

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER**

TO: POLICY AND RESOURCES COMMITTEE

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REQUEST TO UTILISE PENDLE LAND FOR TELECOMMUNICATIONS INFRASTRUCTURE

PURPOSE OF REPORT

- (1) To inform Committee of the outcome of the consultation with Nelson Area Committee.
- (2) To authorise the Chief Executive to agree the lease or sale of the land.

RECOMMENDATIONS

That Committee agree to the use of the 5 sites for monopole telecommunications infrastructure and authorise the Chief Executive to agree to the terms of the leases.

REASON FOR RECOMMENDATION

In order that Pendle utilises its land portfolio whilst encouraging appropriate provision of telecommunications infrastructure.

ISSUE

- 1.1 The Council has been approached by Internexus who are a broadband provider. The broadband is a wireless network that works by the transmission of signals between dishes mounted on structures. This differs from most broadband which is delivered via fibre and copper cables. The diagram at Appendix 1 shows the general nature of the network and infrastructure involved.
- 1.2 A report was made to this Committee in November 2018. The report was a general one and it was agreed that further discussions and more detailed proposals would be brought back after further negotiations. Initially 59 sites were put forward by the proposed developer. The proposal was to use the sites and erect lattice type towers on the sites. Appendix 2 shows a

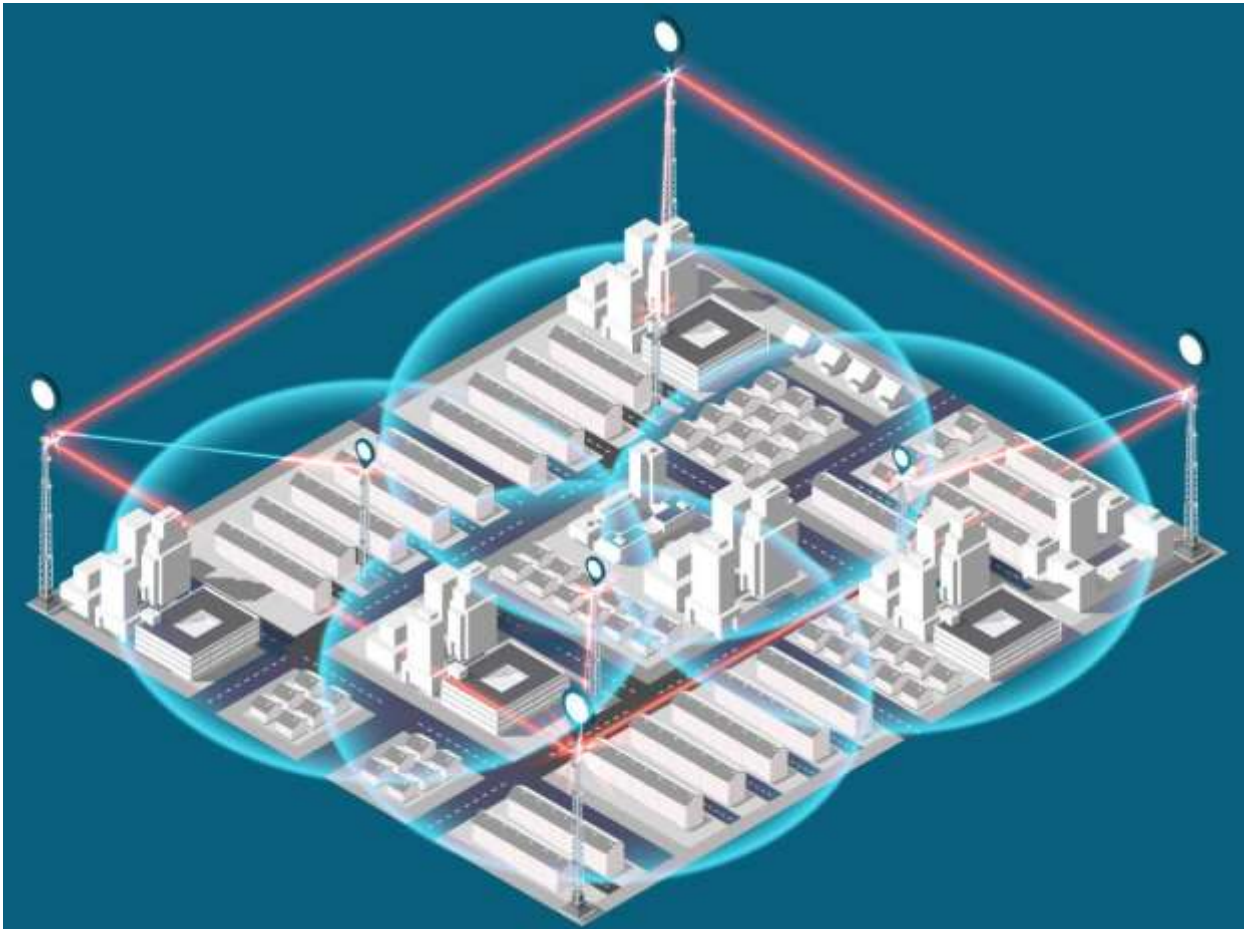
range of structures that could be installed to support the telecommunications the apparatus which comprise of small directional dishes.

