

SCOTTISH EPISCOPAL CHURCH

Provincial Buildings Advisory Committee

Guidelines concerning the Erection of Telecommunications Masts on Church Buildings

It is to be anticipated that, in the years ahead, an increasing number of requests may be made by Telecommunications Companies to site masts on Church buildings. The location and height of many Church buildings makes them ideal targets and the offer of financial remuneration in the form of rental paid by the Telecommunications Company may prove attractive to Churches.

The Provincial Church Buildings Advisory Committee is, however, concerned to ensure that any potential arrangements are carefully considered both from the property/financial aspects and also in relation to health matters. The following guidelines have been produced to assist congregations who may be approached.

- 1 The Buildings Advisory Committee takes the view that the siting of a mast, however discreetly done, will constitute a “change” for the purposes of Canon 35. Accordingly, the procedure set out under Canon 35 will require to be adhered to. In short, therefore, before any installation can proceed, the consent of the vestry, Diocesan Buildings Advisory Committee, and Bishop will be needed.
- 2 Before investing time and energy in negotiations with a Telecommunications Company, the Company in question will normally carry out a feasibility study to ascertain whether the site is suitable. It should be established that this will be at the Company’s own cost.
- 3 An appropriate structural engineer should be retained to consider the initial plans put forward by the Telecommunications Company but also to check that the installation, once carried out, has been properly completed in accordance with plans and specifications. The Telecommunications Company should be asked to undertake to be responsible for bearing the professional fees of the structural engineer.
- 4 The arrangement should be the subject of a formal, legally binding, lease. The rental level should be fixed by advisers appointed by the Church competent to advise in this field. (Current market rates suggest an annual rental in the region of £4,500 to £6,500 might be expected). Again, the Telecommunications Company should be required to undertake to pay the cost of the valuer’s professional fees.
- 5 The lease should be negotiated on behalf of the congregation by a solicitor (normally the Diocesan Registrar). Indeed, given the whole process is likely to be lengthy and complex, it is advisable that the Registrar be asked, at the outset, to handle the matter on behalf of the congregation. Again, the Telecommunications Company should be required to undertake payment of his/her professional costs, outlays and VAT. Typically, the lease might be for a period of around 15 years with three-yearly upwardly-only rental reviews. It is also common practice to include within the lease an option to terminate upon one year’s notice after the first five years have expired. (This is principally to avoid complications should the Church building itself become surplus to requirements). The lease should also contain full indemnities indemnifying

the Church against liability arising as a result of the installation of the mast and its operation. This should include liability in connection with perceived health risks and also interference caused to electrical equipment within the area emanating from the masts operation.

- 6 It is anticipated that the siting of Telecommunications Masts will require planning consent (alterations to the legislative regime are currently being considered by the Scottish Parliament). Even if it is not formally required, it is suggested that confirmation should be sought from the Local Authority that they have no objection to the proposal. It would be usual for the Telecommunications Company to be responsible for processing any planning application and paying all associated costs. Where the building in question is listed, the procedures required by the pilot scheme established between Historic Scotland and the Scottish Churches will also need to be followed in relation to listed building consent.
- 7 The Church's insurers should be informed of the proposals.
- 8 Consideration should be given to the health aspects relating to emissions. The most recent advice by an independent panel of experts is that of the Stewart Report (April 2000) commissioned by the Government to report on mobile phones and health. It concluded that *"the balance of evidence to date suggests that exposure to RF (radiofrequency) radiation below NRPB (National Radiological Protection Board) and ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines do not cause adverse health effects to the general population"*. It recognised, however, that there was evidence which suggested *"that there may be biological effects occurring at exposures below these guidelines"* and concluded that *"it is not possible at present to say that exposure to RF radiation, even at levels below national guidelines, is totally without potential health effects, and that gaps in knowledge are sufficient to justify a precautionary approach"*.

The Panel recommended further research to gain more comprehensive data and the Government has agreed to this recommendation. The Provincial Buildings Advisory Committee emphasises that the final decision on whether or not to go ahead lies with the vestry.

The NRPB are willing to be approached for advice and support in relation to proposed installations. In Scotland general advice and queries can be addressed to:

NRPB
155, Hardgate Road,
GLASGOW G51 4LS
Mr Ron Wheelton, tel: 0141 440 2201, extn 4803

The address for more technical advice is:

NRPB
Chilton
Didcot
OXON OX11 0RQ
Tel: 01235 831600

Also available from the Didcot address are useful leaflets on the subject, including:-

Radio Waves

Non-Ionising Radiations

Exposure to Radio Waves near Mobile Phone Base Stations (reprinted from Radiological Protection Bulletin No 225, September 2000).

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