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Sent: Friday 28 September 2018 09:01

To: probordermail

Subject: FW: ABP 302441-18 Section 5 Referral Monkstown Road

Attachments: Monkstown Cignal Response to Section 5.pdf; Monkstown Response to Warning Letter final 13 02 18.pdf; Cignal ComReg Authorisation 2016-03-03-1.pdf; Taskforce-Forum-Report.pdf

Bord

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From: Ciara Maguire [mailto:ciaramaguireconsultant@gmail.com]

Sent: Thursday 27 September 2018 17:20

To: Bord <bord@pleanala.ie>

Subject: ABP 302441-18 Section 5 Referral Monkstown Road

A Chara

Please find attached our response on behalf of Cignal Infrastructure Ltd to a Section 5 Reference in relation to telecommunications equipment installed on a lamppost on Monkstown Road. We have also included

- Cignal response to Warning letter of Enforcement
- Cignal's ComReg Licence
- Report of the Mobile Phone and Broadband Taskforce

We would appreciate confirmation of receipt of same. A hard copy of this submission will follow by post.

Is mise le meas

Ciara

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Ciara Maguire BSc Surveying

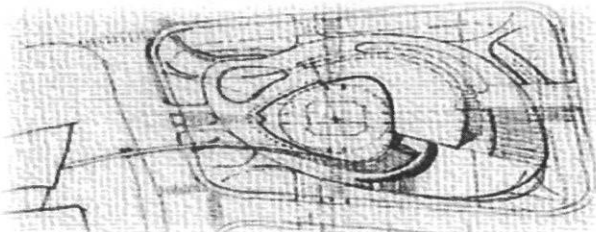
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CMC PLANNING CONSULTANTS

The Secretary

An Bord Pleanála

64 Marlborough Street

Dublin 1

27th September 2018

RE: Whether works consisting of the erection of a telecommunications mast on Monkstown Road is or is not development and is or is not Exempted Development relation to street lighting installation on Monkstown Road adjacent to Alma Road Monkstown Co. Dublin. ABP-302441-18 PA Ref; 8118

A Chara

Thank you for the opportunity to make a submission on the abovementioned Section 5 Referral, on behalf of our client, Cignal Infrastructure Ltd.

Our client has instructed us to reiterate our contention that, the installation of the telecommunications antennas on an existing lamppost in Monkstown and the installation of ancillary cabinets alongside, is Exempted Development under Class 31 of the Planning and Development Regulations 2001 (as amended). We also contend that this installation was examined in full by various branches of the Local Authority, in advance of its installation. Most recently, the case was examined by the Enforcement section of the Authority, following a complaint, which resulted in the file being closed with no Notice issued.

It is unfortunate that the applicants simply refuse to accept that the development is Exempted Development and continue to seek its removal. This latest submission is filled with inaccuracies and misinterpretation of facts, which has the potential to mislead the Board and sully the reputations of our client and the Local Authority. Please accept our assurances that in all matters relating to this installation Cignal has acted within the Regulations and with the support of a Local Authority, which is leading the way in the provision of vital telecommunications services, in line with the policies of the State and the European Union.

Please find below our response to the points raised by the applicants in their submission dated August 2nd 2018. We suggest that this response should be read in conjunction with Cignal's previous submission to the Enforcement Department dated February 12th 2018 – see attached copy.

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Class 31 of the Planning and Development Regulations

The Local Authority submission dated August 29th 2018, states that it considers "this structure to be a lamppost with telecommunications antennas attached to it". We also draw your attention to DLR Enforcement Section's letter dated March 7th 2018, which stated that enforcement cannot be pursued as the development "is exempt from the requirement to seek or obtain planning permission"

An Exempted Development is defined by the Law Society as

"Development for which planning permission is not required. The categories of Exempted Developments are defined in: a) Section 4 (1) of the 1963 Act and, b) in Planning Regulations made by the Minister for the Environment pursuant to section 4 (ii) (VIII) of the 1963 Act"

Please note, as discussed in our previous Enforcement submission, the development in Monkstown was installed under the wording of Class 31 (k) Planning and Development Regulations 2001 – 2015 in effect on the installation date in 2017. The Local Authority considered that the development complied with the conditions and limitations attached to Class 31 (k) and more specifically, that its location outside of a designated area, would not exclude use of the Exemptions under Article 9 of the Planning and Development Regulations.

The Regulations relating to Class 31 Telecommunications are sporadically revised to keep abreast with changes in the fast moving Technology Sector. The most recent changes to Class 31 were introduced in February of this year, under the Planning and Development (Amendment) (No. 3) Regulations 2018. The revised Regulations amended Class 31 (k) and created Class 31 (l) for use of existing lampposts. However, the subject development was carried out under the auspices Class 31 as existing in 2017 and as such, the recent amendment is considered irrelevant to this assessment. We do note however that the attachment of antennas to a lamppost under Exemption is still permitted, albeit with changes to the dimensions of the antennas.

Section 5 Referral

In order to redress the applicant's referral, we have sought to answer specific extracts that relate to our client, Signal and/or use of Class 31 of the Planning and Development Regulations (as amended). In all other matters raised, we defer to the expertise of the Local Authority.

1. That the development is a "telecommunications mast"

Installations of this type, where antennas are erected on an existing structure should not be referred to as a "Telecommunications Mast", which implies the development of a lattice supporting structure. The development is better described as the installation of antennas to an existing support structure, a lamppost, which is authorised by means of Exempted Development under Class 31 (k) (iii) of the Planning and Development Regulations 2001- as amended.

Grouped together, the antennas and supporting cabinets are commonly referred to as telecommunications equipment. While installing a lattice structure, such as a mast, would require planning permission, telecommunications equipment can be installed on a lamppost under Exempted Development, subject to compliance with the conditions and limitations defined in the Planning & Development Regulations.

In addition, the fact that the original lamppost was replaced is of no relevance to the use of Class 31, which only requires the structure to be existing at the time that the antennas are attached, in order to be in compliance. We note that the Regulations are silent in relation to the design and number of antennas permitted to be installed on a lamppost. We contend that there can be no doubt that the lamppost was in situ, at the time our client installed the antennas to it and further more if ever the antennas are removed, the lamppost would remain in situ and still function as a lamppost.

