

# **CODE OF PRACTICE FOR THE CONSIDERATION OF REQUESTS FOR THE SITING OF TELECOMMUNICATIONS EQUIPMENT ON GOVERNMENT OCCUPIED PREMISES**

## **Introduction**

1. The purpose of this Code is to ensure that, in considering requests for the installation of telecommunications equipment, managers of premises (referred to here as “estate managers”) occupied by government employees adopt a consistent approach. It is intended to answer the concerns of those working or living in these premises about environmental, health and other issues, whilst avoiding unnecessary barriers to the installation of essential national infrastructure.
2. Efficient telecommunications are vital to UK economic development and the Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. The Government also has responsibility for protecting public health including that of its own employees.
3. In planning the installation of telecommunications networks both fixed and wireless, operators are frequently under tight technical constraints as to the location of equipment if it is to provide an efficient and robust service to consumers. As a result, an operator may find it has few options for siting equipment. This is particularly true in urban and town centre locations and government-occupied premises will frequently be preferred or essential sites.

## **Scope**

4. Telecommunications equipment includes radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and underground and overhead wires. This Code is primarily designed to cover requests from mobile operators and companies who provide communications services for the emergency services. However, estate managers might also wish to use this as a guide for handling requests from other communications providers.
5. This Code has been drawn up in consultation with all Government Departments and has been approved after circulation at Cabinet level. It is intended for use both when Government owns premises and when it is a tenant. Where the Government is a tenant, care should be taken that the terms of the lease are complied with.

## **View of the Government**

6. The Government is committed to improving the UK's infrastructure to support business competitiveness and innovation. Integral to this is a commitment to deliver a world-class communications infrastructure, including mobile telecommunications.

7. It is the responsibility of the mobile network operators to ensure that all telecommunications equipment complies with recognised health standards and existing planning and environmental legislation. Estate managers should base individual decisions on requests to install telecommunications equipment on commercial and security grounds only.

### **Consultation**

8. In the case of masts and antennas for mobile communications, the five mobile phone companies have committed themselves to a rigorous programme of consultation, known as the “Ten Commitments” (see Annex A). Other operators are also encouraged to consult as appropriate. However, as consultations are not mandatory, Departments should not assume there has been a public consultation in every case.

### **Environmental Issues**

9. The Government places great emphasis on its well established national policies for the protection of the countryside and urban areas - in particular the National Parks (including the Broads and the New Forest), National Scenic Areas, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, the Green Belts, the Heritage Coast and areas and buildings of architectural or historic importance.

10. The environmental impact of mobile telecommunications equipment is covered by existing legislation, in advice to the planning authorities (see paragraph 28) and by the Code of Best Practice agreed in November 2002 between the industry, local authorities and interested Government Departments including Health, ODPM and DTI (a similar Code was issued in July 2003 by the Welsh Assembly). Environmental impact is not therefore an issue that estate managers need consider when coming to individual decisions. However, estate managers should be reassured that the planning guidance, Code of Best Practice and legislation specifically address the important issues of mast numbers and visual impact.

### **Health<sup>1</sup>**

11. It is central Government’s responsibility to decide what measures are necessary to protect public health. The UK Department of Health require that, to protect members of the public against any possible health effects from the emissions of radio frequency radiation, all mobile phone base stations should meet the guidelines on emissions defined by the International Commission on Non-ionising Radiation Protection (ICNIRP). Therefore, if a proposed mobile phone base station meets the ICNIRP guidelines, then that should be considered sufficient to meet any health issues and concerns.

12. If additional antennas are to be added to an existing installation then the operator must ensure that the ICNIRP guidelines continue to be met. Where further masts are to be added by additional operators, it is the responsibility of the last operator on site to ensure

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<sup>1</sup> Further details on health can be found at Annex B.

that the site remains ICNIRP compliant. If there is local concern amongst staff about such issues, then management may wish to draw this to the attention of the operator, who will be happy to explain the procedures and precautions that will be implemented. All operators provide certificates of compliance with ICNIRP as part of the application process. These should be updated to add reassurance when any additional work requiring planning permission is carried out. The National Radiological Protection Board (NRPB) can provide further advice on mobile masts and health (more details on the NRPB are at Annex B).

13. This policy results from the governments acceptance of the precautionary approach recommended by the Independent Expert Group on Mobile Phones chaired by Sir William Stewart in its report "*mobile phones and health*"<sup>2</sup>.

### **Competition Issues**

14. Applications from operators should be dealt with on a first-come first-served basis. Proposals for the sharing of sites by more than one operator should be considered sympathetically.

