

## **Briefing note – 28 Day Telecommunications Notifications**

Proposed amendment to constitution – to include 28 day Telecommunications Notifications within paragraph 1.3 of Section D4 of the Constitution (para 1.3 being the list of matters for which responsibility for determining has been delegated to the Strategic Directors).

There are different ways in which telecommunications equipment can be put up, which can include a planning application but mostly involves permitted development. Within the permitted development rights there are then 56 day and 42 day notifications. The 28 day notifications are not submitted under planning legislation, they are submitted under the Electronic Communications Code (Conditions and Restrictions) Regulations 2003) The planning applications and the 56 and 42 day notifications are not being sought to be included within paragraph 1.3 (and members can continue to make call-in requests for applications and these two types of notifications), only the 28 day notifications.

The 28 day notifications are not planning applications, it is purely a notification under the Electronic Communications Code (Conditions and Restrictions) Regulations 2003) to the Council that the telecommunications operator intends to install the equipment as per their permitted development rights. The Council must give written notice of any conditions with which they wish the telecommunications operator to comply in respect of the installation of the apparatus, within the 28 days. The Council has no control over this type of development. If the Council does not respond within the 28 days, the default position is the telecommunications operator will be able to install the equipment.

There is therefore not time for these matters to be able to go to a planning committee, and the risk is that if they do, that such installations would go through as a default without the Council having had time to comment at all. If these were included at paragraph 1.3, the delegated Strategic Director would be able to provide comments in time if there were any issues with the proposed installation.