While acknowledging that the lamppost was replaced, we suggest that the replacement design is of no consequence to its function. We contend that the proof of whether the support structure can be defined as a lamppost, lies in its functionality as a lamppost. The acid test of this functionality is that the lamppost would continue as a lamppost, should the fully detachable antennas be removed. In other words the antennas attached to the structure are subsidiary to the structure's primary function as a lamppost, irrespective of its design.

A stroll around any street or road in Ireland will reveal the immense variety of structures used to deploy street lighting, whereby a single area can have several design solutions, depending on the date of their installation. Indeed, an assessment of the lighting structures in this area of Monkstown demonstrates this variety, even within the ACA as illustrated below. We suggest that it is reasonable to describe each variant under the umbrella term "lamppost", including the third image from the left, which is the subject site. In addition, it is fair to say that the lampposts carrying overhead lines, as illustrated in images 1 & 4, are not considered "masts" even though their use to support telecommunications is comparable to Cigna's development. It is also reasonable to suggest that the visual intrusion of these overhead lines is far more substantial than the shrouded antennas.

We are unsure of the logic here and suggest that this is a non-sequitur as the applicant would have us believe that the new lighting structure is some kind of anomaly to a standard street light design in the area, a supposition that is quite simply not supported by the facts.

3. The lamppost was a replacement structure and as such does not qualify as an existing structure under Class 31 (k). It should be considered a "mast" with lantern attached because of changes to the original structure.

The applicants for reasons unknown have declared that the development does not qualify as Class 31 (b) Exempted Development. We have not sought to rely on this Class of Exemption, which was introduced in 2018, post installation of the antennas to the lighting structure in Monkstown.

2. The "mast" does not constitute Exempted Development under Class 31 (b)

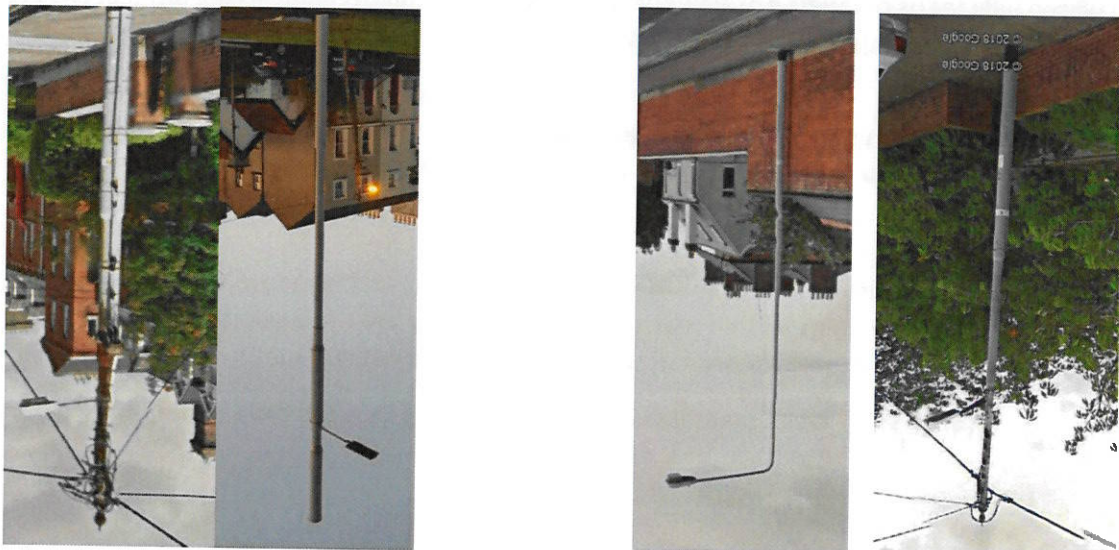
5. The installation has a direct "severe" negative Visual Impact on "the most historic terrace in Monkstown". We believe that this installation was sensitively designed to lessen its visual impact on the area, with particular regard being paid to entirely screening the antennas behind radio friendly shrouds inside the lamppost. All cables are encased in the lamppost and brought, via existing underground channels, to the associated cabinets, which were discretely placed in proximity to previously installed cabinets. The only protrusion on the lamppost is the lantern. To support our assertion that the development is

If the applicants approach was to be adopted in full, then all forms of Exempted Development, such as residential exemptions, in the area surrounding an ACA would be prohibited. This is simply not reasonable nor common practice. We suggest that an assessment of Class 31 Exempted Development should not be treated differently to an assessment of any other exemption at this location, if the concept of an equitable planning system is to be upheld.

"The designation of ACA status therefore results in restrictions on certain works to the exteriors of structures, their settings and plot boundaries. For example, the construction of a small house extension or a boundary wall within an ACA may require planning permission, whereas such works may be Exempted Development elsewhere."

4. The "mast" directly adjoins an ACA and a previous application for similar infrastructure was refused planning permission on these grounds. We refer the Board to our previous submission, which outlined the position of the lighting structure outside the ACA demarcation line. The location allowed Signal to rely on Class 31 (f) and (k) as there is no Article 9 restrictions present on site. The previous planning application cited by the applicants Reg Ref; 15A/0373 was located within the ACA and was assessed on that basis. The applicants are attempting to show a parity between the two locations as if there was a secondary exclusion zone surrounding the ACA. We note that DLR's publication on Monkstown ACA Character Appraisal & Recommendations supports the argument that Exempted Development is treated differently inside to outside an ACA.

Images 1-4 illustrating the variety of Lamppost installations in proximity to Montpellier Parade



Under Section 4 (1) of the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2011 (S.I. No. 335 of 2011), any person intending to provide an electronic communications network or service shall, before doing so, notify the Regulator of his intention to provide such a service.

In Telecommunications, these rights are controlled by the compliance regulator ComReg, which issues general authorisation to carry out works for the provision of telecommunications under licence. According to ComReg's definition and Guidance on General Authorisation documents;

*(a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,
(b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or
(c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of, any public undertaking;*

We are unsure how the applicant came to this conclusion. Statutory undertakers are the various companies and agencies with legal rights to carry out certain development and highways works. Under the Planning and Development Act a "statutory undertaker" is defined as a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

of Class 31 of the Regulations.

