



The Scottish Parliament
Pàrlamaid na h-Alba

(For official use only)
PUBLIC PETITION NO.

PE1416

PLEASE REFER TO GUIDANCE NOTES AT THE BACK OF THIS FORM.

1. Name of petitioner

Councillor Eileen Baxendale, Councillor David Baillie, Robert Brown and Dr. Keith Baxendale

2. Petition title

Review of health issues and planning guidance in respect of telecommunications masts

3. Petition text

Calling on the Scottish Parliament to urge the Scottish Government to undertake an independent review of current scientific evidence in respect of possible health risks particularly to young children from the siting of telecommunications masts near residential property, schools and children's nurseries, and to examine the extent to which the recommendations of the Stewart Report and the planning guidance contained in PAN 62 and NPPG 19 have been complied with, all with a view to revising and updating the relevant Scottish Planning Guidance, or taking other action to ensure public safety. We also wish the Scottish Government to consider halting the current industry plans to provide telecommunications masts at least once a mile in residential areas while the risks to the health of young children are fully reassessed.

4. Action taken to resolve issues of concern before submitting the petition

This issue has come to the attention of two of the petitioners who are local Councillors due to planning applications submitted by telecommunications companies over the last two years. This has led to local residents approaching local Councillors and we have taken the following steps.

The phone mast operators have been invited to meet with local Councillors and the local Community Council but have declined to do so. They have offered one local community consultation and this was attended by Councillors with a view to discussing the recent World Health Organisation findings. The operators did not appear to respond to these concerns.

The third petitioner is a former MSP who has also engaged with local residents over mobile phone mast issues, and shares concerns about the adequacy of the current planning guidelines to satisfy the concerns of residents.

The fourth petitioner, who is a neurophysiologist, has looked into some of the scientific evidence and this has not reduced his concerns. Discussions have also been held with other medical professionals whose general view is that the

scientific evidence is inconclusive. They recommend 'the precautionary principle' which would mean not permitting telecommunications masts near schools, nurseries and family homes.

The first petitioner is a member of the Local Authority Planning Committee and was given permission to speak to the Committee about the possible health concerns. However the Planning Committee must act within planning guidelines and cannot, at present, take the possible health risks to young children into account.

Discussions have taken place with the local MSP, Mr, James Kelly. He has been approached by local residents concerned about a particular application and has supplied the following statement:

"I am opposed to the siting of a phone mast in relation to the Cathkin By Pass site as is currently proposed. I do not believe this application is fair on the local residents. I have met with them to discuss the issue and expressed support for their campaign. I also believe that in relation to this particular application that there is evidence that the mast would have adverse (effect) on the health of residents."

Many individuals, having looked into the issue for themselves, have expressed concerns that the scientific evidence is not clear and that telecommunications masts may be a health risk.

So the petitioners are seeking to make these concerns the subject of an independent scientific review. The only body able to deal with this matter is the Scottish Government.

5. Petition background information

This issue is one for the Scottish Parliament since Local Authority Planning Committees must act within planning law and guidelines and cannot refuse a telecommunications mast application because it is near a primary school or residential housing.

Planning Guidance and the Stewart Report:

Until recently, the planning guidance was contained in Planning Advice Note 62 (PAN 62) issued in September 2001 by the then Scottish Executive, and in National Planning Policy Guideline 19 (NPPG 19). NPPG19 was superseded in February 2010 by the much-truncated general Scottish Planning Policy, but it is understood that this did not change the underlying policy.

<http://www.scotland.gov.uk/Publications/2001/09/pan62/pan62->

<http://www.scotland.gov.uk/Publications/2001/07/nppg19-telecoms/nppg-19>

<http://www.scotland.gov.uk/Publications/2010/02/03132605/0>

PAN 62 and NPPG 19 were produced following consideration by the Scottish Executive of the recommendations of the Report of the Independent Expert Group on Mobile Phones (the Stewart Report) produced in April 2000 for the United Kingdom Government.

