

Public Document Pack

FULL COUNCIL

24 JULY 2019

Present: Councillors Sinden (Chair), Bacon (Vice-Chair), Barnett, Batsford, Battley, S Beaney, Berelson, Bishop, Charman, Chowney, Cox, Davies, Evans, Fitzgerald, Forward (from 7.59pm), Levane, O'Callaghan, Rogers, Sabetian, Scott, Turner, Webb, Louise (from 6.55pm), Lee, Patmore, K Beaney, Beaver, Edwards, Foster, Marlow-Eastwood, and Rankin.

71. APOLOGIES FOR ABSENCE

Apologies for absence were noted for Councillor Roberts. Apologies for lateness noted for Councillors Forward and Louise.

72. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE LAST MEETING HELD ON 15 MAY 2019

RESOLVED that the minutes of the Full Council meeting held on 15th May 2019 be approved and signed by the Mayor as a correct record of the proceedings.

73. DECLARATIONS OF INTEREST

Councillor	Committee	Minute	Interest
Cox	Cabinet – 8 th July 2019	184 – Lower Tier Residential Development	Personal – Chair of Coombe Valley CIC

74. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Mayor led a minute's silence to mark the death of Sir Kenneth Warren, Member of Parliament for Hastings 1970 – 1983 and Hastings & Rye 1983 – 1992.

Following the closure of the University of Brighton Hastings Campus the Leader of the Council thanked campus staff for their work and the opportunities the campus has brought to people in Hastings.

75. QUESTIONS (IF ANY) FROM:

75.1 Members of the public under rule 11

A written question was received from Ms Barbara Lowe asking if Hastings Borough Council had a 5G strategy. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

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Ms Lowe asked a supplementary question inquiring when Hastings Borough Council anticipates rolling out 5G in the borough and whether there been approaches by any telecoms company or any other authorities about 5G rollout.

Councillor Chowney responded that there hasn't been any approach to the council regarding 5G rollout and the council wouldn't be involved in the rollout as the telecommunications network is privatised. Hastings doesn't appear to be one of the locations where 5G is going to be introduced. The council will have a peripheral role in assessing any planning applications relating to 5G rollout.

A written question was received from Ms Liz Bygrave regarding the respective roles and responsibilities of Hasting Borough Council and East Sussex County Council in dealing with planning applications for 5G small cell antennae. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

In a supplementary question Ms Bygrave asked if the council knows whether the LED lampposts already rolled out in the borough are 5G enabled.

Councillor Chowney confirmed that as East Sussex County Council is responsible for street lighting he is unable to provide an answer.

A written question was received from Mr Welch regarding the criteria Hastings Borough Council will use to evaluate planning applications for 5G small cell antennae. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

In a supplementary question Mr Welch asked if the Leader of the Council could confirm that planning permission would still be required if 5G antennae were placed on street furniture.

Councillor Chowney said he would provide a written response.

A written question was received from Ms McCleary regarding income generation in relation to 5G small cell antennae. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

Ms McCleary did not ask a supplementary question.

A written question was received from Mr Joel Brook regarding the development of a 5G strategy. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

Mr Brook did not ask a supplementary question.

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A written question was received from Mr Nigel Farrow regarding the energy consumption of 5G technologies. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

Mr Farrow asked a supplementary question. Noting that Glastonbury and Frome councils are funding research into the environmental impact of 5G Mr Farrow asked Councillor Chowney if he would engage with those authorities about their research.

Councillor Chowney replied that he would take a look at what Glastonbury and Frome councils are doing, but any serious objective research has to be done on a national basis.

A written question was received from Ms Gemma Cotsen regarding the felling of trees to facilitate the transmission of a 5G signal. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

In a supplementary question Ms Cotsen asked if Hastings Borough Council has any policies to protect trees from 5G radiation.

Councillor Chowney replied that there are no such policies in place and all telecommunications planning applications are determined by the national planning policy framework. Councillor Chowney said he would not want council owned trees to be cut down.

