

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 11 November 2019 at 2.00 pm

Present:-

Cllr P Broadhead – Chairman

Cllr M Haines – Vice-Chairman

Present: Cllr M Anderson, Cllr S Bartlett, Cllr R Burton (In place of Cllr M F Brooke), Cllr T Trent (In place of Cllr M Earl), Cllr G Farquhar, Cllr L Fear, Cllr M Greene, Cllr N Greene, Cllr M Iyengar, Cllr R Lawton, Cllr M Andrews (In place of Cllr R Maidment) and Cllr L Northover (In place of Cllr C Rigby)

Also in attendance: Cllr D Butler, Cllr J Edwards, Cllr P Hilliard, Cllr A Hadley, Cllr M Howell, Cllr Dr F Rice, Cllr V Slade and Cllr K Wilson

61. Apologies

Apologies were received from Cllrs M F Brooke, M Earl, R Maidment and C Rigby.

62. Substitute Members

Notification had been received from the appropriate group leaders of the following changes in membership for this meeting of the Board:

Cllr R Burton substituted for Cllr M F Brooke
Cllr T Trent substituted for Cllr M Earl
Cllr M Andrews substituted for Cllr R Maidment
Cllr L Northover substituted for Cllr C Rigby

63. Declarations of Interests

There were no declarations of disclosable pecuniary interest or other interests.

64. Public Speaking

The Board was advised that two public statements had been submitted in relation to the agenda item on the Call for Evidence – 5G Connectivity. These were presented to the Board as follows:

Emma Johnson, local resident:

“I am a solicitor turned energy healer. I am deeply concerned about the potential impact of microwave radiation from untested 5G technology on all living things. Did you know 252 reputable EMF scientists from 43 nations presented a petition to the World Health Organisation? Did you know 5G is

uninsurable, classified as a pollutant and a high risk by Swiss Re insurance group? Did you know 5G will have a massive carbon footprint? There has been no public consultation and no consent obtained to this worldwide experiment. I trust BCP Council will join Glastonbury, Frome, Totnes, Kingsbridge, Shepton Mallet and Wellington in applying the Precautionary Principle now.”

Mike Forte, local resident:

"If you cannot answer these two questions positively I suggest that the only option is to apply the precautionary principle and call a moratorium on the BCP 5G rollout. Do I sufficiently understand the components that fall under the umbrella marketing term '5G' and what each of those elements offers over and above currently available technology? And secondly, in the absence, globally and locally, of an independent Environmental Impact Assessment: Am I satisfied that this new technology is safe to roll out in BCP where I am tasked with the guardianship of the best interests of citizens and their surroundings?"

65. Call for Evidence - 5G Connectivity

The O&S Board considered a report, a copy of which had been circulated and which appears as Appendix 'A' to these Minutes in the Minute Book.

The Chairman welcomed everyone to the meeting. He gave a summary of the methodology and timetable adopted by the O&S Board in its call for evidence in relation to 5G connectivity during September and October 2019.

He outlined the key lines of inquiry which had encouraged respondents to focus on the perceived benefits and concerns around implementing 5G. As well as inviting written evidence, the Board had listened to verbal submissions from interested parties at its meeting on 23 September. He reported that 220 written submissions had been received by the closing date of 7 October, and he thanked all those who had taken part. All councillors had been able to view the responses received. The purpose of today's meeting was to consider these responses and the officer report relating to 5G and determine the next steps required, as set out in the options at paragraph 8 of the covering report.

The Board viewed a television report on 5G which had featured in a recent episode of Click, the BBC News Channel's technology programme. The report had been brought to the Chairman's attention by officers and provided a useful summary of some of the issues the Board was considering. Although opinions were expressed in the programme, the Chairman made it clear that the Board would be considering the agenda item on the basis of the information received in the call for evidence and the officer report.

(Note: The Board took a vote on whether to show the television report, which was supported by 12 votes in favour, 2 votes against. Cllr G Farquhar asked to be recorded as voting against.)

The Overview and Scrutiny Specialist explained how the summary of verbal and written responses had been presented in Appendix 1 of the report. A list of the main issues and comments raised by all speakers at the meeting on 23 September was provided. Views submitted in the written responses had been grouped into themes, based on three or more similar views expressed, with the numbers of respondents per theme indicated. Overall, a wide variety of views had been expressed with no clear conclusion. Appendix 2 provided some background and information in relation to 5G which had been prepared by officers to assist the Board in its considerations.