<http://www.iegmp.org.uk/report/index.htm>

In essence the Stewart Report recommended a precautionary approach to the developing technology of mobile phones until more robust scientific evidence became available. They said that 'the gaps in knowledge are sufficient to justify a precautionary approach.'

The Report pointed out that:

“There are two direct ways by which health could be affected as a result of exposure to RF radiation. These are by thermal (heating) effects caused mainly by holding mobile phones close to the body, and as a result of possible non-thermal effects from both phones and base stations (paragraphs 5.5–5.26).”

It went on to say:

“The balance of evidence to date suggests that exposures to RF radiation below NRPB and ICNIRP guidelines do not cause adverse health effects to the general population (Chapter 5, paragraphs 6.33–6.42).

and:

“There is now scientific evidence, however, which suggests that there may be biological effects occurring at exposures below these guidelines (paragraphs 5.176–5.194, 6.38).”

The Report recommended that mobile phone mast applications be subject to normal planning application procedure, that protocols be developed to inform the planning process and specific planning applications, that Local Authorities should maintain a public, up to date list of planning applications for masts, and a national database on the location of phone masts by the Government. There were also recommendations about how to deal with masts in or near school grounds. The Report also recommended further research into the effects of mobile phones and phone masts on public health.

PAN 62 and NPPG 19 contained recommendations on site sharing by phone mast operators, on the options for consideration of the suitability of sites, on their design and intrusiveness and on related matters. However the Guidance pointed out that the issue of emissions was more appropriately regulated under the appropriate legislation by other agencies, and was not to be considered by the planning system. Accordingly, broadly, Planning Authorities cannot regard health issues as being “material concerns” under the planning legislation.

The Petitioners understand that there has been no subsequent review of the position by the Scottish Government, despite developments in mobile phone technology (including the development of fourth generation (4G) technology), the increased proliferation of phone masts, the exponential increase in mobile phone usage, and ongoing public concerns as to possible health risks.

Worryingly, the conclusion of the Stewart Report that there was at that time no evidence that exposure to RF radiation from phone masts would 'cause adverse health effects to the general population' is now used to allow the siting of telecommunications masts near residential home and primary schools.

Practice in other countries:

Some countries, specifically New Zealand, Australia, Sweden, Italy and parts of the United States, have followed the precautionary principle further by banning mobile phone masts in or near schools.

In addition, scientific findings about the possible health risks from telecommunications equipment have changed significantly this year.

World Health Organisation:

On 31st May 2011, the World Health Organisation (WHO) issued Press Release No. 208 entitled "IARC classifies radiofrequency electromagnetic fields as possibly carcinogenic to humans". This reported on the findings of the International Agency on Research on Cancer (IARC) on the possibility of adverse health effects from exposure to radiofrequency electromagnetic fields - such as those emitted by wireless communication devices – following evaluation of the available literature. They found as follows:

Results

The evidence was reviewed critically, and overall evaluated as being *limited* among users of wireless telephones for glioma and acoustic neuroma, and *inadequate* to draw conclusions for other types of cancers. The evidence from the occupational and environmental exposures mentioned above was similarly judged inadequate. The Working Group did not quantitate the risk; however, one study of past cell phone use (up to the year 2004), showed a 40% increased risk for gliomas in the highest category of heavy users (reported average: 30 minutes per day over a 10-year period).

Conclusions

Dr Jonathan Samet (University of Southern California, USA), overall Chairman of the Working Group, indicated that "the evidence, while still accumulating, is strong enough to support a conclusion and the **2B classification**. The conclusion means that there could be some risk, and therefore we need to keep a close watch for a link between cell phones and cancer risk."

"Given the potential consequences for public health of this classification and findings," said IARC Director Christopher Wild, "it is important that additional research be conducted into the long-term, heavy use of mobile phones. Pending the availability of such information, it is important to take pragmatic measures to reduce exposure such as hands-free devices or texting. "

http://www.iarc.fr/en/media-centre/pr/2011/pdfs/pr208_E.pdf

Essentially, as indeed the Stewart Report had identified, mobile phones and mobile phone masts have not been in common use for long enough to draw definitive conclusions on the long term effects of exposure to radiofrequency radiation.