7. The developer- Signal Infrastructure Ltd. is not a "Statutory Undertaker" for the purposes

We respectfully suggest that the applicant's submissions in relation to the Development Plan and ACA objectives are not relevant to an assessment of this case. The objectives of the Development Plan and/or the Guidelines are not generally applied to any class of Exempted Development. Generally, the extensive exclusions detailed in Article 9 of the Regulations are considered sufficient to protect designated areas from improper use of Exempted Development. There is no restriction on the use of Class 31 in this case, as none of the exclusions detailed in Article 9 are applicable to the lamppost's location, outside of the ACA.

6. Conflict with the Development Plan, Guidelines and Monkstown ACA

We maintain that the installation was sensitively designed in deference to its environment and as such hardly constitutes a "severe" visual impact. We would also highlight that our client, acting as a "good neighbour" installed this discrete installation outside of the requirements of Class 31 (k), which does not specify screening of equipment on lamppost structures in its conditions and limitations.

We suggest that the installation, which supports two Telecoms Operators, replaces a requirement for a mast type structure in the area and as such is wholly in line with the Telecommunications objectives of the State and the Local Authority. Hundreds of homes and businesses and thousands of users on two networks have benefited from this installation, which is so discrete that the Enforcement Officer couldn't locate it.

discrete, we refer the Board to an email sent to the complainant in relation to Enf 259-2017 on Wednesday 13th December 2017, wherein the Authority requested confirmation of the location of the "mast" from the complainant, as the Planning Inspector failed to locate it on their initial survey. This surely contradicts the complainant's contention that the development is visually intrusive.

Signal undertook this process in 2016 and consequently is authorised by ComReg to provide Electronic Communications Networks and Services, for the establishment of over ground electronic communications infrastructure and any associated physical infrastructure. Please find attached copy of Signal's licence issued in March 2016.

In addition, the occupants of the structure are both Licensed Operators in the state, namely Vodafone and eir Mobile (formally Meteor). Therefore, we contend that there is no conflict with the Class 31 requirement as Signal and occupants are statutory undertakers.

8. The required notification under Class 31 was not submitted

Class 31 (k) (5) of the Regulations require that

The planning authority in whose functional area the structure on which the antennae will be attached is situated shall be notified by the statutory undertaker in writing of the proposed location of any such structure at least 4 weeks before such attachment.

Notification of the developer's intention to install antennas to the lamppost was issued as far back as 2014 whereby the proposed development was part of the Local Authority's "Smart City" initiative, as confirmed in the FOI email exchanges included with the applicant's submission. Please note the Regulations require notification to be submitted at least 4 weeks in advance, but is silent on the maximum timeframe for advance notification. In addition, as submitted by the applicant, there were several applications for licences issued during the pre-construction period. Therefore it follows that the equipment was not installed surreptitiously as inferred, but with the full knowledge and approval of the Local Authority and in compliance with Class 31.

9. The cabinets are not compliant with Class 31 (e) of the Regulations as they are within 1m from the curtilage of the adjoining properties

The cabinets are less than 2 cubic meters and as such were installed under Class 31 (f), as described. There is no distance criteria in this Class. Therefore the applicant's comments on compliance with Class 31 (e) are not relevant to this assessment.

(f) Cabinets forming part of a telecommunications system,

The volume above the ground-level of any such cabinet shall not exceed 2 cubic metres measured externally.

10. The Local Authority determination of the development as exempt under Section 4 (1) (f) of the Act is incorrect and contrary to Signal's reliance on Class 31.

Signal installed its equipment in full compliance with Class 31 (k) and (f) of the Regulations as defined in 2017, when the installation took place. Our position on the use of Class 31 to install the telecommunications equipment has not changed. The Local Authority lamppost is authorised, which allowed Signal, a statutory undertaker under licence from ComReg and on behalf of two Licensed Operators, to attach the antennas directly to the structure, which continues to function as a lamppost.

We suggest that Dun Laoghaire Rathdown Co. Council is leading the way in relation to this strategy, in conjunction with the other Dublin based Local Authorities involved in the "Smart City Project". We

"The Taskforce is of the opinion that requests for access to State-owned assets that are appropriate and reasonable should be facilitated in order to address telecommunications service deficits"

Taskforce 2016 – copy attached

and businesses across the Country. According to the Report of the Mobile Phone and Broadband Government's plan is the use of State land and infrastructure to bring coverage and capacity to citizens with telecommunications, in order to respond to increasing demand for services. Fundamentally the Taskforce has implemented a long overdue review of the Regulations and Guidelines associated with Broadband Taskforce, specifically to address Ireland's poor mobile & broadband coverage. The Taskforce has implemented a Partnership Government, which established a Mobile Phone and Broadband Taskforce, specifically to address Ireland's poor mobile & broadband coverage. The recent amendments to Class 31 were specifically worded to facilitate the location of street solutions, of a similar type to that installed in Monkstown, across the country. These changes were implemented as a result of the Programme for a Partnership Government, which established a Mobile Phone and Broadband Taskforce, specifically to address Ireland's poor mobile & broadband coverage.

The recent amendments to Class 31 were specifically worded to facilitate the location of street solutions, of a similar type to that installed in Monkstown, across the country. These changes were implemented as a result of the Programme for a Partnership Government, which established a Mobile Phone and Broadband Taskforce, specifically to address Ireland's poor mobile & broadband coverage. We therefore agree with the applicant's assessment; that there is potential that antennas will be housed on similar lamppost infrastructure across Dublin on Local Authority property, in line with State and European initiatives. However we have to disagree that this rollout would be in contravention with Planning Legislation.

without mobile/broadband connectivity.

emergency call buttons, in addition to telecommunications. This innovation would not be possible Europe, to bring a range of services such as environmental monitoring, e-vehicle charging and to cities and society. The partnership has an ambitious goal to upgrade 10 million lampposts across lamppost can be exploited to deliver far more than just light, in order to offer a wide range of services for Smart Cities & Communities offers thoughts on how existing city assets such as the 'humble generation broadband to local users. A recent Report issued by the European Innovation Partnership It is internationally recognised that low impact street solutions are the best way to deliver next greater than ever.

to these technologies across the State has ensured that the demand for localised infrastructure is computing, through the existing network infrastructure. The millions of subscribers demanding access such as Facetime, Skype, WhatsApp, high speed gaming services, high definition mobile TV and cloud has implications on the networks, which are now required to facilitate the provision of IP telephony use of new technologies to provide high speed, high capacity and high-quality services to the market industry's ability to respond to increasing demand, particularly in densely populated urban areas. The Class 31 of the Regulations has been in place for nearly 20 years and has positively impacted on the Deploying new telecommunications infrastructure is a high priority for the Irish Government, with the exponential demand for data services expected to continue to grow well into the next decade. To do this effectively requires the State to remove inhibitors to the successful rollout of new Technologies.