- 1.3 The first structure is a lattice tower. Concerns were raised with the developer that these were too industrial in nature to be deployed in urban areas. Single monopoles would fit better into the urban fabric we have as they would more closely resemble street light columns which are common in street scenes. These monopoles are shown in Appendix 2. The developer came back and proposed the use of monopoles on the sites currently under consideration.
- 1.4 After further negotiations a list of 5 sites have been agreed to be brought forward for consideration. A report on these was considered by Nelson Area Committee, where they are all situated, in May. No objections were made to the principle of using the sites but Committee were concerned that the overall usability of the land around should not be compromised. Appendix 3 shows the location of the sites in detail alongside photographs. The sites are:
 - i) **Adjacent to Seed Hill Track**
 - ii) **Land Off Southfield Street**
 - iii) **Land Off Marsden Hall Road**
 - iv) **Land at Hollins Road**
 - v) **Land off Sagar Street**
- 1.5 Operators of digital networks have to register as Code System Operators. Under the Digital Economy Act 2017 an Electronic Communications Codes was introduced. The Code allows Operators to compel landowners to grant agreements to allow use of their land. That is a power that can be enforced through the Courts if a landowner is not agreeable to leasing or selling their land. Effectively the provisions enable Code Operators to force landowners to lease their land means that landowners have no option but to engage in looking at the potential roll out of sites.
- 1.6 The development of the sites would not need planning permission as the erection of monopoles for telecommunication code system operators would be permitted development. Each site has been assessed on the basis of its suitability to house a monopole structure and that would be compatible to their nature and location. A lattice structure would not however be acceptable on them as they would look out of place and be obtrusive alien structures. Leases should therefore restrict the nature of the infrastructure to monopoles. Otherwise the development of additional infrastructure to support communications would be welcomed.

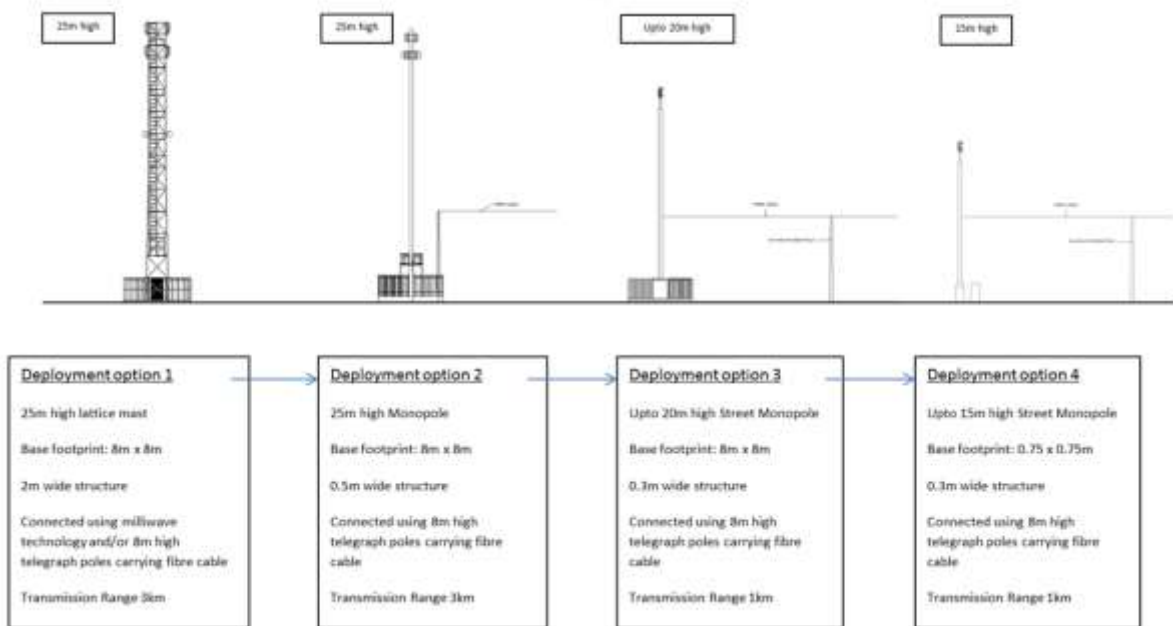
IMPLICATIONS

Policy:	None
Financial:	None
Legal:	None
Risk Management:	None
Health and Safety:	None
Sustainability:	None
Community Safety:	None
Equality and Diversity:	None
Background papers:	

Appendix 1



Appendix 2



Appendix 3

Site 1 Adjacent to Seed Hill Track

Pendle_Bradl1 A1/L1/P1

LAN81796



LAN81796



Site 2 Land off Southfield Street

Pendle_Clove2 A1/L1/P1

LA689111



LA689111



Site 3 Marsden Hall Road

Pendle_Marsd1 A1/L1/P1

LA912329



LA912329



Site 4 Land at Hollins Road

Pendle_Marsd2 A1/L1/P1

LAN109026



LAN109026



Site 5 Land off Sagar Street

Pendle_South2 A1/L1/P1

LAN107703



LAN107703