The full study was reported in the Lancet Oncology of July 2011 –

[http://www.thelancet.com/journals/lanonc/article/PIIS1470-2045\(11\)70147-4/fulltext](http://www.thelancet.com/journals/lanonc/article/PIIS1470-2045(11)70147-4/fulltext)

Whilst the Petitioners accept that the WHO research and statement has looked primarily at studies on the personal use of mobile phones, the conclusions are relevant to phone masts and reinforce the desirability of taking a precautionary approach, particularly where children might be involved.

Council of Europe Report and Resolution:

On 27th May 2011, the Council of Europe adopted a resolution proposed by its Committee on the Environment, Agriculture and Local and Regional Affairs on the issue, relating to both mobile phones and masts (relay antennae), which called for a reduction in human exposure to electromagnetic fields as far as reasonably achievable. They argued for the application of the “as low as reasonably achievable” principle, covering both the so-called thermal effects and the athermic or biological effects of electromagnetic emissions or radiation.

The Committee report went on:

“Moreover, the precautionary principle should be applicable when scientific evaluation does not allow the risk to be determined with sufficient certainty, especially given the context of growing exposure of the population, including particularly vulnerable groups such as young people and children, which could lead to extremely high human and economic costs of inaction if early warnings are neglected.”

<http://assembly.coe.int/main.asp?link=/documents/workingdocs/doc11/edoc12608.htm>

The Committee Report, like Committee Reports of the Scottish Parliament was based on evidence provided to the Committee by experts and interested parties.

The Rapporteur stated at para 51 that:

“51. The rapporteur feels that one of this epidemiological study’s principal weaknesses lies in the fact that the period of mobile phone use analysed, extending until the early years of the 21st century, is probably too short at less than 10 years to reach altogether conclusive results given the period of latency and growth of cerebral tumours. In fact, ionising radiation (radioactivity) is recognised as a cause of brain cancer, but cases due to radioactivity rarely become apparent before 10 or 20 years of exposure.”

The WHO and the Council of Europe are highly reputable and responsible organisations, both of which have expressed a growing level of concern at the possible biological and health effects of electromagnetic emissions or radiation.

Other Concerns:

In addition, it has come to our attention during debate on local mast applications that:

- a) Neither Local Authorities nor the Scottish Government appear to have compiled local public lists of mast planning applications , nor a national data base as recommended by the Stewart Report

- b) Sharing of sites by operators is limited
- c) Little evidence is given to Planning Committees as to the need in coverage terms of masts at locations applied for.

We are asking the Scottish Government to undertake an independent review of current scientific evidence and subsequently a review of the relevant Scottish Planning Guidance which would allow Planning Authorities to take health risks into account when considering decisions about the location of telecommunications masts. This could be done by commissioning an independent scientific review of the evidence about health and by re-visiting the Stewart report recommendation about the precautionary principle.

Given that telecommunications masts generate continuous electromagnetic fields and that it is believed that the development of the brains of young children can be affected by electromagnetic radiation the petitioners ask the Scottish Government to call a halt to the current industry plans to provide telecommunications masts at least once a mile in residential areas while the risks to the health of young children are fully re assessed.

6. Do you wish your petition to be hosted on the Parliament's website as an e-petition?

YES

7. Closing date for e-petition

January 16th 2011

8. Comments to stimulate on-line discussion

The issues that arise from this Petition suggest:

1. It is time to review matters over 10 years after the Stewart Report
2. The basis for a precautionary approach has been strengthened by advancing and more high powered technology, increased use of mobile phones, the proliferation of phone masts, and the influential reports by WHO and the Council of Europe
3. The 'certificate' mobile phone operators obtain, which is supposed to cover any health concerns, is based on outdated World Health Organisation research.