

MINUTES OF LOCKERLEY PARISH COUNCIL EXTRA ORDINARY MEETING

Held on Tuesday 2nd March 2021 at 7.30 p.m. via Zoom

PRESENT: Parish Cllrs. Len Arthur, Sue Kent, Maurice Hillier, Helen Woodfield, Tim Coomer, David Jackson and Jane Waller. Also, in attendance was Borough Councillor Alison Johnston, Deputy Leader of Test Valley Borough Council Nick Adams King, clerk to the council, Sue Holder and 39 members of the public.

APOLOGIES: None

DECLARATIONS OF INTEREST: Cllrs Alison Johnston and Adams King took part in the meeting however will keep an open mind as to the determination of any application.

20/062 Request to enter into negotiations for an agreement to install telecommunications apparatus on land at Lockerley Green.

The chairman opened the meeting and welcomed our guests. He reported that on the 8th February, GallifordTry had emailed the parish council to establish ownership of a parcel of land on Lockerley Green; the clerk responded that this was parish council owned land. On the 17th February 2021 an email letter was received from GallifordTry to request to enter into negotiations for an agreement to install telecommunications apparatus on Lockerley Green, and on the 19th February the company conducted a site survey that involved digging holes in the green which was conducted without prior consent of the parish council. The chairman called this extra meeting of the parish council to discuss this matter for the first time this evening.

- **Proposal from GallifordTry**

To install two Lancaster cabinets on concrete plinths, one 160meter cabinet and a High Hutchinson Apollo SW Pole providing O2 and Vodaphone mobile phone coverage.

- **Cllr Nick Adams King, Test Valley Borough Council Planning:**

1. The law is in favour of allowing mobile phone masts to be installed and whilst it is possible for the parish council to refuse the request this can be overruled in court and any associated site payments will be withdrawn. (December 2017 Electronic Communications Code aimed to bring communications infrastructure in line with utilities. The legislation is designed to make it simpler for mobile operators to acquire land).
2. The proposal may go to TVBC under a notice of permitted development, providing TVBC 28 days to process the application or permission is assumed. The Planning Committee meet every 21 days and therefore the time to submit objections is limited. The height of the proposal would be allowed under a notice of permitted development. Alternatively, a formal planning application may be submitted. As of today, 2.3.21, nothing has been submitted to TVBC planning. Mark Staincliffe, the delegated Head of Planning, has contacted GallifordTry to encourage a pre-application as the location is not considered to be ideal.
3. The proposal is loaded in favour of GallifordTry. Advice from the Senior Planning Officer is that from the other sites considered, the coverage was not significantly different and therefore TVBC have good grounds to question the location.

- **Parish Council Position**

1. Challenge coverage and location and keep financial benefits. (MH)
2. No consideration for the environmental impact nor effect on the community or any offer to screen. Forced upon the parish. (HW)
3. To call a parish poll and use the voice of the community as a negotiating tool together with a complaint that the site survey was conducted without permission. (SK)
4. Reference to a 3-year Government plan to provide masts, 54 of which are in England. Better coverage is necessary. (JW)
5. What legislation is there for the protection of village greens, the landscape, heritage, and history of the area – does the Electronic Communications Code or other legislation supersede this? (DJ)
6. Better coverage is necessary, but an alternative site needs to be negotiated. (TC)
7. Mobile signal is poor, but the village green is the wrong location for it. (LA)

- **Consideration of site and possible alternative sites**

The parish council were unanimous that Lockerley Green was not a suitable location to site a telecommunications mast. A list of alternative sites provided by GallifordTry included: Oakridge Timber, East Dean Road, Top Green area, East Dean Road, near the railway bridge, Scout Hut, and St Johns Church.

20/063 Open Forum and correspondence received

1. PF – Not to negotiate with GallifordTry before receiving legal / professional advice as this may compromise the parish council's position. Suggest a holding letter be sent in the interim. PF offer to represent the parish council with this.
2. GH – contract offered is biased in favour of GallifordTry and legal advice should be obtained. GallifordTry have not created a spirit of co-operation and trust between parties. No mention of environmental impact.
3. CD – consensus of residents around the green was one of shock and that a mast cannot be erected in a prominent position of a preserved village green. Visual impact, health concerns and alternative sites have been sent to the company.
4. MN – proposal is inappropriate for the village green.
5. IM – proposal is excessively large for the location.
6. GJ – copy of correspondence sent directly to GallifordTry.
7. PA – objection.
8. LH – Various questions which were addressed during the meeting, other than what coverage it would provide.
9. RT – Objection to proposal and support of a committee to address the issue.
10. GP – Position is unacceptable.
11. What are the risks to health / cancer? Residents anxiety levels were mentioned.
12. Cornerstone (02) have a Memorandum of Understanding with the Church of England for installation of masts within their buildings since 2019 and is encouraged by the Government.

13. Height of mast is 20m plus the height of aerial system (+2m) which should take it to formal planning. No consideration for acoustic noise. Under NPFF any mast must be available to any operator.
14. 20 years ago, the vicar offered the church steeple for use by a mast.
15. Holbury Hill has previously been identified as a suitable site.
16. The rationale to reject other sites is flawed, suggesting limited rigor has been applied to the alternatives and 'path of least resistance' has been chosen.
17. Imperative that we get a mobile signal as soon as possible.

20/064 Parish Council conclusion

1. The parish council and the members of the public in attendance at this meeting were not in support of a telecommunications mast on Lockerley Green. It is understood that the Vicar offered the Church as a location for a mast previously so the parish council would ask if he would support this as a site now.
2. Cllr Nick Adams King will contact the Legal Department of Test Valley Borough Council.
3. The Clerk will contact the Legal Department of HALC.
4. Mr Peter Funnell will take independent legal advice on behalf of the parish council and any fees associated with this come from the Lockerley Greens Preservation Committee fund, now held with the parish council.
5. The Clerk will send a holding letter to GallifordTry as there is no reason to believe any time pressure has been put on us from the original letter requesting we enter into negotiations.
6. The Clerk will contact TVBC planning with the outcome of this meeting and request that the parish council be updated at all stages in the event a permitted development / planning application is submitted.
7. An email distribution list will be set up to keep interested parties informed of all progress. Notice of further meetings will be posted on the Lockerley Facebook page, Spotted Lockerley and the parish council website.

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There being no further business the chairman closed the meeting at 8.55pm.