to ask the mobile operators a question. You referred to the fact that you now send information to local authorities on an annual basis—

[296] **Mr Dolan:** We have been doing that for five or six years.

[297] **Elin Jones:** That is to be welcomed. I want to understand the nature of the document that you send to them. It is not a confidential document, and it could be put into the public domain immediately by local authorities, and sent to the councillors and the communities involved. I think that that is to be welcomed, and I hope that local authorities and all concerned would advocate that local authorities make us of that.

[298] **Mr Eke:** It was a recommendation of the code that that takes place.

12.10 p.m.

[299] **Mr Dolan:** In relation to that, and just to clarify it, in several areas where I have called it best practice, what has happened is that the initial contact is made with the local authority, in discussion with the operators and planning officers. Then, two weeks later, elected members are brought into that discussion, which is a full discussion, many months ahead of any actual development taking place. Effectively, 90 per cent of local authorities throughout the UK are not taking advantage of that procedure.

[300] **Elin Jones:** On sharing masts, we have had data provided to us as Members from Ofcom on the sharing of masts in various local authorities in Wales. It seems that there is a particular problem on sharing in rural authorities—I believe that one in 10 masts in Pembrokeshire is shared, and one in six in Ceredigion, whereas it is five in six in Cardiff and Swansea. Therefore, there is an issue here about sharing masts in rural areas, but I do not know what the reason for that is. However, it has not happened in rural areas as much as in urban areas; whether that is to do with the availability of land, which is different, I do not know. Perhaps the mobile operators could respond on why sharing is not happening in rural areas to the same extent as it is in urban areas.

[301] On consultation with schools, this is in the technical advice note and the code of best practice, but it is not happening in some areas and some schools in my constituency, in particular. There is a breakdown of communication in relation to consultation between the operators and the schools—even though it is in the TANs and the code of best practice, it is not happening universally. What mechanism do the operators have to ensure that local schools and governing bodies are consulted, in the prior notification, and in the full planning process?

[302] I welcome the fact that the WLGA supports the fact that the full planning process should be operated for all applications, and that permitted development should not be allowed, especially for all of those applications under 15m. As mobile phone operators, do you believe that, if permitted development was revoked in Wales, that would in any way detract from the numbers of mobile phone mast applications that you would put forward?

[303] **Mr Dolan:** Do you want me to deal with that question, or with all the issues that you have raised?

[304] **Elin Jones:** Could you deal with all of them, please?

[305] **Mr Dolan:** Okay. Let me work backwards—with my ageing memory, it is probably easier to do that. We do not believe that the revocation of prior approval would be a good thing; we believe that it would slow down the network build, as I say, to keep pace, and it would not cure the problem. The problem will only ever be resolved through early consultation—we have said that all along, for many years now—and that is before any planning application is lodged.

[306] On schools, I am surprised to hear you say what you said. I do not know the specifics and cannot assist you on that, but if you can give us the specifics later, we could ask the operators concerned to contact you directly, in order to address those issues. However, the guidance is clear—if a mast is to be built on or near a school, and the code sets out what that means, then the school needs to be consulted, and that needs to be reported to the local authority. If that has not happened in a particular instance, then that that is a matter of regret. We are all human, and the people who are out there—the agents—are human. If it has not happened and it should have happened, then that is wrong. However, the operators are aware of that as a requirement, under the guidance and under the code, and it is specific about what has to be done. Therefore, it should be happening in full planning, as well as in prior approval.

[307] On sharing, I am not able to address your issue here in Wales; one of my colleagues at the back may or may not be able to assist in that regard. However, as a general comment about site sharing, the operators always look to site sharing as a first option for a good reason—it makes more business sense; it is cheaper to share than it is to build a stand-alone structure. So, there is a business case to be made for it.

[308] As part of the multipath limiting antenna structure that existed before, but which became formalised, we set up a site-sharing group in 2000 across the operators. It meets quite regularly to closely monitor the issue of site sharing. It has developed a database, so there is a ready database that it can access when radio planners are looking for a new site. It is a top priority for us, but many technical considerations come into play, as well as environmental considerations. Because of radio clearance requirements, you must have a separation between the antennas of different operators—it could be a metre or two, or whatever. It means that if you put four

operators on a mast, it will be quite high, and, in environmental terms, communities will often say that they would rather have two or three smaller masts dotted around the village, rather than one huge structure that looks like a broadcast tower. Local authorities will often say to operators, ‘We do not want you to share; we want two or three masts’, or they might choose to have it the other way around. The topography of Wales also comes into play because there are many mountains and valleys, and so on, and they are all relevant considerations. I will ask colleagues to try to address the specifics that you have raised later.

