

London Diocesan Advisory Committee



Telecommunication Installations

1. INTRODUCTION

2. THE FACTS

2.1. Types of telecoms installation

2.2. What are '2G' and '3G'?

2.3. What is a telecoms operator?

2.4. The 'National Arrangement'

3. HOW TO DECIDE

3.1. Options and Guidance

3.2. Other church-owned sites and buildings

3.3. Questions your PCC should consider

4. THE PROCESS

4.1. Guidance and decision-making

4.3. Getting permission for your telecoms installation

4.5. Installation

5. CONCLUSIONS

This paper is to help your church respond to any approaches by telecommunications companies who would like to install a telecoms base station in your church, or on church property. It explains how to deal with the aesthetic, technical, legal and ethical factors involved.

1. INTRODUCTION

(a) There are considerable financial advantages potentially to be gained from introducing a telecoms installation into suitable properties.

Hundreds of housing estates and hospitals, as well as some churches, have installed such systems as a way of earning additional income.

(b) Careful consideration needs to be given to a range of questions, before a church decides if it wants to install a telecoms system. Many people are concerned at possible risks associated with telecoms aerials; and there are special issues related to aerials in churches, which have to be thought through before deciding to take up such an opportunity. Some of the factors to take account of are of a technical or practical kind, some architectural and aesthetic. Other criteria, especially those of the use of aerials, and any health & safety implications, are partly ethical and moral in character.

Concerning the technical aspects, this booklet is not to be taken as expert advice on any telecoms system. Any PCC accepting such a system must obtain independent professional advice (see [4.2.1](#) below).

(c) Architectural and aesthetic questions may include any alterations to the building fabric, as well as the effect on a church's appearance and on its external setting. Health and safety concerns are very much in the public mind, and they are among several issues with an ethical dimension: especially important in the context of a Christian church. Finally, any church should reflect upon the theological implications of telecoms systems and how they may be employed by churches. The church is a place of worship and prayer, of mission to the world. Will this promote our worship and mission? What message are we sending out into the world?

(d) Before you can install a telecoms system in your church, you need a faculty and cannot go ahead without one. The Diocesan Advisory Committee (DAC) gives advice in connection with faculties. But the Diocese and DAC cannot dictate a particular point of view to parishes. Rather, the DAC wants parishes to be given balanced information and guidance to help them think through all the issues for themselves before deciding whether to take advantage of offers from telecoms companies, and to apply for permission. This booklet can offer information, and provide pointers. But each PCC and church member must decide for themselves, based on their own circumstances and judgment, what is right for their own community.

2. THE FACTS

2.1. Types of telecoms installation

(a) Communications installations are not limited to mobile phone base stations. Sometimes they are taxi network relays, or traditional telephone signal transmitters, or wireless transmitters for radio or tv. Recently, the need has arisen for broadband internet transmitters.

(b) However, for the time being mobile telephones are what we are mainly concerned with, because the market is so active with most of the population owning mobile phones. As a result there are very high rentals to be had, making the idea attractive to many churches. This can result in pressure to accept - even when some in a church may have misgivings.

2.2. What are '2G' and '3G'?

(a) During the development of mobile phones there have been successive generations of technology, sometimes called '1G', '2G' and '3G'. '1G' refers to the original cellphones. These were unsophisticated compared to today's phones, bulky and expensive. '2G' is the ordinary miniature mobile phone, which most people have had for a few years now. It was the first system to penetrate the mass market.

(b) '3G' was marketed by governments as the future of mobile telecommunications, to include video as well as internet access and other services, which would require broad-band technology. Companies paid the Government huge sums for licences, but for a long time the technology could not be developed. Finally, in March 2003, one company made it to the High Street with a '3G' system. There are now a range of handsets which you can buy for this system, but at the time this is published it remains a single '3G' network.

(c) To plug the gap before any '3G' system was available, companies were developing what some referred to as '2¹/₂G'. This was an enhanced service based on '2G', but with limited internet access, the capacity to send pictures and emails, and so on. Companies have been chasing a diminishing pool of sites for new stations using this transitional technology. Although '3G' is now in operation, it has yet to be widely accepted by consumers, whilst the so-called '2¹/₂G' systems remain popular. Some of the offers being made to churches are still based on '2¹/₂G'.