A written question was received from Mr Vincent Phillips regarding the Council's duty of care to workers and residents in relation to 5G radiation. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

Mr Phillips asked a supplementary question inquiring how local residents and the Council might work together on this issue.

Councillor Chowney acknowledged that there are a lot of concerns and a lot unanswered questions and that more objective research is needed. He added that it would be worth considering what powers the Council has around this and how the Council and residents could work together.

A written question was received from Ms Penny Beale asking if Councillors had appraised themselves of scientific bio-effects research regarding 5G. Copies of the question and response were circulated to Councillors and members of the public.

Ms Penny Beale did not ask a supplementary question.

A written question was received from Ms Emily McMorran regarding the health and environmental effects of microwave radiation from 5G technology. Councillor Chowney

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provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

Ms McMorran asked a supplementary question inquiring what pressure the Council will put on government to ensure the proper research in relation to the health effects of 5G is adhered to. Councillor Chowney replied that he wants to see the Government commission objective research separate from the telecommunications industry.

A written question was received from Mr John Briggs regarding the provision of “white zones” to mitigate the effects of microwave radiation within the Borough. Councillor Chowney provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

In a supplementary question Mr Briggs asked if the Council had considered any measures to help reduce exposure to 5G radiation amongst children and teenagers. Councillor Chowney noted that Hastings Borough Council has no control over local schools. The Council are in a position of not knowing whether there is any harm or not and that is why the Council would want to see more objective research.

A written question was received from Mr Robert Sorrenti. Councillor Batsford provided a written response to the question. Copies of the question and response were circulated to Councillors and members of the public.

In a supplementary question Mr Sorrenti asked why there has been no consultation on proposals for the bathing pool site before the site has been handed over to the developer.

In response Councillor Batsford confirmed the Council are about to sign a 250 year lease with the developer who has 5 years to bring forward a plan. Councillor Batsford gave assurances that before the planning proposal comes forward there will be opportunities to be involved and share ideas. Councillor Batsford said he would ensure that there is consultation at every stage.

75.2 Councillors under rule 12

Questions to the Leader, Deputy Leader and cabinet portfolio holders were asked and answered in accordance with Rule 12.1 as follows:

Questioner	Subject	Reply given by
Councillor Lee	<u>White Rock Fountain</u> – Can you provide an update on where we are with the white rock fountain project? Councillor S Beaney responded that work is just beginning on the project.	Councillor S Beaney
Councillor Davies	<u>RNLI lifeguards</u> – Do you agree that the seafront is looking spectacular this tourist season and	Councillor S Beaney

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	<p>visitors to the beach are safe swimming in the sea thanks to the RNLI lifeguards?</p> <p>Councillor S Beaney agreed that the lifeguards have been doing a fantastic job and the Council is very grateful to the RNLI.</p>	
Councillor Scott	<p><u>Rough sleeper data</u> - Many councils are refusing to disclose the personal data of rough sleepers to the Government in case it results in their deportation. Can you confirm Hastings Borough Council's position on this?</p> <p>Council Batsford confirmed that the Council does not disclose information which might identify individuals as illegal immigrants.</p>	Councillor Batsford
Councillor Patmore	<p><u>Ark Castledown</u> - During the transition period from a local authority maintained school to an academy Ark Castledown was pelted with eggs. Does the Leader of the Council condemn this and congratulate school on its achievement?</p> <p>Councillor Chowney replied that it seemed like a waste of eggs. It is good that the school is improving, but it should be noted that this is also happening in other schools. Maintained schools and academies can both achieve.</p>	Councillor Chowney
Councillor Turner	<p><u>DSO progress report</u> – Can you provide a progress report on the in-house street cleaning service?</p> <p>Councillor Fitzgerald informed the Council that the DSO street cleaning service was delivered on time and within agreed budgets. The new staff are positive and happy and taking pride in their work. The Council encourages Councillors and residents to use MyHastings as much as possible to report issues.</p>	Councillor Fitzgerald
Councillor Edwards	<p><u>Street drinking</u> – We are all aware of the street drinking problem. Can you advise us on the present situation and what can be done?</p> <p>Councillor Fitzgerald said the Council will fulfil its obligations in relation to Public Space Protection Orders. The Council is trying to strike a balance between supporting those on the streets and</p>	Councillor Fitzgerald