[309] **Glyn Davies:** Are there any questions? Brynle?

[310] **Brynle Williams:** On Elin’s point on site sharing in rural areas—[*Inaudible.*]—it is down to individual companies, regrettably, and it is not viable for O2 to compete with Vodafone, and so on, and we are getting a poor service. Something should be done, and there should be more site sharing. You tell me on the one hand that we must have a better service that we can access, and, in the same breath, you then say that companies are not prepared to work together.

[311] **Mr Dolan:** At the end of the day, they are driven by customer demand, and their existing networks and radio plans. If you have specific instances of that and want to make them available to us, we can pass those queries on to the operators concerned.

[312] **Lorraine Barrett:** I will not labour the point because we all have issues, but I have had some specific issues with schools and nurseries not being consulted. There was a famous example where the applicant had looked at a map and said, ‘We have a telephone exchange there, so we will put our mast there’, but no-one had looked at the fact that it was slap bang next to a nursery. When I alerted them, they said that they would withdraw it. However, a week had been enough time in which to get the whole neighbourhood up in arms with petitions and letters—I had people literally crying on my doorstep. It can still happen, and it has happened recently in another example in Penarth, where a nursery school was missed out.

[313] **Glyn Davies:** On the back of that, would it make a difference in this issue if there were a statutory code of conduct, as opposed to the voluntary code of conduct that we have at the moment? It is a point that has been raised by two or three Members.

[314] **Mr Dolan:** If you made it a statutory code of conduct, it would have to be statutory for everyone, including the local authorities. I am not sure whether the local authorities would welcome a statutory code of conduct. In any event, one of the advantages of the codes of conduct in England and Wales has been their flexibility and the ability to work co-operatively within that. At the end of the day, this is all about a partnership between the operators, the local authorities and the local community in terms of trying to make this work. It is often said, ‘If it ain’t broke, don’t fix it’, and if this code works to its full potential in terms of the way in which it is written, it is actually a good model, and it mirrors another code in another part of

the world, which has attempted to do the same thing, and is far ahead of what you might see in some other countries that try to have that engagement. The code's flexibility is one of its significant advantages. Several years ago, we published a handbook on working with the community. It was written by a risk communication specialist academic, and it directly relates to the 10 commitments and how you deal with communities and how you consult. It is on our website, and it is made available to our operators and their agents to try to assist them in engaging with communities. That is the only guidance of that kind that I am aware of anywhere in the world.

12.20 p.m.

[315] **Lorraine Barrett:** There was a specific question—

[316] **Glyn Davies:** This is an issue that we might seriously consider, so, I want to get some responses on this and then I will come back to you, Lorraine.

[317] **Mr Eke:** It is really about the issue of consulting with schools, nurseries and other sensitive areas. The key thing about the code of best practice and the 10 commandments is that pre-application discussion with the local planners. It is at that stage that the operators might become aware that they need to do more consultation, but if they do not have that awareness and if the planners are not willing to engage at that early stage, then the operators may not be aware of any potential concern that is raised.

[318] **Glyn Davies:** Do you have a comment, Lorraine?

[319] **Lorraine Barrett:** I have a question to the local authorities' representatives with regard to the possibility of the health risk assessment. How could any local authority undertake a proper health risk assessment? I ask the question, because, to me, it is not really realistic—

[320] **Glyn Davies:** It is a fair question.

[321] **Lorraine Barrett:** You have so much conflicting evidence, have you not? The other issue is the visual impact. It is mentioned in the papers that we have had, and my frustration—and, I suppose, it is the local authorities' frustration as well—is that, for example, the cliff top in Penarth looks like the Jodrell Bank Observatory. There is a nursing home there that has about ten masts, and they are huge—they are not just little poles; they are massive things. I have written over the years about them, as Rob will know, asking, 'Can you not stop this?'. There has been some sharing going on, but the visual impact is quite serious in some areas, and I wonder whether the local authorities' representatives could say something about their ability to say 'no', when the visual impact is serious.

[322] **Mr Thomas:** On health assessments, first, I suppose that it comes down to

pressure and principle as to whether or not the planning system should be there to look at these health concerns. From the WLGA's perspective, bearing in mind the advice that has come from 'Technical Advice Note 19: Telecommunications', we would argue that the planning system has to be—[*Inaudible.*]—to look at the health assessment as it is now, let alone if other submissions were made on the back of the applications.