The Board considered and commented on themes which were set out in Appendix 1. At each stage officers were asked for their professional input and provided additional information in response to questions.

General comments and advisory views:

The Sector Growth Manager and the Smart Place/Urban Mobility/Major Bids Manager outlined the main benefits of 5G technology and its potential to transform services, including transport systems, health and social care and manufacturing. It was noted that commercial operators were already planning to roll out 5G in the local area. 5G also formed part of the Council's digital pilot in the Lansdowne area, funded through Dorset Local Enterprise Partnership (LEP).

Officers confirmed that the Council was working closely with mobile operators to address existing coverage blackspots. It was explained that 5G provided new outcomes using the same technology as 3G/ 4G. The installation of additional antenna meant less energy was required for users. An example was given where 5G technology enabled the emergency services to be better prepared to respond to incidents, with potentially life-saving consequences. The latest Government communication to local authorities on 5G dated November 2019 was noted, including the role of local planning authorities as set out in Chapter 10 of the National Planning Policy Framework (to be discussed further below).

Summary of comments from Board members:

- There were obvious benefits to the economy and the wider community in having more connectivity - with or without 5G.
- The main concerns about 5G were around its safety and provenance, and whether this could be better evidenced and understood.
- There were opportunities to learn from other areas testing 5G prior to its implementation (it was noted that further details of the DCMS test bed programme was included in Appendix 2)

- As much of the 5G deployment was outside the Council's remit, the O&S Board should focus on those aspects which the Council could control or influence.

General concerns:

Officers confirmed that there was no cost to the Council in the commercial deployment of 5G. The Council's digital pilot at the Lansdowne pilot was LEP funded. It aimed to add social and economic value to the BCP Council area and beyond. There had not yet been detailed analysis of the impact on Council partners / suppliers. It was confirmed that a full economic analysis of 5G would be undertaken over the next six to nine months. Security issues were a focus of one of the workstreams. There was also an opportunity to raise issues through the Dorset Cyber Alliance if required.

Summary of comments from Board members:

- There were potential costs in not implementing 5G and these should also be taken into account.
- The desire to bring the local economy up to speed should not outweigh the need to give due consideration to public concerns.
- Connectivity would not resolve every issue in the local economy.
- National policy appeared to override local concerns and made a potential moratorium subject to challenge and the award of costs.
- Had the public been consulted about being included in a test bed area? It was noted that there were opportunities for the public to engage in the democratic process through O&S and Cabinet, including the report on the Lansdowne digital pilot.
- It had not yet been established whether 5G technology alone might cause an increased security risk, or whether the risk might be caused by the increase in data resulting from 5G's capabilities.

Environmental and ecological concerns:

The Development Management Team Leader outlined the role of the Council as the local planning authority (LPA) in dealing with planning related issues around 5G, as set out in Chapter 10 of the National Planning Policy Framework (NPPF) on 'Supporting High Quality Communications'.

The tone of the NPPF was clear that LPAs should support the expansion of electronic communications networks, with certain provisos – keeping the ratio to a minimum while taking into account operator requirements, using existing masts or buildings, and not imposing blanket bans or restrictions. Issuing a moratorium would therefore be contrary to the NPPF.

Paragraph 115 set out the requirements for applicants to provide 'necessary evidence' to justify proposals, including the outcome of consultation and a statement which self-certified compliance with international exposure guidelines. Paragraph 116 stated that LPAs must determine applications on planning grounds only. These grounds related to the siting and appearance of equipment. They did not include need, commercial competition, or health grounds. Proposals could be in the form

of full planning applications, permitted development requiring prior approval, or permitted development requiring notification only. The Government was currently consulting on expanding permitted development rights which if implemented would result in fewer proposals requiring prior approval or planning permission.

Any local planning policies in relation to 5G should align with the NPPF. It was noted that a new BCP Local Plan was being developed.

Summary of comments from Board members:

- The NPPF appeared to limit the ability of local residents with genuine concerns to influence the planning process. It was explained that full or prior approval applications were still subject to the usual public notification period and due democratic procedures. However, there would be less scope for this if the Government decided to relax permitted development.
- Whether there was evidence that the high frequencies for 5G posed any greater health risk than previous technologies. Public Health England's advice on 5G, as set out in Appendix 2 of the report, indicated that while there may be a small increase in overall exposure to radio waves through 5G, the overall exposure would remain low in accordance with the International Commission on Non-Ionising Radiation Protection's (ICNIRP) exposure guidelines. There should therefore be no cause for concern.
- A member commented on a previous planning application in another authority where the fear of risk to public health was used successfully as a reason for refusal. Officers agreed to find out more about this case.
- Although minimum distances could not be imposed a member asked whether consideration could be given to the proximity of antenna to schools and nurseries. It was explained that the indications were that being closer to an antenna actually took less energy. It was an area which required further research.
- A member was concerned at the environmental impact of potential tree removal to facilitate 5G deployment, particularly in light of the Council's declaration of a climate emergency.