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	<p>making sure people feel safe in the town. In some instances some of the behaviour encountered by street wardens is particularly dangerous. Wardens are now fully police vetted and numbers have reduced because of this.</p>	
Councillor Sabetian	<p><u>Refugee programme</u> – This Council signed up to vulnerable person refugee programme, under which we agreed to take 100 refugees. Can the Leader of the Council update us on progress?</p> <p>Councillor Chowney confirmed that over 100 refugees have been homed in the Borough under the programme. This achievement has been recognised and the Council has been asked by the Home Office to detail how this was achieved. The work of volunteers and the local buddy programme has been vital to the success.</p>	Councillor Chowney
Councillor O’Callaghan	<p><u>Summer kids activities</u> – What summer activities for kids will be taking place over the school holidays?</p> <p>Councillor Batsford confirmed a full programme of activities has been organised by officers, the majority of which will be free.</p>	Councillor Batsford
Councillor Bacon	<p><u>May bank holiday</u> - Next year the May bank holiday has been moved to align with VE day. Does the Leader of the Council agree there should be two bank holidays in 2020 and will you write to the Secretary of State for Business, Energy and Industrial Strategy and Amber Rudd MP to ask for this?</p> <p>Councillor Chowney confirmed that he would be happy to write a letter in support of the campaign. Bank holiday Monday is the busiest day of the year for the town.</p>	Councillor Chowney

76. MOTION (RULE 14)

Councillor Batsford proposed a motion, as set out in the agenda, which was seconded by Councillor O’Callaghan.

Councillor Patmore proposed the following amendment to the motion:

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Add at the end '3. Calls for Section 8 of the Housing Act 1988 to be reviewed and adapted to help those good landlords against rogue tenants.'

Councillor Batsford accepted the proposed amendment. The motion as amended became the substantive motion debated by Councillors.

RESOLVED (unanimously) that the Council do accept the motion as set out below:

Over the last four years, Hastings has seen a huge rise in the numbers of households threatened with homelessness through the increased use of 'No-Fault Section 21 Notices' of the 1988 Housing Act, which allows landlords to carry out 'no fault' evictions.

Over 27% of all accepted homelessness applications in Hastings now result from 'No-Fault Section 21 Notices' evictions.

This widespread use of 'No-Fault Section 21 Notices' results in insecurity for private tenants and disruption to family life, as well as affecting job security, educational performance in children, and mental health, with families continuously under the threat of potential eviction proceedings.

In Hastings, which has the largest proportion of private rented housing in the south east, it also creates instability in local communities, with transient populations who are never able to settle.

There is not only a personal cost for Hastings but a financial one as well. Temporary accommodation for those who are accepted as homeless now costs the council over £1m.

Abolishing 'No-Fault Section 21 Notices' would provide increased security for tenants, as well as reducing the homelessness burden on local authorities, particularly if coupled with the government's proposals to extend the minimum period for shorthold tenancies from six months to three years.

This Council:

1. Calls for the end of the use of 'No-Fault Section 21 Notices' evictions.
2. Instructs the Leader of Hastings Council to write on behalf of the council to the Secretary of State for Housing, Communities and Local Government, asking him to repeal 'No-Fault Section 21 Notices' of the Housing Act 1988 and to speedily implement their proposals for three year fixed term tenancies.
3. Calls for Section 8 of the Housing Act 1988 to be reviewed and adapted to help those good landlords against rogue tenants.

77. MOTION (RULE 14)

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Councillor Chowney proposed a motion, as set out in the agenda, which was seconded by Councillor Berelson.