2.3. What is a telecoms operator?

(a) It is essential when entering into any contract to know who is the other party. This will probably be the Operator (ie Orange, Vodafone, T-Mobile etc). But this is not the firm which will negotiate with you and make any offer. Usually you will be approached first by a different firm, who might be surveyors for example; they have to procure the site and negotiate with the actual Operator. We will call this firm of intermediaries 'The Agent'.

(b) The Agent represents the Operator. The Operator is the mobile phone company, providing the telephone service by government franchise, and charging the user.

(c) So who installs the system on a mast, or a roof or tower (the system itself is called a 'base station')? This is not the Operator either, and probably not the Agent. It is more likely to be a separate firm of engineering contractors. They are the 'Installer'. They may or may not be the same as the company maintaining the system, the 'Maintainer'.

2.4. The 'National Arrangement'

(a) In one important case, your contract would not be with the Operator. During 2001, the Archbishops' Council raised the possibility of a single central church system, giving one telecoms operator so-called 'preferred status' for Church of England churches. The Archbishops' Council launched their scheme in June 2002. This is called the 'National Arrangement'. The company chosen was Quintel S4 Limited. The Archbishops' Council and Quintel S4 wrote to all parishes, inviting participation.

(b) Under the 'National Arrangement', your agreement would be with Quintel S4, who could be called 'The Promoter', because they put together a package and supply the equipment for the Operators to buy into. The Operators enter into contracts with the Promoter, and the Promoter has a contract with you.

(c) Thus, Quintel S4 performs a triple role. It is an equipment manufacturer for its shared system. It is also the Promoter of that system, and thirdly it acts as Agent, securing the agreement between the Parish and itself, as well as its own sub-agreements with the Operators who may buy into the system. While Quintel S4 is developing its system, it is also acting as agent or negotiating partner for other companies employing their own systems rather than that of Quintel S4.

(d) In the 'National Arrangement', the way rental is paid is different from other systems. Several Operators, the Scheme's promoters

hope, will contribute to a single rental paid to the Parish by Quintel S4. This rental may be more than for a single Operator, but only if there are 2 or 3 companies or more buying into it. From a single Operator, you might receive a single rental which is more than one sub-rental through Quintel S4.

(e) The Archbishop's Council/Quintel S4 Scheme is for multiple-use single installations, with the same equipment to be used by several Operators (up to five, hence the name 'Quintel'). This is not an installation by one company and exclusive to its own use, but a spine into which multiple installations can be plugged. It is not yet known whether all of the Operators will accept the terms and conditions agreed with the Archbishops' Council. The technology itself is new and in its infancy; as yet there is limited experience of how it will work in practice.

3. HOW TO DECIDE

3.1. Options and Guidance

(a) You do not have to buy into the 'National Arrangement' if you want to install a base station in your church. It is not an exclusive deal. You have the option of entering an agreement with another company if you wish. Nor are you required to agree to any system unless you are satisfied it is right for you.

(b) If you do decide to explore the possibility of the 'National Arrangement', the Archbishops' Council, together with Quintel S4, have provided a 'model contract' and a protocol for how to set it up and gain permissions under the 'National Arrangement'. They have been holding seminars and workshops to explain how to go about it. This is intended to make sure good practice is observed, within the terms of the 'National Arrangement', and Quintel S4's system.

(c) Several heritage and amenity groups have produced guidance of their own in relation to telecoms installations. These include English Heritage, the Society for the Protection of Ancient Buildings, the Victorian Society, and the Central Council of Church Bellringers. Their leaflets may be obtained from those organisations.

(d) Guidance on the legal issues has been issued by the Diocesan Chancellor in London, and also by the Ecclesiastical Judges Association. These leaflets comment further on questions of ethics and the content of communications, as well as the fundamental

need for the PCC to maintain control. Copies may be obtained from the Diocesan Registrar (telephone number on the last page of this booklet).

(e) To sum up so far, it is for the PCC in the first instance to decide whether it wants to go forward with any proposal for a telecoms installation, subject to consultation and permissions. More is said about this later in this booklet, but first we set out some of the issues for a PCC to think about and discuss at the outset. In relation to a church building, the DAC will consider some of these (see [4.3.3.](#) below), in particular those in sections [3.3.3.–3.3.5.](#) - but the PCC should do so first.

3.2. Other church-owned sites and buildings

(a) Not all buildings or land for which a PCC is responsible may be part of the Church itself, or even within its curtilage. If you want to erect a mast or other installation on any other church property such as a detached piece of land, you should consult the Diocesan Property Department. Telephone numbers are at the end of this booklet. Questions in relation to the effect on adjacent properties, any visual impact, health and safety issues, planning permission, will all still need to be gone into.