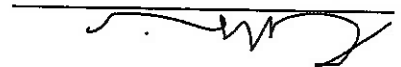
Summary

The Local Authority's determination that the installation is compliant with a different exemption i.e. Section 4 (1) (f) is of no consequence to our client's ability to rely on Class 31 in relation to the equipment installed on and adjacent to the lamppost, providing that the installation is in compliance with the conditions and limitations of the Regulations.

content that the question of whether a lamppost in the ownership of a Local Authority can be used to deploy telecommunications equipment has been answered by the Taskforce and the EU, in no uncertain terms. Indeed, the Taskforce's has influenced changes in the legislation, in order to facilitate the deployment of Next Generation services on a variety of infrastructure, including State facilities. Any action to remove an authorised installation, would be contrary to these objectives.

For the above stated reasons, we encourage the Board to determine that the Telecommunications installation in Monkstown is Exempted Development in compliance with Class 31 of the Planning and Development Regulations and in line with the objectives of the State and the greater good of its citizens.

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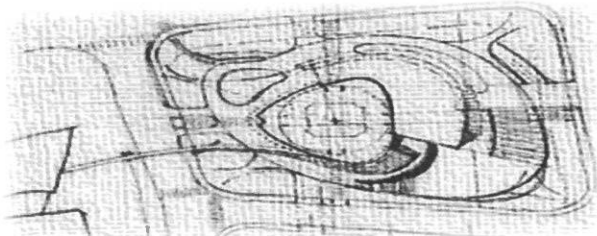


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on behalf of Cignal Infrastructure Ltd Suite 309 Q House 76 Furze Road Sandford Industrial Estate
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ENCL/

- Signal response to Warning letter of Enforcement
- Cignal's ComReg Licence
- Report of the Mobile Phone and Broadband Taskforce



CMC PLANNING CONSULTANTS

The Secretary
Enforcement Section
Planning Department
Dun Laoghaire Rathdown Co. Council
County Hall
Dun Laoghaire

12th February 2018

RE: Warning Letter ENF 2018 issued by DLR in relation to street lighting installation on Monkstown Road adjacent to Alma Road Monkstown Co. Dublin

A Chara

Further to your warning letter under Section 152 (1) issued on January 22nd 2018 Ref ENF 2018, our client, Signal Infrastructure Ltd, has requested that we respond to the matter on its behalf. According to the notice "The alleged unauthorised development consists of: the erection of a telecommunications mast and associated structures without the benefit of a valid planning permission, and which does not constitute exempt development."

We wholeheartedly oppose the allegation that the telecommunications installation attached to the lamp post is unauthorised, as it is our understanding that it benefited from Exempted Development status at the time of installation. We would challenge the description of the support structure as a "telecommunications mast" and assert that the structure is first and foremost a lamp post, a functioning element of the public street lighting provision in the area.

Overview

We contend that the description "telecommunications mast" in this case refers to the an in-situ lamp post structure, which has been used to support telecommunications equipment. This structure was installed by the Local Authority under their powers and the fully functional lamp post remains in the ownership of the Local Authority. It is understood that the original lamp post was replaced prior to the telecoms installation and a LED lantern was reinstated at a height consistent with other lanterns on the road during the process. In general, the provision of Public Lighting is a function of the Local Authority and is installed under Part 8 of the Planning and Development Regulations. We spoke with Mary Hegarty of the Public Lighting Section of DLR, who confirmed that the lamp post was installed and replaced under their internal processes. It is our understanding therefore that no application for planning permission was required for the lamp post structure to be considered authorised development.

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In relation to the attached antennas and supporting equipment cabinets; the installation was designed to facilitate the network requirements of licensed mobile & broadband service providers. The works commenced in October 2017 as part of the Smart City Project as described in the Smart Dublin Statement of Strategy 2017. This pilot project is part of a regional initiative across the four Dublin Local Authorities, designed to develop solutions to future challenges facing local authorities, in regard to increased urbanisation and reliance on smart devices. These challenges include connectivity, high speed good quality broadband, environmental and mobility issues.

Signal worked in conjunction with the Local Authorities, SE0 Corporate, Communications & Governance Dept. within DLR, to provide 4th generation localised telecom services, with an emphasis on ensuring the least possible impact on amenity. The deployment of antennas on to the lamp post, together with the resulting significant improvement in local wireless 4G data services, is an essential step to establish a model for future deployment of 5G data services, in both urban and rural locations in Ireland. In permitting operators to utilise its existing infrastructure rather than installing free standing mast sites within urban areas, the Local Authority is acting in harmony with the DLR Development Plan objectives and National and EU requirements for the delivery of high speed telecoms services in Ireland.

The Signal development comprises of telecommunications equipment installed on a lamp post with internal cabling continuing underground to adjacent exchange cabinets. There are six antennas facilitated behind shrouds, providing mobile and high-speed broadband services of two operators to local residents and business users. These antennas are located above and below the lantern and are completely detachable from the lamp post. The antennas are connected via underground ducting to two equipment cabinets, abutting an existing wall, at 30m distance from the lamp post. We note that the location was already in use for similar cabinets. We have attached As Built drawings, showing the extent of the development. The construction works were carried out to the highest standards, with records showing that all requirements for road opening licences etc. were complied with in full. We have attached images of the installation, which evidence the low-level impact of this development on the amenity of the area and the high standards of the design and construction. We maintain that the telecommunications installation was permitted under Part 2 Article 6 Class 31 Exempted Development as detailed below.

We note that Class 31 was revised on February 8th 2018 by the Department of Housing, Planning and Local Government (HPLG) under Planning and Development (Amendment) (No. 3) Regulations 2018. This amendment to the Regulations was subsequent to the Signal installation, which was completed in 2017 under the then relevant Class 31 (k) Exemption. Therefore, the recent changes to the Legislation have no bearing on the matter at hand.