Councillors debated the motion.

RESOLVED (by 23 for, to 8 against) that the Council do accept the motion as set out below:

Since 2002 people seeking asylum have only been able to apply for the right to work after they have been waiting for a decision on their asylum claim for over a year. Even then they can only be employed into one of the narrow, highly-skilled professions included on the Government's Shortage Occupation List.

People seeking asylum are left to live on as little as £5.39 per day, struggling to support themselves and their families, and left vulnerable to destitution, isolation, and exploitation.

The potential economic gain for the UK economy of allowing people seeking asylum to work is estimated to be £42.4million via increased taxable income and reduced payments of accommodation / subsistence support.

71% of people polled agreed with the statement: *"when people come to the UK seeking asylum it is important they integrate, learn English and get to know people. It would help integration if asylum-seekers were allowed to work if their claim takes more than six months to process"*.

In Hastings, there are up to 120 people seeking asylum in receipt of Section 95 support.

We believe that:

- (i) people seeking asylum want to be able to work so that they can use their skills and make the most of their potential, integrate into their communities, and provide for themselves and their families;
- (ii) restrictions on the right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of Hastings, Rye, East Sussex and the UK;
- (iii) allowing people seeking asylum the right to work would therefore lead to positive outcomes for those seeking asylum in Hastings and for the local and national economy.

This council:

- (i) Agree to join the Lift the Ban Coalition, which is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim.

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(ii) Call on East Sussex County Council to also join the Lift the Ban Coalition as above.

(iii) Call on the UK Government to give people seeking asylum the right to work unconstrained by the shortage occupation list after they have waited six months for a decision on their initial asylum claim or further submission.

78. MOTION (RULE 14)

Councillor Rankin proposed a motion, as set out in the agenda, which was seconded by Councillor Beaver.

Councillor Chowney proposed the following amendments:

Insert at the beginning 'As well as maximising our opportunities for sustainable energy generation'

Remove 'or managed hay meadows'

Add 'seeking funding to' before 'plant trees to increase'

Councillor Rankin accepted the proposed amendment. The motion as amended became the substantive motion debated by Councillors.

RESOLVED (unanimously) that the Council do accept the motion as set out below:

As well as maximising our opportunities for sustainable energy generation HBC will consider the carbon reducing impact of planting trees on council land and where appropriate seek funding to plant trees to increase carbon sequestration as set out in The Royal Society Greenhouse Gas Removal report of October 2018. We call on ESCC to implement this policy on a wider scale.

79. MOTION (RULE 14)

Councillor Barnett proposed a motion, as set out in the resolution below, which was seconded by Councillor Charman.

Councillors debated the motion.

RESOLVED (unanimously) that the Council do accept the motion as set out below:

Recent evidence shows that poverty in Hastings has worsened significantly in the last few years. More adults live in poverty, more children live in poverty, and those that do so are likely to die even sooner, at all age groups. Especially shocking is that infant mortality has increased for the first time in 60 years, so poorer parents are now more likely to see their new baby die before that baby is one year old.

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For those in poverty, the early role out of Universal Credit has led to further disadvantage, with many denied previous benefits or forced to abandon training and higher education. The recent United Nations report concludes that austerity policies have clearly contributed to this growth in poverty and deprivation.

Demand for temporary accommodation has increased dramatically as housing becomes increasingly unaffordable.

The Child Poverty rate for Hastings is now 38%, by far the highest in the South East.

Many children are not attending school regularly, and are increasingly obese by the age of 11.

The increasing attractiveness of Hastings as a place to move to, with a buoyant creative economy, cuts little ice with those who see their standard of living falling further and further behind the better off.

Rather, they see many support services failing to provide adequate support, with schools, GP's and other health services, voluntary sector groups and the local authorities all struggling with increased demand and reduced budgets.