3.3. Questions your PCC should consider

3.3.1. Use of telecoms systems

(a) The Church is concerned that telecoms systems in churches limit themselves to moral and appropriate uses. An Incumbent and PCC have a duty to ensure the church is not used for purposes inimical to the Christian Gospel and good morals. The faculty system is there to support them in this. But it is impossible to control other people's conversations! Telephone chat services use premium rate lines, giving some scope for control. Access to the internet raises the stakes: issues concerning unsavoury websites, child protection and (potentially) 'grooming' by mobile have been much in the news.

(b) '3G' introduces the prospect of bespoke services. The service providers will have their own systems and services; it is possible that some of these could include so-called 'adult' services. There may come to be parental control software on the market to regulate the host of services to be received on mobiles.

(c) A PCC must make sure it knows just what it is selling into. This is even more so if it is taking on a multiple system such as the Archbishops' Council/Quintel S4 system, which may link to several

service providers. The 'National Arrangement' contains safeguards in this regard, but it is not known whether they would be enforceable.

3.3.2. Health & safety

(a) Some people believe there is a risk that the electromagnetic waves carrying mobile phone signals might be harmful to health in various ways. This booklet does *not* offer expert advice in this area. There is a growing body of research, on which PCCs should form their own conclusions. We are unable to say what if any conclusions can be drawn from it; what follows offers pointers for the PCC to follow up. The Stewart Report of 2000 advocated a 'precautionary approach'. A more recent report of 2003 by a National Radiological Protection Board team, led by Prof Anthony Swerdlow, considers that emissions of this kind are unlikely to pose a risk, but advocates more research, owing to the methodological difficulties in making any assessment.

(b) If there is a risk, we have been told, this will not affect persons inside the church, except when they are coming and going. Worshippers in a church and children in the Sunday School are in the shadow cast by the building fabric. If you switched on your mobile whilst in church, the signal wouldn't come from the aerials on that very church's tower, but from another aerial nearby. But those moving or standing some distance away, where the signal reaches the ground, may be affected to some extent.

(c) A new telecoms installation seems unlikely to increase background radiation enough to expose people to greater harm than before. But there could be a 'last straw' effect. This could be just the one extra thing which proves harmful. Contrary to this, some argue that constant low-level radiation is of greater harm than a sudden short burst.

(d) The radiation from a handset, close to the mobile user, is very much greater than from an aerial some distance away. It seems to follow that any risk is mainly to users themselves, especially children. But the erection of transmitters is what makes the use of phones possible at all - so your installation might be deemed to encourage the user.

(e) Any risk depends on the distribution of transmitters, in relation to buildings and population. The output of your handset adjusts itself according to distance from the transmitter, being greatest for handsets at the limit of an aerial's range, but least for those close to a transmitter. By putting an aerial on the tower, if you are filling a gap, you might be *reducing* the risk to some. But passive non-

users are in a different position: signals may be least strong in a trough between several aerials, strongest close to an aerial. This suggests that a new transmitter should not be placed close to a school or other building containing young or vulnerable people. Also, the effect on occupants of tall buildings should be thought of: if a tower block stands in front of a transmitter, this may cause maximum exposure to those at the same height. These are complex factors; you should ask the operator to give you an analysis of the net effect in your case.

(f) Don't forget visitors to the church coming from elsewhere. If a system is hidden for aesthetic reasons, the visitor will not know it is there. This could give grounds for complaint, particularly from families with children. Advisory notices might be considered; a PCC should discuss the pros and cons of this.

(g) If the public fears there might be a risk from a transmitter in the Church, they may not want their own children to attend a church nursery or Sunday School. This could damage the church's worship and mission - which are of greater value than the rental from the telecoms company - as well as jeopardising the financial benefit. How a possible hazard is perceived may have more impact than the scientific evidence.

3.3.3. Aesthetic aspects

(a) A telecoms installation may affect the appearance of the church, sometimes also its setting, eg if a new outbuilding is needed for equipment. It may be possible to conceal the aerials, but this will need to be well illustrated. Some proposals we have seen would have been unsightly. Many churches are situated in conservation areas.

(b) It is sometimes assumed that a telecoms installation will be small and discreet, not much more than the aerials on the roof. In themselves these are becoming more compact, but they are often only a small part of the total installation. There may need to be an equipment room, which may require breaking through the structure to make openings for substantial ducts running up and down the tower. External equipment cabinets must be well hidden round the back.