### **Commercial issues**

15. It is the responsibility of the estate manager to ensure that any agreement entered into is commercially beneficial. Any agreement should ensure any additional costs that might be incurred as a result of agreement to allow a mast to be sited are recovered (eg expenditure incurred in order to allow 24 access to the mast, additional security measures to ensure the physical security of a Government property, insurance, removal of obsolete equipment, dilapidation etc. The mast should not compromise either the structural integrity or the maintenance of the building.

16. Masts do generate a rental income that provides an additional revenue stream. However, mast siting should not be used as a justification for retaining surplus Government estate.

17. Where the Government is a tenant, negotiations concerning the installation of equipment would normally be between the operator and the landlord.

### **Security issues**

#### Physical

18. The Electronic Communications Code (ECC; see paras 21-23) gives operators certain rights to install and maintain equipment on property. There is therefore the need to reconcile the need for access with security requirements. Any commercial communications equipment installed on Government premises must be managed in

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<sup>2</sup> A copy of the report can be found at [www.iegmp.org.uk](http://www.iegmp.org.uk)

accordance with the relevant security processes in operation at that location. It is the responsibility of the estate manager to ensure security is not compromised by the need to allow 24 hour access to the equipment; also that the cost of additional measures taken to allow such access is properly reflected in the commercial agreement.

### Electronic

19. Some locations have sensitive Government electronic equipment in place. Care should be taken that the proposed installation of equipment by the mobile network operator does not damage Government equipment or cause interference. Estate managers may wish to consider specifying an agreed capacity while referring to the ECC. Care should also be taken to ensure that granting permission would not provide access to information on the nature of secure Government communications (eg radio frequency parameters etc).

20. However, “security” should not be used as a catch-all reason for refusal. Where security is an issue, efforts should be taken to investigate what additional measures might be taken to ensure security is not compromised.

### **Electronic Communications Code**

21. The Electronic Communications Code gives Code Operators enhanced rights to install and maintain equipment on property. It is a strong element of government policy that COs should have this right in order to ensure the development and maintenance of robust communication networks for reasons of economic development and public safety. It would be perverse for government departments to seek to undermine this policy. Departments will therefore work with operators to ensure that where there is spare capacity available and it is compatible with overriding business requirements, applications will be looked upon favourably in accordance with the Code.

22. The Electronic Communications Code<sup>3</sup> allows operators access to permitted development rights (PDR) under planning legislation, which remove the need for planning permission. The extent of the PDR are detailed in planning legislation and any development not covered by PDR will require planning permission from the planning authority.

23. In effect, the Electronic Communications Code gives COs the right to 24 hour access, seven days a week to installed equipment. It also allows COs the right to install equipment without planning permission in order to provide coverage in an emergency for the duration of that emergency. It does not give the CO the right to make a permanent installation without the landlord’s agreement or planning permission.

### **Physical Obstruction**

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<sup>3</sup> A copy of the ECC can be found at [www.hmsso.gov.uk/si/si2003/20032553.htm](http://www.hmsso.gov.uk/si/si2003/20032553.htm)

24. Managers will wish to satisfy themselves that the use of premises will not be significantly physically obstructed by an installation. Obstruction might be either temporary or permanent. It will usually be possible to plan to deal with temporary obstruction eg by installations being confined to weekends. Managers should use best endeavours to arrive at an acceptable solution in cases where a proposal would result in a permanent obstruction.

### **Additional Guidance**

25. Modern telecommunications are an essential and beneficial element in the life of the local community and in the national economy. Much of the telephone network is, of course, long established. However, the growth in the UK mobile communications sector over the past 15 years has been remarkable. New communications technology has spread rapidly to meet the growing demand for better communications at work and at home, in business, in public services and in support of electronic commerce.

26. Fast, reliable and cost-effective communications can attract business to an area and help firms remain competitive, thus contributing to the achievement of other policy goals, including increased employment opportunities. This is particularly important in the development of the single European market and in the creation of an environment in which major national and international companies would want to expand. It is equally important for broadcasting and for small businesses, and for new methods of employment, such as home-working. Good communications can enrich life at home and offer new choices in education and entertainment, in shopping and banking. Modern telecommunications can benefit the environment through reducing the need to travel, and hence reducing vehicle emissions of carbon dioxide and other pollutants.

27. The aim of telecommunications policy is therefore to ensure that people have more choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available.