This council is determined to address poverty in whatever ways are possible, and agrees to:

- Press government for an end to short term funding through competitive grants (ie Homelessness provision) and other initiatives, such as Hastings Opportunity Area, and a return to adequate longterm support based on local needs.
- Ask the Overview and Scrutiny Committee to consider the impact of the anti-poverty strategy 2016-21 and for it to undertake to monitor key indicators of poverty on a regular basis.
- Call for a community conference to consider how best to tackle poverty in the next anti-poverty strategy, and to consider making this strategy a longer term (10 year) one to encourage partners to plan joint action more strategically.
- The council is already committed to fund and support voluntary sector advice and support agencies (HARC, CAB and Credit Union) for 2020/21, but we'll do all we can to protect funding to commission effective advice and support services in future years.
- Sign up to become affiliated to the Child Poverty Action Group.
- Support and encourage others to support the day of action on child poverty in Hastings on August 1st, led by Unite the Community and other local voluntary organisations.

80. MEMBERSHIP OF COMMITTEES

There were no proposed amendments to the membership of any committees.

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81. REPORTS OF COMMITTEES

The Mayor having called over the minutes set out in the agenda, the under mentioned minutes were reserved for discussion.

Meeting	Minute	Councillor
Cabinet, 8 th July 2019	184 – Lower Tier Residential Development	Beaver
Cabinet, 8 th July 2019	185 – Proposed Variation of the Anti Social Behaviour Public Spaces Protection Order	Foster
Cabinet, 8 th July 2019	187 – Final Accounts	Lee
Cabinet, 8 th July 2019	188 – Corporate Plan Retrospective Report on Performance During 2018/19 and Proposed Performance Indicator Targets for 2019/20.	Lee

Minute 182 of Cabinet on 8th July 2019, Constitution Change July 2019, was a matter on which the Council was required to make a decision. Under rule 13.3, the minutes were approved without being called for discussion.

Minute 183 of Cabinet on 8th July 2019, Sex Establishments Policy Review, was a matter on which the Council was required to make a decision. Under rule 13.3, the minutes were approved without being called for discussion.

Minute 191 of Cabinet on 8th July 2019, Annual Treasury Management Outturn Report 2018/19, was a matter on which the Council was required to make a decision. Under rule 13.3, the minutes were approved without being called for discussion.

Councillors debated minutes 184, 185, 187 and 188 of Cabinet on 8th July 2019. These matters did not require approval of Full Council.

No motions for reference to Overview and Scrutiny Committee or reference back to Cabinet were approved in respect of the items reserved for discussion and they were therefore received.

(The Mayor declared the meeting closed at 9.47pm)

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Questioner	Question	Answer
1.	<p>Two FOI requests were submitted by members of the public, one on 15 November 2018, and one on 13 May 2019, asking if Hastings Borough Council has a 5G strategy. The reply to both questions was that 'Hastings Borough Council 'holds no information in respect of this request'.</p> <p>Can you confirm that this statement meant that HBC has no 5G strategy and further that this is still the case? If the situation has changed, please give details of your 5G strategy (or where to find these details), and also any strategy you may have in connection with smart cities, smart transport, smart business and The Internet of Things.</p>	<p>Councillor Chowney:</p> <p>This statement does mean Hastings Borough Council has no 5G strategy and this is still the case.</p>