Planning Legislation

It should be noted that the provision of Public Lighting is a function of the Local Authority and is installed under Part 8 of the Planning and Development Regulations. We understand that the Public Lighting Section of DLR is satisfied that the subject lamp post was installed under this legislation and we respectfully suggest that our client had no function in relation to that authorisation process.

In relation to the telecommunications equipment attached to the existing authorised structure; Signal contend that the equipment was installed under Part 1 Schedule 2 Class 31 of the Planning and Development Regulations 2010-2015, prevailing in October 2017. Class 31 was designed to permit certain telecommunications installations to benefit from exemption in order to allow the industry to rapidly respond to network blackspots, without requiring substantial infrastructure such as a

6. The field strength of any such antenna shall not result in the field strength of the non-ionising radiation emission from the radio installations on the site exceeding the limits specified by the Director of Telecommunications Regulation.

5. The planning authority in whose functional area the structure on which the antenna will be attached is situated shall be notified by the statutory undertaker in writing of the proposed location of any such structure at least 4 weeks before such attachment.

4. Where the antenna is hidden inside a chimney pot the existing chimney pot may be replaced by a chimney pot in a suitable material which shall be the same colour, size and shape as the replaced pot, and the antenna shall not protrude beyond the top of the chimney pot.

3. Where an antenna is attached to the facade of a building or the exterior of a chimney or vent, the colour of the antenna shall match and blend with the colour of such facade, chimney or vent pipe.

(b) access to the roof is not available to any person other than a person authorised by the statutory undertaker.

(a) the fixture does not exceed the height of any existing parapet or railing on the roof by more than 2 metres, and

2. In the case of a structure with a flat roof, a supporting fixture may be used provided that-

1. The antenna shall be attached directly to the structure (other than a structure with a flat roof) and not by way of a supporting fixture.

Subject to the following criteria:

(!!!!) electricity pylons.

(!!!) telegraph poles, lamp posts, flag poles, CCTV poles;

(!) public or commercial buildings (other than education facilities, childcare facilities or hospitals) by way of attachment to roofs, facades, chimneys, chimney pots or vent pipes;

(k) antennae attached to the following existing structures-

(f) cabinets forming part of a telecommunications system, the volume above the ground-level of any such cabinet shall not exceed 2 cubic metres measured externally.

Class 31: The carrying out by a statutory undertaker authorised to provide a telecommunications service of development consisting of the provision of—

At the time of installation, the regulations read as follows:

monopole or tower structure. It is considered that this type of development is particularly beneficial in urban areas, such as Monkstown. When the development commenced in 2017, the Regulations permitted the attachment of telecommunications antennas to lamp posts as exempted development, under Class 31 (k) and permits the installation of adjacent exchange cabinets under Class 31 (f). The statutory undertaker in this case is Signal on behalf of two licensed operators; Meteor and Vodafone.

In conclusion, it is Cignal's understanding that the existing lamp post is authorised by means of Part 8 Development by the Local Authority and the attachment of telecommunications equipment to an existing lamp post and adjacent cabinets was permitted under the then relevant version of Class 31 (k) (iii) and (f) of the Planning & Development Regulations-Exempted Development, recently amended.

ComReg is the regulator for electronic communications telecommunications, radio communications and broadcasting, within the State. ComReg's role in relation to Non-Ionising Radiation is solely to ensure that licensed operators comply with their licence conditions and do not exceed the emissions levels established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). Therefore, it's ComReg's responsibility to monitor the operator's equipment to ensure compliance. To that end ComReg regularly commission audit reports to verify that licensed operators are in compliance with their licence conditions relating to emission limits for non-ionising radiation. The results from the emission data taken to date show full compliance with the ICNIRP guidelines within the industry, with emission values that were typically thousands of times below the limits.

The field strength of the antennas does not exceed the limits specified by Commission for Communications Regulation (ComReg). The subject site was built in accordance to current Health and Safety Legislation and Emission Guidelines. The transmitter output powers, antenna types and mounting configuration are consistent with modern technologies. The cumulative power output of the installation falls well within the IRPA Guidelines by a massive safety factor.

The telecom equipment was installed in support of DLR's Smart City Initiative. A memorandum of understanding was reached between Cignal and the Corporate, Communications & Governance Department within DLR, in April 2017. The Local Authority approved the design in July 2017 and the installation was approved in September of that year, subject to Road Opening Licensing. Notification was sent to both the Public Lighting Section and Roads Department within DLR and the internal processes of the Corporate, Communications and Governance Department were also observed. As the site was developed in conjunction with the Local Authority; it was considered that the LA's internal processes were sufficient to comply with the notification requirement.

We have attached photographs of the in-situ solution, which supports our contention that the telecommunications installation in question was sensitively designed with the antennas shrouded behind radio friendly material, painted to mimic the steel lamp post. There are no dishes protruding as the installation benefits from fibre connectivity and all cabling is underground to the cabinets, which were located to already installed cabinets. It should be noted that there were no limitations attached to the relevant Regulations specifically relating to the design of antennas for lamp posts. Equally there was no limit to the number of antennas permitted or any dimensional restrictions that would prevent reliance on the Exemptions, at the time.

We note that the majority of the criteria associated with Class 31 (k) are more relevant to rooftop type installations. However, the developer considered the criteria as a guideline for its design, for instance; while antenna screening was not specifically required for lamp posts, Cignal, cognisant of the possible impact of telecommunications equipment on the amenity of an area, sought to install a site appropriate solution, designed to lessen the amenity impact of this public service infrastructure.

Restrictions on Exempted Development

It is noted that there are Exempted Development within Part 2 Article 9 of the P&D Regulations whereby; Development shall not be exempted development for the purposes of the Act (a) if the carrying out of such development would—

(Xiii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

Therefore, the question arises as to whether the attachment of telecommunications equipment to the lamp post was possible under Class 31 in this location, which is in the vicinity of the Monkstown Architectural Conservation Area. The boundaries of the ACA are shown outlined in red on the interactive mapping attached to the current Development Plan—see extract ARCGIS Mapping image 1 below. We note that the ACA demarcation lines are drawn to include Montpelier Parade and exclude the nearby Shandon Park area—see image 2 below.