### **Planning**

28. The local planning authority has responsibility for Planning applications and the location of telecommunications equipment. However, the Government's Policy Planning Guidance Note Number 8 (PPG8)<sup>4</sup> note sets out the policy on different aspects of planning with regard to Telecommunications development, including masts and other equipment.

29. The same applies to planning authorities in Scotland where the Scottish Executive's planning guidance and advice is set out in National Planning Policy Guidance 19 and Planning Advice Note 62 (both entitled Radio Telecommunications)<sup>5</sup>.

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<sup>4</sup> A copy of PPG8 can be found at: [www.planning.odpm.gov.uk/ppg/ppg8/preface.htm](http://www.planning.odpm.gov.uk/ppg/ppg8/preface.htm)

<sup>5</sup> Copies can be found at: [www.Scotland.gov.uk/about/Planning/nppg\\_19\\_radiotelecom.aspx](http://www.Scotland.gov.uk/about/Planning/nppg_19_radiotelecom.aspx) and [www.Scotland.gov.uk/about/Planning/pan\\_62\\_radiotelecom.aspx](http://www.Scotland.gov.uk/about/Planning/pan_62_radiotelecom.aspx)

30. In Wales, the National Assembly's guidance is set out in Sections 12.11 - 13 of Planning Policy Wales (March 2002), as supplemented by advice in Technical Advice Note (Wales) 19, 'Telecommunications' (August 2002).<sup>6</sup>

### **Queries**

31. For queries related to the Code please contact:

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**Department for Trade and Industry  
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<sup>6</sup> Copies can be found at: <http://www.wales.gov.uk/subiplanning/content/tans/tan19/tan19-e.pdf> and <http://www.wales.gov.uk/subiplanning/content/planningpolicy/final/contents-e.htm>.

## **Annex A**

### **THE TEN COMMITMENTS**

#### **1. IMPROVED CONSULTATIONS WITH COMMUNITIES**

Develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities.

#### **2 DETAILED CONSULTATION WITH PLANNERS**

Participate in obligatory pre-rollout and pre-application consultation with local planning authorities.

#### **3. SITE SHARING**

Publish clear, transparent and accountable criteria and cross-industry agreement on site sharing, against which progress will be published regularly.

#### **4. WORKSHOPS FOR COUNCILS**

Establish professional development workshops on technological developments within telecommunications for local authority officers and elected members.

#### **5. DATABASE OF BASE STATION SITES**

Deliver, with the Government, a database of information available to the public on radio base stations.

#### **6. COMPLIANCE WITH ICNIRP PUBLIC EXPOSURE LEVELS GUIDANCE**

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 (IEGMP).

#### **7. ICNIRP CERTIFICATION**

Provide, as part of planning applications for radio base stations, a certification of compliance with ICNIRP public exposure guidelines.

#### **8. PROMPT RESPONSES TO ENQUIRIES**

Provide specific staff resources to respond to complaints and enquiries about radio base stations, within ten working days.

9. SUPPORT RESEARCH INTO HEALTH AND MOBILE PHONES

Begin financially supporting the Government's independent scientific research programme on mobile communications health issues.

10. STANDARD DOCUMENTATION FOR PLANNING SUBMISSIONS

Develop standard supporting documentation for all planning submissions whether for full planning or prior approval.

Further details on the “Ten Commitments” can be found at:

<http://www.mobilemastinfo.com>

## **Annex B**

### HEALTH CONSIDERATIONS

#### **What are EMFs?**

Mobile phones and their base stations transmit and receive signals using electromagnetic waves (also referred to as electromagnetic fields (EMFs) or radio waves). EMFs are all around us. They occur naturally, such as the earth's magnetic field which causes compass needles to point north. Natural biological processes also produce electric and magnetic fields within animals and humans. EMFs also arise from a wide range of man-made sources and will be present wherever there is electricity. Sources of man-made EMFs include domestic wiring and appliances (such as lamps, hairdryers and television sets), visual display units, mobile phones, electric trains and security systems used in shops.

Man-made sources of EMFs also include electricity power lines, broadcasting transmitters and telecommunications base stations (which includes those used by the emergency services and those which form part of mobile communications networks).

The Government's statutory advisers on radiological protection matters are the National Radiological Protection Board (NRPB). They provide expert advice on the health implications of EMFs, drawing upon the most up-to-date research world-wide. The NRPB are able to offer advice to local planning authorities and the general public and have themselves produced a number of leaflets and other publications in this field. Further information can be found on the Board's website ([www.nrpb.org.uk](http://www.nrpb.org.uk)) or by ringing their public enquiry line (01235 831600).