2.	<p>In answer to Question 5 in the 15 November 2018 FOI on the council website: 'Are you planning to roll out or have rolled out LED street lighting?', Hastings Borough Council answered that 'Street Lighting is dealt with by East Sussex County Council.'</p> <p>However, in reply to my email enquiry about 5G and LED street lighting earlier this year, my local councillor reported back that 'Our planning department have confirmed that in the event of 5G roll out and the use of lamp posts there would need to be a planning application made by the company. This would obviously be a public document. They also confirmed that in such cases they would contact the county council and ask for their comments upon any such application.' This answer from the planning department implies that HBC may in actual fact have some role or input re LED lighting.</p> <p>Could you therefore clarify what the respective roles and responsibilities are of HBC and ESCC around planning applications for the use of lampposts for 5G small cell antennae?</p>	<p>Councillor Chowney:</p> <p>Hastings Borough Council are responsible for the assessment of the planning application and in assessing they will consult with ESCC for their comments.</p> <p>Separately ESCC may own the lamppost as part of their street furniture. If that is the case, they will need to be served notice as part of any application submission. They also may have a separate process by which they give authority for attaching structures/equipment onto their lampposts.</p>
3.	<p>Please clarify by providing in the language of the law the authority of HBC around planning applications for so-called "small cell" 5G antennae at sites other than lampposts: such as manhole covers, street furniture and on buildings and from where the authority derives.</p>	<p>Councillor Chowney:</p> <p>Class A of part 16 of the General Permitted Development Order 2015 as amended, states that development is permitted as follows:-</p> <p>A. Development by or on behalf of an electronic communications code operator for the purpose of the operator's</p>

electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
- (c) development ancillary to radio equipment housing.

There follows in the regulations several pages of specific limitations to those permissions depending on what is proposed and in each case, prior approval should be sought through the submission of a planning application to the council.

However, this permitted development depends on a requirement that the works be done by or on behalf of a communications code operator and on land which they control.

As this query relates to lampposts on highway land it is likely this would not apply and therefore a full planning application would be required.

However we would need specific detail of the proposal to provide clear and definitive advice.

4.

Will Hastings Borough Council stand to gain any revenue from the siting of 5G small cell antennae, whether on lamp posts or elsewhere, or from any other aspect of the rollout of 5G, smart city /smart transport /smart business technology or The Internet of Things, and if so how much?

Councillor Chowney:

Our estates team are not aware of any enquiries or approaches about using council land or buildings for any of the things mentioned. We would not benefit financially from any installations on lamp posts, as we don't own them.

If we did receive an approach for attaching equipment to council-owned buildings we would consider this at the time, and if it was agreed to proceed, we would then negotiate appropriate terms.

5.	<p>When considering any strategy around 5G, smart technology and The Internet of Things, would the council take into account</p> <ol style="list-style-type: none">1) the huge global opposition to the 5G rollout2) the 5G Appeal petition to the EU (5gappeal.eu), as of 2 July 2019 signed by 244 scientists and doctors from EU and European nations3) the EMF Scientists Appeal to the UN and WHO, as of 15 June 2019 signed by 248 EMF scientists, all of whom have either published peer-reviewed papers on the biological and health effects of microwave radiation, or have published in related fields and have contributed in a sustained manner to increased understanding about EMF science and the need for more protective policies4) the very substantial body of scientific bioeffects research showing non-thermal biological harm to both humans and the wider environment from existing levels of microwave radiation (very often at significantly lower levels than the thermal guidelines set by organisations such as the European International Commission for Non-Ionising Radiation Protection (ICNIRP) and the US Federal Communication Commission (FCC))5) that various councils and regions have put a moratorium on 5G deployment – these include Glastonbury and Frome councils in the UK; Brussels, various municipalities in Italy, and the cantons of Geneva, Vaud, Jura and Neuchatel in Switzerland in Europe; Louisiana in the US	<p>Councillor Chowney:</p> <p>We may consider developing a 5G strategy in the future, if it appears that 5G is to be rolled out beyond the initial proposed areas. We would do that by looking at both national guidelines and other evidence, including potential health impacts of 5G, and general mobile phone coverage in Hastings (there are parts of Hastings that have no phone signal at all, and 4G is somewhat limited).</p> <p>Local residents and businesses views would also be taken into consideration as part of the consultation process.</p> <p>However, the Council currently has no plans at the moment to develop a strategy document in relation to any of the technologies referenced in the question.</p>
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6.	<p>According to a 2017 article by environment correspondent John Vidal 'Tsunami of data' could consume one fifth of global electricity by 2025' the information and communications technology (ICT) industry 'has encouraged the idea that the digital transformation of economies and large scale energy efficiencies will slash global emissions by 20% or more'.</p> <p>However, the article argues that in fact the opposite is in danger of happening. "The situation is alarming," said [Swedish researcher] Anders Andrae, who works for Chinese communications technology firm Huawei. "We have a tsunami of data approaching. Everything which can be is being digitalised. It is a perfect storm. 5G...is coming, IP...traffic is much higher than estimated and all cars and machines, robots and artificial intelligence are being digitalised, producing huge amounts of data which is stored in data centres."</p> <p>Vidal states 'The communications industry could use 20% of all the world's electricity by 2025, hampering global attempts to meet climate change targets and straining grids as demand by power-hungry server farms storing digital data from billions of smartphones, tablets and internet-connected devices grows exponentially.'</p> <p>Given HBC's commitment to take action over climate change, does the above information give cause for concern about the proposed national and local rollout of 5G, smart technology and Internet of Things; and may it prompt the council to do further research into the potential energy consumption of 5G technology?</p>	<p>Councillor Chowney:</p> <p>The Council is currently undertaking work to assess how it can best meet its ambitious carbon reduction targets.</p> <p>As a single district council, there would be no point in Hastings undertaking its own research on 5G, when this is a national issue, and when there's no funding for such research. But we would encourage local government representative bodies, such as the Local Government Association, to commission research, in so far as it affects councils and their involvement with new data technologies.</p>
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7.

