

Proposed New Telecommunications Bill : 2006

Background

In 2003, The Campaign for Planning Sanity (CfPS) was contacted by Richard Spring MP (Con) who had been successful in the annual private members' ballot and he was keen to take forward a Bill relating to telecom masts. A draft produced by Chris Maile of CfPS was adopted in full by Mr Spring and introduced to Parliament as the 'Town and Country Planning (Telecommunications Masts) Bill 2004'. This had a technical win of 10 votes in favour to 2 against at its second reading but fell owing to insufficient MPs being present in the House (40 being required for a quorum).

Andrew Stunell MP (Lib Dem) was successful in the next ballot and took up the Bill, slightly amended, in 2005, as the 'Telecommunications Masts (Planning Control) Bill'. However, the General Election of that year was called before the second reading and thus, again for technical reasons, the Bill fell. It has now been taken forward by David Curry MP (Con) and is due for its second reading in February next year; however, since this latest Bill is not associated with a ballot place, it is most unlikely to given debating time.

The New Bill

Meanwhile, Chris Maile has drafted a new private members' Bill ready for the outcome of this year's ballot in mid-December. Entitled the 'Town and Country Planning (Telecommunication, Statutory Nuisance, Health and Precautionary Principle) Bill 2006', it is an amalgam of the previous versions but expanded to have far-reaching powers; as such, it addresses the concerns about telecom masts more so than ever before. Chris intends to launch the Bill in advance of this year's ballot with the intent of persuading one of the successful MPs to adopt it; public release of the Bill is planned for 1st December.

By way of a synopsis, this new Bill will:

- Remove permitted development rights for mobile telecoms installations such that most, if not all, development is subject to the full planning process.
- Require the submission of a certificate defining the extent of the Beam of Greatest Intensity for telecoms developments.
- Require the submission of a statement on the precautionary approach being applied in respect of telecoms developments.
- Give greater rights for the removal of telecom developments that are on or close to educational and medical premises.
- Require a 'Health Statement' for all types of development covered by the draft.

- Require statutory nuisances to be treated as material planning considerations.
- Define excessive EMF emissions as a statutory nuisance whereby the operator responsible may be prosecuted by the public in the magistrates' court.
- Strengthen the rights of the public to compensation where they are adversely affected by telecoms developments.

A copy of the latest draft can be downloaded from the following link:
<http://www.planningsanity.co.uk/bill2006.pdf>.

Support

This Bill needs the maximum possible support of all parties to ensure that it is adopted and taken forward. To this end, mast campaign groups and individuals are urged to:

- Submit their own motions of support.
- Encourage Local Authorities to pass motions of support (via councillors where appropriate).
- Lobby local MPs and MEPs for appropriate backing.
- Promote the Bill in regional and local media.
- Make a financial contribution to the promotion (cheques made out to CfPS and sent to CfPS, 97 Spa Crescent, Little Hulton, Gtr Manchester M38 9TU or via an online method <http://planningsanity.co.uk/funds/donate.html>).

Comments on the Bill and motions of support should be forwarded to:
chris@planningsanity.co.uk