#### **Health effects of Exposure**

The public has become increasingly aware of the presence of EMFs in the environment. This growing awareness has been accompanied by concern that exposure to EMFs may have possible adverse effects upon health. It is clearly important that the public be protected where an adverse health effect exists.

Established health effects of exposure to radio waves from mobile phone systems are associated with the heating of tissues. Both the NRPB and the International Commission on Non-Ionizing Radiation Protection (ICNIRP) have published guidelines on limiting exposure to radio waves.

However, a particular point of public concern is whether exposure to low-level EMFs might cause other, 'non-established' health effects, such as headaches, sleep disturbance, depression, stress and also long term health effects such as cancer.

## **Independent Expert Group on Mobile Phones**

In 1999, the Government asked the NRPB to set up the Independent Expert Group on Mobile Phones (IEGMP). This Group, under the chairmanship of Sir William Stewart FRS FRSE, considered concerns about health effects from the use of mobile phones, base stations and transmitters. They conducted a rigorous and comprehensive assessment of existing research and gathered a wide range of views. The Group published its report on 11 May 2000.

In respect of base stations, the report concludes 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 the guidelines. However, there can be indirect adverse effects on their well-being in some cases”. They also say that the possibility of harm cannot be ruled out with confidence and that the gaps in knowledge are sufficient to justify a precautionary approach.

The Independent Expert Group recommended a precautionary approach, comprising a series of specific measures, to the use of mobile phone technologies until we have more detailed and scientifically robust information on any health effects.

In its response to the Group’s report, the Government indicated that it accepted the precautionary approach advised by the group. The Government’s acceptance of this precautionary approach is limited to the specific recommendations in the Group’s report and the Government’s response to them. These include:

- the emissions from mobile phones base stations should meet the ICNIRP guidelines for public exposure. Most mobile phone base stations already met the ICNIRP guidelines. However, the mobile phone operators undertook to assess and where necessary adjust, pre-existing sites to ensure that they meet the guidelines. This work was completed by the end of 2001. All new mobile phone base stations meet the guidelines.
- that a national database be set up by Government giving details of all base stations and their emissions. The Government has accepted this recommendation. The database is now live. Information about the database is on the RA website [www.radio.gov.uk](http://www.radio.gov.uk)
- an independent audit of emissions should be established to give the public confidence that base stations do not exceed approved guidelines. The RA is carrying out this audit and, in line with the recommendations of the Stewart Report, it initially focused on base stations located on school premises. All of the 200+ sites surveyed to date have been found to show only a very small fraction of the permitted levels of emission. Most were many thousandths of the limit. The results from the on-going survey are published on [www.radio.gov.uk](http://www.radio.gov.uk)

- clear exclusion zones should be in place around all mobile phone base station antennas to prevent the public from exposure to radiofrequency radiation above ICNIRP guidelines. (These exclusion zones relate to an area directly in front of and at the height of the antenna). Clear warning signs should be on microcells and picocells to minimise the risk of undue exposure to radiation from being opened during use.
- a substantial research programme, overseen by a demonstrably independent panel, should be financed by the mobile phone companies and the public sector. The Government has launched a joint Government/industry research programme, costing around £7 million and with an independent programme management committee led by Sir William Stewart. It will carry out research into the effects of mobile phone technology on health. This will ensure that this area is kept under review and that Government and the public are kept up to date with new research findings.
- the NRPB to review further research in this area and to report on progress in three years time or whenever significant new information becomes available.
- the Department of Health has published leaflets on mobile phone hand sets and base stations. These are available on their website at [www.doh.gov.uk](http://www.doh.gov.uk) or copies can be obtained from the NHS Response line on 0541 555455.

The Government shall continue to keep the whole area of mobile phone technologies under review in the light of further research.

### **Health and Safety legislation**

Operators have responsibilities under health and safety legislation. The operators of any telecommunications apparatus must abide by the Health and Safety at Work Act 1974. They have a responsibility under this Act, and the Management of Health and Safety at Work Regulations 1999, to assess any risk to health and safety which may arise, including any risk of established health effects from exposure to EMFs, and to take any corresponding measures to restrict public access (e.g. through suitable locked and signed anti-personnel barriers). The practical effect of health and safety legislation should be to ensure protection of the public in respect of the established health effects of telecommunications apparatus.

Enforcement of health and safety legislation in this area is a matter for the Health and Safety Executive (HSE) and not the local planning authority. If, once a mast is in operation, there is evidence that an operator is not meeting its statutory responsibilities in a particular case, HSE may investigate and, if necessary, require action to be taken.