As an outcome of this discussion the Board agreed that there was an opportunity to explore further the public's involvement in the planning process.

RESOLVED that Cabinet be asked to consider equitable ways to involve the public more in the consultation around the planning implications of the implementation of 5G technology, particularly with regard to the siting of masts.

Voting: For – 13, Against – 0, Abstentions – 1

Health concerns:

The Director of Public Health, Dorset and BCP Councils, explained how Public Health England (PHE) was dealing with health matters relating to 5G on a national level. PHE continued to monitor the evidence and update its advice as further information became available. Updated guidelines from ICNIRP were due to be published in Autumn 2019. The Director outlined his role and area of expertise in public health matters. He explained that the work undertaken in this particular field was complex and extensive, and that PHE was reliant on the World Health Organisation and ICNIRP for its advice on health matters.

The Director reported that PHE's Centre for Radiation, Chemical and Environmental Hazards (CRCE) had agreed to consider any significant scientific information submitted in the 5G call for evidence that may not have been previously considered by earlier reviews. This was currently being sifted and it was noted that some of the submissions were opinion based.

Summary of comments from Board members:

- A member queried whether the increased demand for 5G technology would result in a stronger signal being required. The Board was referred to ICNIRP guidelines which had taken into account the cumulative effect of the density of devices. The advice of PHE was reiterated.
- It was noted that PHE stated that it was the industry's responsibility to ensure overall exposure remains within ICNIRP guidelines. More information was required on how this was regulated and monitored.
- Some of the wording in the PHE advice was questioned as being too inconclusive to allay concerns. It was explained that PHE advice was usually precautionary in nature. PHE was reluctant to give definitive statements as it was continually monitoring and updating advice as more findings emerged. The ICNIRP guidelines were based on years of detailed research and exposure levels applied up to 300GHz. This was well in excess of the maximum levels (20 – 30 GHz) expected from 5G technology.
- The Director confirmed that subject to exposure levels remaining well within the ICNIRP guidelines he had not seen anything that would deem 5G to be a threat to public health. He would continue to work with the Council and PHE to monitor deployments and would keep the Council informed of any updates as and when they became available.
- Members talked about the complexities around establishing safe exposure levels, knowing exactly who and what was contributing, and understanding the difference between ionising and non-ionising radiation. The Director explained how safe exposure levels were assessed. He reiterated the point that 5G emitted non ionising radiation, meaning that it was unlikely to lead to carcinogenic cell damage.

In considering outcomes from this discussion the Board agreed that it would be helpful to formalise the arrangements for evidence collated in the 5G call for evidence to be passed to PHE and a mechanism for feedback to be agreed. The Board also felt that there was an opportunity for the Council to have direct involvement in the monitoring of exposure levels in respect of the digital pilot initiative at the Lansdowne.

RESOLVED:

- **That the Board agrees that all information submitted in its call for evidence in relation to 5G connectivity be passed to Public Health England to consider for inclusion in future reviews.**
- **That a framework be established for feedback to be provided to the Council in relation to the call for evidence information passed to Public Health England.**
- **That if Cabinet is minded to approve the deployment by the Council of 5G connectivity as part of the Lansdowne Digital Pilot continuous monitoring takes place to ensure that the levels of radio wave emissions fall within the internationally recognised limits, and the findings be reported back to the Overview and Scrutiny Board.**

Voting – Unanimous

The Chairman agreed on behalf of the Board to request through Cabinet that the Council contacts other relevant local authorities with regard to their work around 5G technology, including those local authorities who have agreed to be Government funded test bed areas and those who have declared a moratorium.

The Chairman provided a sum up of the proceedings before concluding the meeting. He hoped that the 5G call for evidence had been a useful exercise for all involved. It had provided an opportunity to explore some of the key issues at a deeper level and make recommendations to Cabinet as appropriate at this stage. The Cabinet would be requested to provide feedback on these recommendations to the O&S Board. The O&S Board may wish to continue its investigations into this work in the future.

The meeting ended at 4.35 pm

CHAIRMAN