

# Minutes

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## Planning and Licensing Committee Wednesday, 14th October, 2020

### Attendance

Cllr Ms Sanders (Chair)	Cllr Keeble
Cllr McCheyne (Vice-Chair)	Cllr Morrissey
Cllr Chilvers	Cllr Mynott
Cllr Haigh	Cllr Tanner
Cllr Jakobsson	Cllr Tierney

### Apologies

Cllr Fryd

### Substitute Present

Cllr Laplain

### Also Present

Cllr J Cloke

### Officers Present

Zoe Borman	- Governance and Member Support Officer
Philip Drane	- Director of Planning and Economy
Alastair Lockhart	- Corporate Governance Solicitor
Caroline McCaffrey	- Development Management Team Leader
Jean Sharp	- Governance and Member Support Officer
Jonathan Stephenson	- Chief Executive

### 541. Apologies for Absence

Apologies for absence were received from Cllr Fryd. Cllr Laplain substituted for him.

### 542. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee meeting held on 2 September 2020 were **APPROVED** as a true record.

#### **543. Minutes of the Licensing Sub Committee**

The minutes of the Licensing Sub-committee held on 10 September 2020 were **APPROVED** as a true record.

#### **544. Telecommunications Update**

Members were reminded that at the 2 September 2020 Planning and Licensing Committee meeting it had been requested that a report be provided for information at the Committee's October meeting setting out the responsibilities of the Mobile Network Operators and a Local Planning Authority in the provision and maintenance of telecommunications networks. This followed recent mobile telecommunication network capacity issues in the area around Brentwood railway station.

Members were aware that until recently, the four national mobile network operators - Vodafone, O2, EE and Three, and in turn the smaller providers that also used their networks - all used Ewing House (Kings Road, Brentwood) as a base station to provide 2G, 3G and 4G network coverage for the station area. As part of the redevelopment of that building, all operators were served a Notice to Quit (NTQ) by the owner requiring the removal of all equipment by the end of June 2020.

It was understood that the base station equipment had now been switched off and removed and in the absence of a suitable site(s) to install replacement equipment, customers were experiencing a degradation in service. Some users had criticised the Council for the situation. However, local planning authorities and mobile network operators each had responsibilities in the provision and maintenance of telecommunications networks. Local planning authorities and network operators were required to work within the planning system. Network operators also needed to fulfil the requirements of their licences. There were best practice documents produced and supported by mobile network operators and local planning authorities that encouraged collaboration and cooperation between the sectors. In addition, operators were required to work together, for example by sharing sites and masts where possible.

To help the expansion of mobile phone networks, successive governments had created an evolving system of permitted development rights, a form of national planning permission. As a result, mobile network operators could replace, upgrade or expand their networks with limited involvement of local planning authorities. The permitted development system as it related to telecommunications masts etc operated as a hybrid system - it avoided the need for full planning permission but required developers to apply to the local authority to establish two matters - whether details of siting and appearance needed to be agreed, and if so whether the details submitted were acceptable.

Permitted development rights recognised that there might be situations where the network operator and planning authority could not agree on a proposal, or issues arose at short notice, and so to avoid a disruption to service the mobile network operators could install emergency equipment without any need for agreement from the local planning authority. That equipment could remain in place for up to 18 months.

Cllr Chilvers requested that a simple document be produced setting out the responsibilities of the Council and network providers which could be made available to residents to be used when there was a dispute with their network provider. Cllrs Miss Sanders and Chilvers would work with Mr Drane to produce such a document.

#### **545. Planning and Enforcement Appeals Updates**

The report before Members summarised the Planning Enforcement activity undertaken in the Borough for the period between 1 July and 30 September 2020 (Quarter 2). Regular updates were to be brought to the committee to monitor the performance of the wider Planning service.

Members were reminded that the Council had a duty to investigate complaints about development, including building and engineering works and changes of use that might have been carried out without permission or consent.

Effective Planning Enforcement was a useful tool in tackling breaches that would otherwise have had an unacceptable impact on amenity in the Borough and to help maintain the integrity of the Development Management process.

#### **546. Urgent Business**

There were no items of urgent business.

Cllr Miss Sanders advised that she was standing down as Chair of Planning and Licensing Committee and wished to thank Committee Members and Officers for their support during her time as Chair.

Members thanked Cllr Sanders for the fair and proficient manner in which she had conducted Planning and Licensing Committee meetings and wished her well.

The meeting concluded at 8.00pm

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