(e) There could be a long-term effect on appearance. 'GRP' (so-called 'fibreglass') is sometimes said to weather badly, and/or to fade. That has not been our experience for the most part, but any effect is exaggerated if it is placed next to natural materials, or if rain is running off it. GRP can be re-coated, but it is likely to be inaccessible.

3.3.4. Building structure & fabric

(a) In addition to ducts and cables, the equipment may require a new steel support structure. You will need the advice of a Structural Engineer (see [4.2.1.\(v\)](#) below) about the stability of the tower with the structure in it, and in the future if and when it is removed. The walls of the tower may move naturally over the years and come to lean on the inserted steels. It must be possible to take the installation apart safely later.

(b) Most churches are listed as buildings of special architectural or historic interest. Older churches contain historic material which should be safeguarded. It may well not be acceptable to replace historic fabric. Loss of, or openings through, historic material should be minimised. Never attempt to gain support from fragile historic fabric, especially not medieval fabric. There may be an effect on archaeologically important items, above or below ground. The DAC will advise when consulted.

(c) Many installations require louvres to be replaced with GRP ('fibreglass'), which may or may not be permissible. Slate louvres do not allow the signal to pass through; the installer may want to replace them. Wooden louvres can sometimes be kept. This depends on a fortunate disposition of equipment in the tower: often not achievable, due to having to work around the clock or bells, or in a tight space.

3.3.5. Services installations

(a) The new electrical installation needs to be separate from the church's electrics. Any effect on the functioning of lightning conductors needs to be checked. Back-up power systems and the kind of batteries needed may be bulky. They generate heat, so the equipment chamber may have to be ventilated or even air-conditioned.

(b) Equipment and cables must not be allowed to interfere with church bells or their operation. The clock is very likely to be affected. We are advised that any quartz clock mechanism can be adversely affected by radiation from a telecoms aerial.

(c) The DAC will always require good drawings to a sufficient scale. Who should prepare drawings of 'builder's work in connection with services'? These are the tricky details such as where holes are needed for pipes to pass through, or steel straps to hang cable trays. Your Quinquennial Inspector should know the building better than anyone, and might seem the right person to prepare these drawings. But it may not be reasonable to ask the QI to do it -

unless the Installer is prepared to pay his/her fee. This is a fiddly piece of work, not economic for anyone other than the Installer, as part of his package of drawings. Make sure that the Installer is responsible for having drawings prepared by a competent draughtsman or qualified architectural technician.

(d) The PCC is responsible for ascertaining the presence of any asbestos which may be affected by an installation, and to inform the Installer and Maintainer. The Control of Asbestos Regulations apply. See separate guidance by the Diocesan Head of Property, in letters of 15/05/03 and 23/09/03 to all clergy and PCC secretaries in the Diocese.

3.3.6. Maintenance

(a) If any of the equipment malfunctions, it will need to be fixed quickly. Are the Operator's guarantees strong enough or enforceable? The Operator and Maintainer will need 24-hour access to ensure that the Operator's service to its own customers is uninterrupted, even while services are going on in the Church.

(b) Bear in mind any problems with the church's own installations, not just whether the telecoms installation goes on working.

3.3.7. Access & security

(a) What about bellringers and other persons entering the belfry? Any person needing to go up the tower - even to wind the clock - should be able to do so safely. Responsibility for safe access, and who is liable in the event of damage, accident or injury, must be clear from the contract.

(b) Problems have been experienced in shared buildings where telecoms companies have had installations, because keys can be passed from the Installer to the Maintainer, and between their sub-contractors. It can become unclear who has access, and premises can be left insecure. Make sure the contract clearly specifies who may or may not hold keys, and allows the agreement to be terminated if such security provisions are breached.

3.3.8. Future and multiple installations

(a) Contracts offered by the Operators often allow for upgrades as the technology develops. Any such clause should be scrutinised, to make sure further permission has to be sought for any change. Otherwise the appearance and impact on the building - also the radiation output and safety implications - could in time be quite different from what was agreed to at the beginning.

(b) If one company's aerials are permitted, two or three may demand the same. This is known as 'co-location', where the Operators are independent of each other. A faculty for the extra aerials is unlikely to be granted. Yet for single systems, could a company argue that their rivals were being given preferential treatment by getting in first, and that an agreement is anti-competitive under European law? Different operators have not usually shared aerials (where they do so, and there is a contract between them, this is called 'mast sharing').