Does HBC have any plans to cut down trees to facilitate the transmission of the 5G signal, taking into consideration, for example, documents such as the Feb 2018 ordinance survey report (The effect of the built and natural environment on millimetric radio waves) which indicates 'that foliage can cause loss of power where small cells are concerned ' and also the university of Surrey 5G white paper, 'Meeting the challenge of "Universal" coverage, Reach and Reliability in the coming of 5G Era's Section 3.1 which states that 'Having adjacent trees and or buildings at comparable heights to the masts can reduce coverage by as much as 70% in that direction.

Councillor Chowney:

Hastings Borough Council has no plans to cut down trees or vegetation to facilitate the transmission of a 5G signal in the Borough. We would not cut down council-owned trees under any circumstances, unless we were required to do so by national legislation.

8.

HBC adheres to the Human Rights Act (1998) and to the Health and Safety at Work Act (1974) and has a legal duty of care to its residents and workers. Has it considered yet how to exercise this duty of care towards its residents and workers with regard to the environmental pollutant that is microwave radiation, especially the radiation associated with 5G, smart cities, smart transport, smart business, the Internet of Things etc. If so what has been decided?

Councillor Chowney:

The Council will await and be guided by national guidance on 5G rollout from such organisations as the Health and Safety Executive (HSE), Health Protection Agency (HPA) and Public Health England (PHE) and any action will be based on that guidance, but we'll also keep an eye on other research into the health effects of 5G radiation, and the objective data available.

From a planning policy perspective, the decision on planning applications relating to 5G technologies would have to be compliant with the National Planning Policy framework (2019). The current iteration of this document sets out the national planning position in relation to communications in section 10 paragraphs 112 to 116.

Paragraph 116 states that:

“Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”

9.

In the light of the fact that 5G, smart infrastructure and The Internet of Things are likely to be rolled out at some point in Hastings, have the councillors appraised themselves of the scientific bio-effects research showing non-thermal biological damage from existing microwave radiation to (but not limited to): fertility, oxidative stress, increase in harmful free radicals, cell apoptosis, neurological, neuropsychiatric and neurodegenerative effects, stem cell effects, DNA single and double strand breaks, hormonal effects, cardiovascular disease, diabetes, excessive intracellular calcium and excessive calcium signalling, plus the adverse effects on local wildlife including trees, plants, birds, pollinators, bacteria, microbes etc?

Councillor Chowney:

I cannot answer for each individual councillor, although I have spent a bit of time researching the safety or otherwise of 5G radiation, and the conflicting arguments about it, and I'll continue to keep an eye on that as more objective research takes place.

