

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 95 (2001)¹ on mobile telephone base stations and local/regional authorities

The Congress,

1. Mindful of the strong development of telecommunications in Europe and worldwide;
2. Recognising the increasing demand for and the economic benefits of a modern telecommunications system;
3. Aware that the use of mobile phones and related technologies will continue to increase for the foreseeable future;
4. Having regard to:
 - a. the Guidelines for limiting exposure to time-varying electric, magnetic and electromagnetic fields (up to 300 GHz), published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) in April 1998;
 - b. the European Union Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (up to 300 GHz);
 - c. the ongoing international research into the possible health effects relating to the use of mobile telephony;
5. Considering that:
 - a. there is an increasing proliferation of telecommunications masts in Europe, often erected close to residential property, without the public being informed nor householders being consulted about development that directly affects their amenity;
 - b. this situation is causing concerns with the public as well as local and regional authorities with regard to the perceived lack of planning controls and monitoring;
 - c. there is a great variety of national standards and legislations concerning the limits of exposure to electromagnetic fields;
 - d. the issues of public health, including the effects of exposure to electromagnetic fields produced by telecommunications equipment are complex;
 - e. the World Health Organisation is monitoring the impact of electromagnetic fields on health (International EMF

Project), even if there is currently no conclusive scientific evidence on potential health effects and the risk to public;

- f. some areas are more environmentally sensitive than others. These include residential quarters, schools, hospitals, nature protection zones and other areas where a more careful approach to siting is required;
 - g. the gaps in present knowledge are sufficient to justify a precautionary approach;
 - h. the majority of local and regional authorities demand an enhanced level of control, expressing concerns about the quality and effectiveness of the process and about local democracy and accountability;
 - i. in many countries, there is a lack of clear guidance from central government on this issue; consequently there is a need for clear and firm government leadership on a range of matters within a national policy framework, with the scope for a more strategic approach at local and regional levels;
 - j. legislators should recognise the trade-off between encouraging the construction of telecommunications networks for the benefit of consumers and the broader economy, and accommodating aesthetic, environmental or health concerns of the community;
 - k. national, regional and local government, science, industry and the consumer should all become actively involved in addressing concerns about possible health effects of mobile phone technologies;
6. Recommends that the Committee of Ministers:
 - a. keep a close watch on the International EMF Project of the World Health Organisation aimed at harmonising standards in this field on the basis of the best available scientific information;
 - b. recognise the public concern about the possible health effects of exposure to electromagnetic fields in connection with mobile telephony;
 7. Recommends that the governments of member states:
 - a. adopt the strictest national limits currently in use, or at least the ICNIRP/European Union recommended guideline limits for exposure to electromagnetic fields as a precautionary measure;
 - b. develop guidance on the treatment of environmentally sensitive areas to minimise the impact of telecommunications installations. Areas such as schools, nurseries, hospitals, and residential quarters should be considered sensitive environmentally-linked health reasons. It should be left for planning authorities to determine the designation of environmentally sensitive areas based on the characteristics of their localities;
 - c. elaborate clear and firm government guidance on a range of matters within a national policy framework, based on a national telecommunications plan. The guidance should cover matters of planning and development, monitoring and reporting, health and safety, operators' obligations and

the information they are required to supply, the role and responsibilities of different authorities and agencies;

d. base the national guidance on a precautionary approach and view health related issues as a material planning consideration;

e. provide detailed guidance to local and regional authorities on the application of a precautionary approach and on how health should be incorporated into the planning system;

f. consult all interested bodies, including associations of local and regional authorities, telecommunications developers and operators in the process of developing the policy framework and guidance, to ensure that all relevant issues are taken into account;

g. give high priority to independent research into the health impacts of electromagnetic fields and telecommunications, monitor the status of international scientific and medical research and take it into account when drawing up national policies on this matter;

h. make sure that the telecommunications industry contributes to the research on health impacts and that advertising in the field of mobile telephony includes a warning about the potential health effects;

i. reinforce the authority of regional and local governments over decisions regarding the placement, construction, and modifications of telecommunications facilities in their area;

j. introduce a planning procedure to give local and regional authorities greater control over the siting of telecommunications masts and associated equipment, enabling them to develop their own telecommunications policies within the national framework;

k. make sure that local democracy is integral to the planning process via public consultation, neighbour notification and communication between telecommunications operators and local authorities, particularly with respect to pre-application discussions;

l. encourage telecommunications developers and operators to work with local and regional authorities at an early stage to model and map their network requirements, to discuss options for siting and to minimise the environmental impact by means of site sharing and/or mast sharing, design and disguise;

m. encourage operators to actively enter into national roaming agreements, that is allowing a customer of one network to use another operator's network, thereby reducing the duplication in provision of infrastructure;

n. require telecommunications developers and operators to seek to avoid locating telecommunications developments in environmentally sensitive areas, and where this is the only option, to minimise the environmental impact through the careful siting, design and application of technological solutions;

o. consider the appointment of an ombudsman to provide a focus for decisions on the siting of mobile telephone base stations when agreement cannot be reached locally and on other relevant issues;

p. ensure that a greater knowledge of the location of telecommunications development exists by placing an obligation to provide information on telecommunications developers and operators, and by utilising Geographic Information Systems (GIS) to maintain the register of telecommunications development on a national basis;

q. develop a monitoring strategy for telecommunications installations, setting out the detailed responsibilities of all parties and requiring telecommunications operators to undertake and publish an audit of telecommunications infrastructure on an annual basis.

1. Debated by the Congress and adopted on 31 May 2001, 3rd Sitting (see Doc. CG (8) 12, draft recommendation presented by Mr M. Bucci, rapporteur).