(c) Quintel S4's multiple system is something new. Quintel will enter into an agreement with the building owner, and will have its own subsidiary agreements with the various Operators. But every time a new Operator connects to the Quintel system in a church tower, a new faculty must be applied for.

4. THE PROCESS

(a) Each of the steps below does not have to be completed before embarking on the next. Time and trouble may be saved by taking some actions in parallel. If you are unsure what to do next, speak to your Archdeacon and the DAC Secretary (telephone number on the last page of this booklet).

4.1. Guidance and decision-making

(a) The PCC determines if they want the system. To help, the DAC offers general guidance for the PCC to consider, in the form of this booklet. The Parish should speak to their own Archdeacon, for guidance on how to handle the whole matter. Then the PCC must discuss and decide.

(b) If the PCC wishes to proceed the following course of action should be pursued.

4.2. Advice, Negotiation, Consultation

4.2.1. Obtaining legal and professional advice

(a) It is important not to assume anything in terms of a package having been legally vetted. Even the 'National Arrangement', which was arrived at after lengthy consideration by the Archbishops' Council, may or may not be suitable for the circumstances of an individual church. It is most unwise just to go right ahead without reading the 'small print'. Each PCC should study all terms and

conditions, and get their own advice from Solicitors and Chartered Surveyors and Engineers before signing anything.
You need to obtain the advice of all of the following:

(i) Valuation Surveyors

- You should instruct Surveyors to negotiate a rental on your behalf. This may vary greatly from one area to another. Anecdotal evidence from another parish is not sufficient. There is nothing wrong in itself about seeking a good market rate.
- The Surveyors will also work with the Solicitors in negotiating terms and conditions of the Contract.

(ii) Solicitors

- Solicitors experienced in contracts of this type should be commissioned to work with the Surveyors in negotiating the terms of the contract so that all questions of ownership, responsibility, use, control, maintenance, access, security, insurance, payment, performance and termination are covered.

(iii) The Church's Insurers

- Always consult your insurance company at an early stage, follow their advice and adhere strictly to any requirements they may lay down.
- Ascertain the limit of liability under your policy, especially third party liability. Make sure the telecoms contract indemnifies you for liabilities exceeding this; such indemnity should be in perpetuity and insurance-backed after any termination.

(iv) The Church's Quinquennial Inspector

- The QI should be invited to comment on the proposal and all drawings, and his/her comments should be included in the application to the DAC (see [4.3.2.](#) below). The QI should not normally be asked to *provide* drawings (but see [3.3.5.](#) above).
- The QI should inspect works in progress. He/she should use reasonable endeavours to point out any departure from the approved drawings and specification. However, it should be clearly understood that he/she is not supervising under the terms of the various contracts, and is not responsible for any defects.

(v) A Structural Engineer

- A Structural Engineer should be appointed to verify that the building structure and fixings to it are adequate to support the new installation without detriment.

- Like the QI, the Engineer may comment for benefit of the Parish, but is not the author of the proposals. The Installer is still responsible for the structure and fixings.

(vi) Fees

- The Operator should pay all fees, including for advice from the Parish's own Quinquennial Inspector.
- Fees should be payable on rendering of invoices, not waiting for signing of contracts (which might not happen).

4.2.2. Negotiation

(i) Financial

- Under the 'National Arrangement', Quintel S4 would pay rental to the church. It would then charge a sub-rental to each Operator who plugs into its system. Quintel S4's combined rental should therefore be much more than for one Operator by itself. The rental is supposed to be specified by a 'rate card' or table. This table is, we think, unsatisfactory as a basis for calculating rental. It appears to be about half the level of commercial rates achievable from single operators in London: in the case of the City of London somewhat less even than that. It is calculated by reference to residential populations, without regard to commercial property. This means that sites in the City would be rated the same as country areas! Also the categories which rentals are based on overlap, so the category does not specify the rental uniquely: it might give a choice of two levels, with no way of knowing which is correct. The method of calculating periodic reviews is also unclear.
- Under all other systems known to us, each Operator pays rent directly to the church concerned. This rent is negotiated on a site-by-site basis.