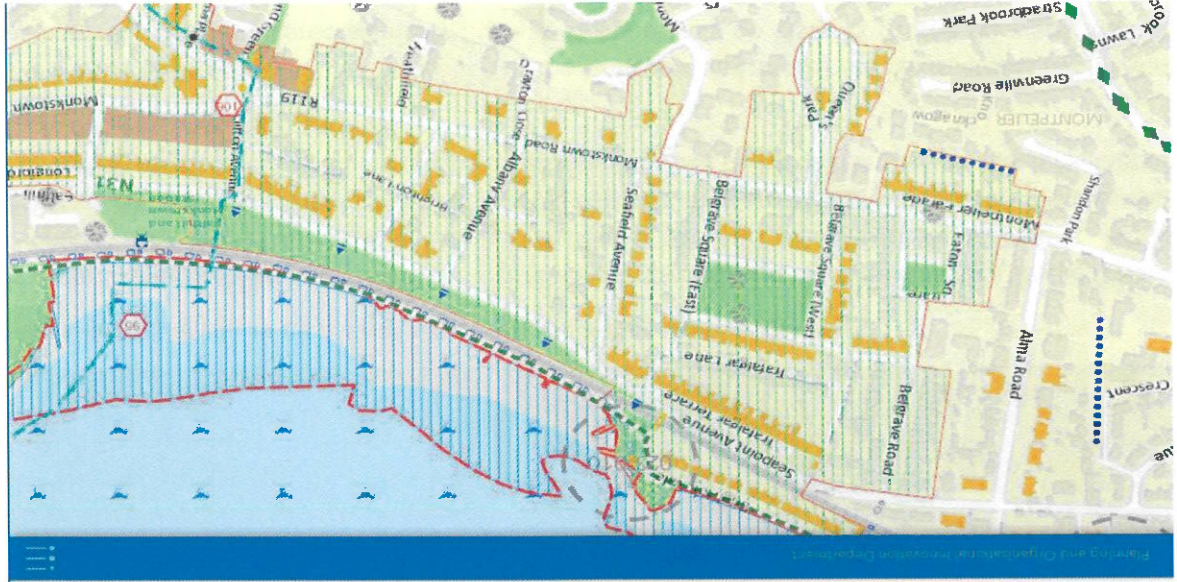


Image 1 showing Monkstown ACA outlined in red

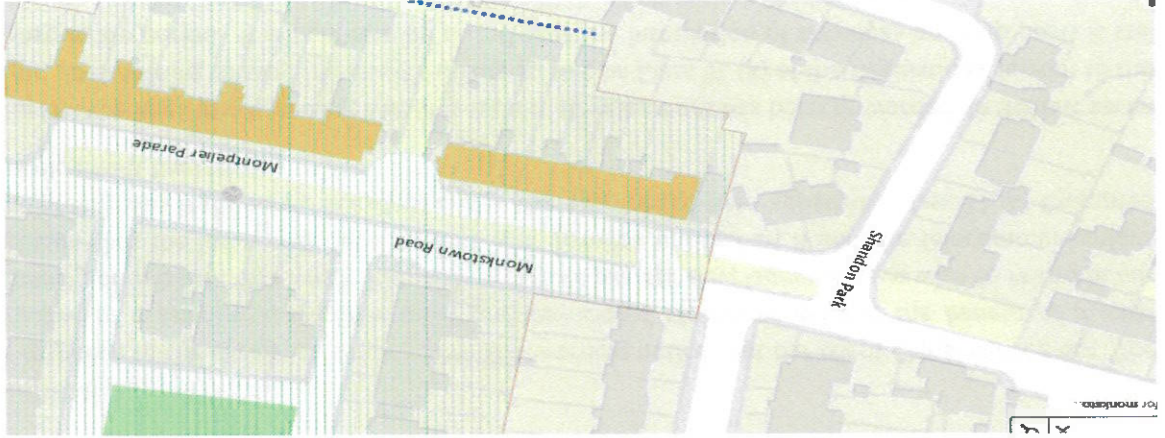


Image 2 – zoomed view of red boundary line in proximity to Shandon Park and Montpelier Parade

The fact the Regulations dealing with this type of development has been re-worded, in the last seven days, does nothing to alter our client's ability to rely on Class 31 (k) of the Regulations current to the construction period. It should also be noted that the installation of antennas on lamp posts is still permitted under Class 31 (i) of the Regulations 2018, albeit with revised criteria.

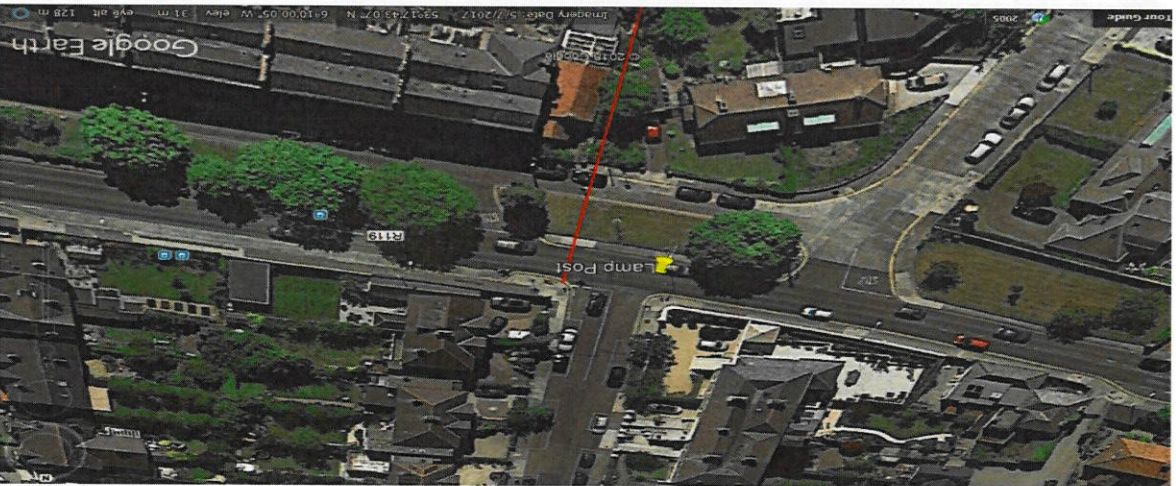
Development Regulations.
 equipment was legitimately installed, under the auspices of then applicable Class 31 (k) Exempted position that the lamp post development was installed under Part 8 and the telecommunications erection of a telecommunications mast and associated structures without the benefit of a valid planning permission, and which does not constitute exempt development"; we wish to reiterate our response to the allegation contained in the warning notice that our client Signal carried out "the

Summary

In order to ensure that no other relevant legislation was overlooked, we consulted with Sinead O'Hara – Conservation Officer with DLR on the implications of the ACA on adjacent development. While acknowledging that the Planning Authority would consider any perceived impacts as part of a planning application assessment, she could recall no section of the Act that would impact on use of Exempted Development adjacent to an ACA.