10.

In light of the fact that 5G will be partially rolled out using millimetre wave technology and that ‘few studies have examined prolonged exposure to low-intensity MMWs [millimetre waves], and no research has focused on exposure to MMWs combined with other radio Frequency radiation’ and that ‘even local and short-term exposures were reported to produce marked effect’ (see Sally Beare – 5G Full Facts, copy of document available on request); and also in light of the fact that, when questioned by Senator Richard Blumenthal at the February 7th 2019 US Senate Commerce, Science, and Transportation Committee, industry representatives failed to produce any evidence regarding independent research into the bio effects of 5G deployment: will HBC be asking the mobile networks, and any other relevant organisations, for solid evidence of independent research into the (non-thermal) health and environmental effects of the microwave radiation from 5G technology, smart technology and The Internet of Things, including the effects of the microwave radiation emitted from the above technology when combined with existing sources of microwave radiation, before any such technology is rolled out in Hastings?

Councillor Chowney:

From a planning policy perspective, the decision on planning applications relating to 5G technologies would have to be compliant with both local and national policies on Telecommunications Technology. The currently adopted Hastings Development Management Plan includes Policy DM2 relating to telecommunications technology which states:

“In accordance with Government advice, if a proposed installation meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure then it will not be necessary to consider further health aspects and concerns.”

Furthermore, the current iteration of the National Planning Policy Framework (2019) sets out the national planning position in relation to communications in section 10 paragraphs 112 to 116.

Paragraph 115 states that:

“Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when

operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.”

Paragraph 116 states that:

“Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”

To include anything other than that in our local planning policies that did not align with the National Planning Policy Framework would simply mean that the policies would not be endorsed by the Planning Inspectorate and would not be enforceable.

Therefore, currently, we would require that any application for 5G technology in Hastings meet the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure, as per current local and national planning guidance, but would not ask for further evidence in line with current local and national policy.

11.	<p>Electro-hypersensitivity (EHS) also known as electro-sensitivity (ES) is a condition, in which the sufferer is severely affected by microwave radiation, suffers tangible physical symptoms and may not be able to function, to a greater or lesser degree, around electromagnetic fields. It's currently estimated, according to the UK-based EM Radiation Research Trust, to affect between 2.5% to 8% of the population. In light of this fact, and also the following points:</p> <ol style="list-style-type: none">1. that electrosensitivity comes under the United Nations' Convention on the Rights of Persons with Disabilities of 2007 as a functional impairment, and that in Sweden EHS is a recognised medical condition.2. that the European Parliament resolution of 2nd April 2009 called on member states to recognise ES as a disability3. that in 2011 the Council of Europe advised each member state to provide 'White' zones for EHS people (a white zone being an area free of microwave radiation)4. that white zones may become essential for electro-hypersensitives if 5G is rolled out, given the likely increase in overall microwave radiation given for instance the enormous increase and proximity of antennae, the more highly pulsed nature of the 5G signal, and that it will be rolled out in addition to existing sources of microwave radiation, not instead of them) <p>Has HBC looked at making provision for white zones in order to help mitigate the effects of microwave radiation on local residents and workers suffering from electro-hypersensitivity?</p>	<p>Councillor Chowney:</p> <p>The planning policy team are not aware that the council has ever considered making provisions for white zones and are not aware of how this would be implemented in relation to current national policy guidance in the National Planning Policy Framework.</p> <p>Any EU or international requirements would need to be reflected in UK government legislation before we could implement them.</p>
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12.

Please confirm that the Council will insist that any putative developer of the bathing pool site consults and fully engages with the local community before and during design work, prior to any pre-planning forum and before the submission of any application for planning approval.

Councillor Batsford:

I totally understand the want of the local community, users of the space and Hastings residents to start the exciting process of developing the old bathing pool site. A full programme of public consultation will be announced in due course. Further details will be provided once negotiations have concluded.

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