(ii) Legal aspects

- For churches, your agreement with the Operator must generally be a 'licence under faculty' (see [4.3.1](#) below), *not a lease*. The Parish is advised to submit the 'Heads of Terms' to the Diocesan Registrar, and seek his directions about any special terms or conditions which may be needed. This applies if the model contract under the 'National Arrangement' is being used, as it does to any other operator or system.
- The Heads of Terms should then be worked up into a contract by your Surveyors and Solicitors in negotiation with the Operator, referring to the Registrar as necessary. Ownership and all

responsibilities should be clearly defined, between the Incumbent & PCC on the one hand, and on the other hand the Operator and/or Promoter, the Agent, Installer and Maintainer (if different).

- The drafting of clauses is crucial, to make sure you have the right reasonably to demand that the installation be removed, for example if health & safety worries proved well-founded. Any installation will become a part of the national telecoms grid, on which the public relies, so it could be very difficult getting agreement to remove it.
- It has been suggested that Operators should enter into a bond, to pay for removal of a redundant installation, or in the event of ceasing trading. Technology is advancing; current installations may have only a limited life-span. In the future, installations may occupy much greater (or more likely lesser) space than was anticipated. Large pieces of redundant equipment might become abandoned in church towers, which PCCs may have difficulty in disposing of, at some expense.

(iii) Consultation

- All the main Operators are understood to have signed up to 'ten commitments' to improve cooperation with communities. Different operators will more and more be covering the same territory, so arguably they have less incentive to avoid publicity than they did at one time when the availability of a site was seen as a commercial secret.
- But the Parish should still consult. The PCC must take the formal decision, but a discussion on the PCC is not sufficient by itself. It is better to consult the whole congregation before taking any decision to apply for a faculty.
- If there is a local residents' group or amenity society, consult them too. If and when the DAC grants a certificate, then just as with any other faculty, in addition to the faculty form there is a public notice to be posted which alerts anyone passing or entering the church, so no-one is kept in the dark about what is proposed.
- Make sure any enquirer is given a full and open opportunity to inspect plans and specifications. All responses to consultation should be given serious consideration.

4.3. Getting permission for your telecoms installation

4.3.1. The DAC and Faculty

(a) Before going ahead with any installation in a church, you need a faculty, just like for other works to the church. Even under the 'National Arrangement', a faculty is still needed for any telecoms installation in a church. The 'National Arrangement' does not mean that each and every installation by Quintel S4 is automatically approved.

(b) A faculty is granted by the Diocesan Chancellor, after considering the advice of the DAC. Before getting a faculty you are required to consult the DAC. The DAC advises the Parish and the Chancellor on whether or not each scheme should be allowed to go ahead. Some applications are granted, others may not be, depending on the circumstances and exactly what is proposed. A favourable decision by the DAC does not guarantee that the Chancellor will grant a faculty. The Chancellor will give great weight to the advice of the DAC, but he is not bound by it.

(c) If a faculty is granted, it will give permission for the installation itself, and also for the legal agreement (see [4.2.2.\(ii\)](#) above).

(d) Always wait for the faculty. Never just go ahead with the work! Do not even enter into an agreement with any company without first obtaining a faculty.

4.3.2. Applying to the DAC

(a) When the PCC has obtained advice and made its decision, a DAC application should be made, with a view to a faculty. The application should be submitted under cover of a letter from the Parish (enclosing a copy of the PCC resolution deciding to proceed). A letter from the Installer or Operator is helpful, but not sufficient by itself. The Operator should be responsible for the whole cost of preparing the application.

(b) Drawings and photographs should be submitted, with photographs with suitable overlays or montages to show any visual effect. The drawings should be in plan, cross-section and elevation, to scale and suitably large (usually 1:100 minimum, with details at larger scales). They should indicate means of access including new ladders, walkways and the like. Service ducts and trunkings should be shown, and where power will be taken from. New structural steelwork should be drawn in full.

(c) All effect on existing fabric should be stated item by item, including installations such as the bells and clock. Anything to be removed, and any openings formed, should be stated; the latter and their sizes should be shown in the correct positions. Where

steelwork is fixed to any fragile structures such as the upper part of a steeple, engineer's calculations or other supporting statement should be supplied. Illustrated product literature should be included of all equipment. Which types, their sizes, how they will be placed and how fixed, should be clearly shown.

(d) In every case, the Church's Quinquennial Inspector must be consulted, and his/her comments included in the application.

(e) The draft terms of contract (known as 'Heads of Terms') and the Health & Safety Plan under the Construction Design and Management Regulations 1994 should be supplied (if applicable, see [4.3.5.](#) below).