We are therefore satisfied that the location of the lamp post and ancillary cabinets, is outside the ACA demarcation line, and consequently Signal's ability to rely on Class 31 (f) and (k) would not be impacted.

Image 3 – Google Earth view of lamp post co-ordinates (yellow pin) and ACA demarcation (red line)



Article 9 (a) which pertain to structures located within an Architectural Conservation Area only. are located outside of the designated area and as such the development is not impacted by Part 2 excluded certain sections of Monkstown Road from ACA protection. We plotted the location of the lamp post on Google Earth—see image 3 below. The image shows that the lamp post and cabinets It is assumed therefore that in determining the boundaries of the ACA, the Local Authority specifically

According to Section 3.2.5 of the Architectural Heritage Protection Guidelines for Local Authorities; "the boundaries of a candidate ACA should make physical, visual and planning control sense", and the Guidelines further recommend reference to the "core characteristics of the area in order to establish the most appropriate boundary lines".

We contend that the installation was sensitively designed and intentionally located away from the nearby designated areas. There is also no question that the development is required to facilitate customers on two networks and we are encouraged by the fact that the majority of local residents and businesses have not complained or sought its removal. We suggest that the principle of using existing infrastructure to support telecommunications development in urban settings is germane to the assessment of this case. The fact remains that this type of development is permitted by the Regulations, required by the Operators, supported by the Department of HPLG and essential to the Smart City Project – an initiative of the four Local Authorities in Dublin. The support of these Bodies surely advocates in favour of the development and we respectfully request that the Planning Authority takes the overwhelming ratification of this type of telecoms solution into consideration when assessing this case.

In summary;

- The development is in line with the Smart Dublin Statement of Strategy 2017
- The lamp post is authorised development as it was installed under the auspices of the Local Authority's Part 8 process.
- The telecommunications equipment was Exempted Development under Class 31 (k) of the Planning and Development Regulations at the time of installation.
- The installation of telecommunications equipment on lamp posts is still permitted under Class 31 (i) Exempted Development, under the Planning and Development (Amendment) (No. 3) Regulations 2018
- The installation of ancillary cabinets is Exempted Development under Class 31 (f) of the Planning and Development Regulations.
- The location of the pole and cabinets is outside the designated area of Monkstown ACA and as such Part 2 Article 9 (a) (xii) restrictions do not apply.

We trust that the information provided is sufficient to support our declaration of Exempted Development and consequently that the Local Authority can set aside any further Enforcement Action in this case

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Ciara Maguire BSc Surveying



on behalf of Cignal Infrastructure Ltd Suite 309 Q House 76 Furze Road Sandycroft Industrial Estate Dublin 18 D18 T9N1

CC. Ms Therese Langan Corporate, Communications and Governance Department Dun Laoghaire Rathdown County Council County Hall Dun Laoghaire

ENCLOSURES: As Built Drawings and Photographs of In-situ Development



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

**Declaration under Regulation 5 of the European Communities
(Electronic Communications)(Authorisation) Regulations 2011 (S.I.
335 of 2011)**

To whom it may concern

In accordance with the terms of Regulation 5 of the European Communities
(Electronic Communications)(Authorisation) Regulations 2011, the Commission for
Communications Regulation hereby confirms that the undertaking named below has
submitted a notification pursuant to Regulation 4(1)

Authorised Person: Signal Infrastructure Ltd

and in accordance with that Regulation is deemed to be authorised to provide an
electronic communications network or electronic communications service subject to
the terms and conditions of a general authorisation issued by the Commission for
Communications Regulation.

An Authorised Person may:

- (a) provide the electronic communications networks or services as described
in the notification and which is recorded in the public register maintained
for that purpose by the Commission for Communications Regulation,
- (b) apply for a consent under section 53 of the Act of 2002 to commence or
carry out road works. Applications for such consent shall be made to the
road authority in whose functional area the Authorised Person proposes to
carry out the road works.
- (c) apply for a licence under section 254(1) of the Planning and Development
Act 2000 for the establishment of overground electronic communications
infrastructure and any associated physical infrastructure on, under, over or
along a public road. Applications for such a licence shall be made to the
planning authority in whose functional area the Authorised Person
proposes to establish the infrastructure.

Where an Authorised Person is providing an electronic communications service or
network to the public, such Authorised Person has the right to negotiate
interconnection with another Authorised Person or another undertaking deemed to be
authorised in another Member State. The right to negotiate interconnection is subject
to the provisions of the European Communities (Electronic Communications
Networks and Services)(Access) Regulations 2011 and any decisions,

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determinations, requirements, specifications, notifications and directions issued by the Commission for Communications Regulation from time to time. Such interconnection shall be for the purpose of providing publicly available Electronic Communications Services in order to ensure the provision and interoperability of services.

Issued on behalf of the Commission for Communications Regulation by

N. Maher

Name:

Noreen Maher

Title/Position:

Analyst – Market Framework Division

Date:

3 March 2016

Commission for Communications Regulation
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Department of Rural and
Community Development

An Roinn Forbartha
Tuisithe agus Pobail

REPORT ON NATIONAL STAKEHOLDER FORUM 6 OCTOBER 2017

Mobile Phone and Broadband Taskforce



Roinn Cumarsáide, Eanáil agus
Comhairle, ar son na haeráide, an-
comhairle, Department of
Communications, Environment
and Climate Action





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Acknowledgements

The Department of Communications, Climate Action and Environment, and the Department of Rural and Community Development would like to express our thanks to everyone who attended the Forum on 6 October and engaged in the discussions throughout the day. Your contribution and views on the issues being discussed will play an important role in formulating the future work programme of the Mobile Phone and Broadband Taskforce.