[323] You must bear in mind that the crux of this is that, at the moment, as things stand, the only way in which local people can raise these concerns is by using the planning system. There is no other regime out there that looks at these structures before they are erected. The operators will probably say, 'Well, there is the Health and Safety Executive', but that is always after the event. For members of the public, it is no good to look at these things after the event; they want the reassurance of having them looked at before they are erected. To be perfectly honest, the planning system could not cope with that, because it would not have the specialisms to look at it, unless there were enough resources to enable the authorities to go out independently to consultants to look at it once those reports had been submitted.

[324] However, you are then back to the issue of whether 56 days is enough time to allow you to do that, and the conundrum continues. That is why the paper advocates that we need more research and a consideration of whether there should be a separate regime in existence, so that once the planning system says, 'Yes, okay, this mast can be sited on that site, because the visual impact is such that it should be allowed', it also says, 'Right, before you put any equipment on it, the health issues need to be addressed'. That sounds simplistic, but at least members of the public would possibly have more confidence that these issues were being addressed before the base station was operational. You would be introducing two tiers into that approach, and the operators would probably argue that that slows down the entire process. So, there has to be a balance of all of these issues, which is why we are not saying, 'This is the way forward', but rather that we should look at it as an option.

[325] **Glyn Davies:** Does anyone want to add anything?

[326] **Lorraine Barrett:** I just wanted a comment on the visual impact and their powers on that.

[327] **Mr Thomas:** On visual impact, from personal experience, we have rejected a handful of these proposals in the Vale of Glamorgan over the last year to 18 months. The success on appeal has been mixed. We rejected some in urban areas and we rejected some in rural areas. We seem to get more success with the ones in rural areas. On the ones in urban areas, you will probably know about the one in Penarth that we rejected on design grounds, because it was in or on the edge of a conservation area. The inspector said, 'It is a secondary part of the conservation area and the mast would, to all intents and purposes, look like one of the street lamps in the area'—you probably know the one that I am talking about. That was not considered favourably in Penarth, quite understandably. So, it has been mixed, but we have had some limited success. Very few authorities have rejected these applications on the grounds of a

health risk or a perceived health risk. The research that I have seen suggests that, when that has happened, the success rate has been poor when defending the rejection of that application.

[328] **Glyn Davies:** Are there any other questions that we have to ask? I want to wind up as soon as I can.

[329] **Janet Davies:** I have a brief point, Chair. It is an issue about my original motion, which was not accepted. Originally, it included a paragraph about the issue of the Network Rail system, which is beginning to be rolled out in England. I wondered if, at any time, the committee was going to look at the issues coming out of the Network Rail system. I withdrew that point because there was an issue about increasing safety on rail, but, nevertheless, it is going to be pretty overpowering when it goes in and it may be an issue that should be considered.

[330] **Glyn Davies:** That was more of a question for me, and I think that we are entering the territory of where we should go from here. I would like to leave it, as we often do, with the clerk drawing up a report on the discussion. I do not know whether that report will come to our next meeting—

[331] **Dr Jenkins:** Probably not.

[332] **Glyn Davies:** It probably will not be brought to our next meeting. I would like to leave it open for the committee to decide to call someone else in, if it wants to. The fact that you have made that comment will be part of the report. I do not know what we might decide to do; we may make recommendations to the Minister, and we may call for more evidence from someone else who we think should come in. It will be open to us to decide, when we have the report before us.

[333] **Mr Bowen:** I wanted to raise again the issue of site sharing in rural areas. It is an important issue and perhaps one might address the operators and ask whether they are sharing information sufficiently and whether they have good information. We have had instances of operators thinking that they cannot share, when we know that there are other masts in the area—that is from a factual record point of view. To what extent do commercial competitive elements cloud the issue of sharing? I know that it is a sensitive issue and, of course, if you are dealing with different companies, they are not going to be 100 per cent in favour of sharing. This may be an issue in rural areas; if O2 does not have a presence in Ferryside, but Orange is there, Orange will not decide overnight to share with O2 because it is excluding a competitor by not doing so. Someone with a more commercial bent than the local authorities needs to look at that.

[334] **Glyn Davies:** I will just ask Mike to comment briefly because I really want to wind up now or we will run out of time.

[335] **Mr Dolan:** We have heard the comments that have been made by Members about site sharing. It is an important issue for us and we will obviously take those comments on board and consider them.

[336] **Glyn Davies:** Thank you all for coming along and helping us to look at what is a pretty difficult issue.