(f) Most important of all, a Statement of Needs should be supplied, explaining why the installation is necessary, not from the Operator's point of view, but in terms of the church's purposes. Finance may be part of the Need, but only insofar as it furthers the church's worship and mission. If the church is a listed building, a Statement of Significance should also be provided, describing the general importance of the church architecturally and historically, and the particular importance of any features which will be altered or affected. Statements of Significance and Needs are faculty requirements for any alterations, and apply just as much in this case.

(g) Before making a decision, the DAC may ask for more information or clarification. There may well be a period of discussion and amendment. Then the DAC will decide on the advice it should give.

(h) English Heritage and other heritage bodies may need to be consulted about the faculty. The DAC will advise you on such special consultations. Correspondence should be copied to the DAC.

4.3.3. Criteria for DAC decision

(a) The DAC considers those aspects within its remit, including scale and appearance, the effect on the building structure, historic fabric, archaeology, and installation details. The DAC may not be able to judge on all aspects, and not necessarily on all those in [3.3.](#) above. Contract clauses and health & safety (including during installation) will not be appraised. It remains the responsibility of the PCC, with special knowledge of the local situation, to satisfy itself on all aspects of an installation to be made in the Church, or any other site for which it has responsibility.

(b) Under faculty rules for projects generally, the DAC can 'Recommend' an application, or raise 'No Objection', or it may decide to 'Not Recommend' the proposal. In the case of telecoms installations, if the proposal is accepted the DAC will always formally raise 'No Objection', rather than to 'Recommend' the proposal. Should the scheme not be accepted, the certificate will 'Not Recommend' the application. Reasons must be given. But it is more normal, as well as desirable, to discuss whatever may be the problem and agree changes before getting to this point.

4.3.4. Faculty Petition

(a) As soon as the proposal is being discussed with the DAC, the PCC should approach the Diocesan Registrar on how to make the faculty application.

(b) The faculty petition form is submitted on the basis of the PCC's proposal and the DAC's certificate of advice. The DAC Secretary will provide you with faculty forms, with instructions on how to complete them and where to send them (i.e. the Registry, not the DAC). You should submit the forms, the DAC Certificate and all the papers returned with it, and the completed contract (see [4.2.](#) above). The Diocesan Chancellor will make the final decision whether or not to grant the faculty.

4.3.5. Planning Permission, Building & CDM Regulations

(a) In many cases you will need planning permission, depending on how high and how visible the antennae will be. The rules are extremely complex: you definitely need to check with the Local Planning Authority. Some boroughs are publishing special guidance. Building Regulations consent will be required, too. Make sure the Installer applies to the Local Authority, and doesn't start work without getting permission first. On the other hand, don't let them jump the gun by applying too soon. Public alarm could be caused before you have even made up your mind to go ahead!

(b) The Construction Design & Management (CDM) Regulations 1994, which concern health & safety during the works, may apply. If so, it is the responsibility of the 'Client' for any project to appoint a 'Planning Supervisor'. The Installer must advise on applicability, appoint the Planning Supervisor, and pay the fee.

4.5. Installation

(a) Before starting, you need to make sure that the church's insurance company has been informed in writing, giving all information they require (see [4.2.1.\(iii\)](#)).

(b) The work must be executed strictly in accordance with the specification and drawings. You should allow zero tolerance on any changes: don't permit any departures at all without specific approval!

(c) You can insist that your QI is retained and paid to inspect and check everything is done right. In the event of problems, always consult the DAC.

5. CONCLUSIONS

(a) We fully understand that many parishes may see the telephone operators as a lifeline in terms of offering much needed extra funds. But even if permission is granted, parishes will be aware that this extra source of income may not go on for ever.

(b) The opinion of the London DAC is that it is not prudent to give general encouragement to telecoms installations at the present time, whether the 'National Arrangement' or another system. But, equally, the DAC does not object in principle to the introduction of a telecoms installation, nor to any individual company or system. Its policy is to evaluate each case on its merits.

(c) In summary, we urge parishes considering a proposal for a telecoms installation to take great care before deciding. If you need more advice, we will be happy to talk through any point in more detail.

(d) You are most welcome to contact any of the following:

The DAC Secretary (020) 7932 1229

The Diocesan Finance & Property Administrator (020) 7932 1216

The Diocesan Registrar (020) 7593 5110

**London Diocesan Advisory Committee
October 2006**