

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>

<p>2.</p>	<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>
<p>3.</p>	<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>

		<p>electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—</p> <p>(a) the installation, alteration or replacement of any electronic communications apparatus,</p> <p>(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</p> <p>(c) development ancillary to radio equipment housing.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>However we would need specific detail of the proposal to provide clear and definitive advice.</p>
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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?	<p>Councillor Chowney:</p> <p>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.</p> <p>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.</p>
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<p>5.</p>	<p>When considering any strategy around 5G, smart technology and The Internet of Things, would the council take into account</p> <ul style="list-style-type: none"> <li>1) the huge global opposition to the 5G rollout</li> <li>.</li> <li>2) the 5G Appeal petition to the EU (5gappeal.eu), as of 2 July 2019 signed by 244 scientists and doctors from EU and European nations</li> <li>.</li> <li>3) 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 policies</li> <li>4) 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))</li> <li>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</li> </ul>	<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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<p>6.</p>	<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.	<p>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.</p>	<p>Councillor Chowney:</p> <p>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.</p>
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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.	<p>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?</p>	<p>Councillor Chowney:</p> <p>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.</p>
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<p>10.</p>	<p>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?</p>	<p>Councillor Chowney:</p> <p>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:</p> <p>“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.”</p> <p>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.</p> <p>Paragraph 115 states that:</p> <p>“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:</p> <ul style="list-style-type: none"><li>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</li><li>b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when</li></ul>
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		<p>operational, will not exceed International Commission guidelines on non-ionising radiation protection; or</p> <p>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.”</p> <p>Paragraph 116 states that:</p> <p>“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.”</p> <p>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.</p> <p>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.</p>
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<p>11.</p>	<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"><li>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.</li><li>2. that the European Parliament resolution of 2nd April 2009 called on member states to recognise ES as a disability</li><li>3. 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)</li><li>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)</li></ol> <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.