We would particularly like to express our gratitude to the moderators, rapporteurs and panelists for their important contribution to the event, and their active participation in the thematic breakout sessions. The interactive discussion sessions were a vital element of the event programme and the success of these was largely due to the time and commitment which each of the participants invested in preparing for the event and contributing to the sessions on the day of the Forum.

We would also like to thank all of the action holders and stakeholders involved in the delivery of actions set out in the Mobile Phone and Broadband Taskforce Report published in December 2016. While we have made great progress to date, we would ask for your continued commitment and engagement as your input is critical to ensuring the full implementation of all the identified actions.

About the Mobile Phone and Broadband Taskforce

The Programme for a Partnership Government committed to the establishment within 100 days of a mobile phone and broadband taskforce to consider immediate measures to address telecommunications deficits in rural Ireland.

The Mobile Phone and Broadband Taskforce was established in July 2016. The role of the Taskforce was to examine solutions to address broadband/mobile phone coverage deficits and to identify tangible actions that can be taken to improve the quality of broadband and mobile phone services being provided to citizens across Ireland.

The Taskforce Report was published in December 2016 and set out 40 actions to alleviate barriers to mobile reception and broadband access. The Taskforce identified a number of areas where direct action by Government Departments and State Agencies can ensure accelerated benefits to consumers from industry investments.

Actions outlined in the report focus on optimising network performance, improving consistency in relation to planning procedures, enhancing access to infrastructure, engaging with stakeholders on issues impacting on the rollout of telecommunications infrastructure, and equipping consumers to make informed decisions on available products and services.

A full copy of the Taskforce Report can be found on the Departments' websites.

About the Forum

Action 1 of the Taskforce Report commits to holding "an annual forum for all stakeholders to discuss issues impacting on the rollout of telecoms infrastructure". The Department of Rural and Community Development and the Department of Communications, Climate Action and Environment were jointly tasked with organising the event.

Minister for Communications, Climate Action and Environment, Denis Naughten T.D. and Minister of State at the Department of Rural and Community Development, Sean Kyne co-hosted the Forum which took place on Friday, 6 October 2017 in the Athlone Springs Hotel.

Attendees at the event were from a diverse range of stakeholder backgrounds, including, amongst others telecommunication companies, the Regulator (ComReg), local authorities and relevant Government Departments.

Primary Objective of the Forum:

The primary goal of the Forum was to bring together key stakeholders to engage in an open dialogue on issues impacting on the rollout of telecommunications infrastructure. It also afforded an opportunity for stakeholders to highlight any barriers being experienced in the implementation of actions identified by the Taskforce, and to suggest new recommendations for the Taskforce Implementation Group to adopt in order to accelerate the provision of improved services to consumers.

Structure of the Forum:

The structure of the event encompassed a facilitated high-level interactive panel discussion, with representatives drawn from the Office of the Government Chief Information Officer, ComReg, Virgin Media, Department of Communications, Climate Action and Environment, and the County and City Management Association.

Following the high level panel discussion, four thematic breakout sessions, aligned with the original subgroups of the Taskforce, took place.

Each session was facilitated by a moderator and comprised panel members from industry, Government Departments and State bodies. A rapporteur captured the discussion from each session and conveyed the key messages back to an afternoon plenary session.

The thematic breakout sessions, along with highlighting awareness of the current status of many of the actions underway, have given rise to a number of new recommendations or actions for consideration in the future work of the Mobile Phone and Broadband Taskforce. The discussions which took place at the Forum will also inform the forthcoming Annual Review of the Mobile Phone and Broadband Taskforce.

The Forum also provided an important networking opportunity for stakeholders to engage on a one-to-one basis, and we would encourage the stakeholders to continue those bilateral engagements which are vitally important in removing barriers to the deployment of high quality telecommunications networks across the country.

This report provides an overview of the issues raised at the four thematic breakout sessions and also areas raised for consideration in the future work of the Taskforce.

There is an opportunity to build upon this joined up approach, particularly with regard to infrastructure on motorways and roads, the use of utility networks and the planning of new residential estates. Collaboration would ensure that co-development is facilitated and that the installation of ducts and other telecoms infrastructure is deployed in an efficient manner. The question of whether high speed broadband in buildings should be considered an essential service under building regulations could be further considered. The discussion did recognise, however, that complexities do exist including issues around private lands, wayleaves and health and safety considerations.

Need for "joined up thinking"
A collaborative approach is developing between stakeholders which is paying dividends in terms of progressing specific actions to address barriers to the delivery of telecoms services to consumers.

It was agreed that there was a need for standardisation across local authorities regarding access, wayleaves, micro trenching and installing poles. While industry welcomed standardisation of charges for road opening licences, they requested engagement with the City and County Managers Association (CCMA) around the levels at which the standardised rates are set, so as not to inhibit investment by the sector.

Road Opening issues
Industry welcomed the publication of the revised Guidelines for Managing Road Openings in Public Roads (Purple Book). However it requested a mechanism be established to enable it to provide feedback on its implementation. Micro trenching was also raised as an issue for further discussion.

Theme 1: Access to Infrastructure
This breakout session explored the ability of operators to access appropriate locations to house their infrastructure and equipment in order to deliver telecommunications services effectively and reach the widest possible number of consumers.

The objective of the four thematic breakout sessions which took place at the Forum was twofold:
(i) to identify gaps/persistent issues affecting the delivery of the Taskforce Actions; and
(ii) to identify new actions which need to be captured and added to the 40 original actions identified by the Taskforce.

Outcomes from the Thematic Breakout Sessions

Theme 2: Network Improvements

Network performance is of fundamental importance to the level and quality of service provided by the operators to consumers. Optimising performance to take account of changing demands, weather conditions, line problems and available relevant data are key factors in ensuring that the ongoing increase in demand on the networks can continue to be met. It is imperative that operators actively manage their networks through constant evaluation and optimisation. Failure to adequately manage networks will often lead to a poor user experience and service complaints to the operator or to ComReg.

This breakout session focussed on issues around optimising fixed and wireless networks to deliver enhanced performance.

The requirement for a definition for blackspots, consistent with international standards, was raised. Where blackspots are identified, participants were strongly of the view that State assets should be used where available. The issue of blackspots was also discussed in the Network Improvements breakout session.

Industry recognised that Irish Water assets played an important role in providing essential high sites across multiple networks. Irish Water indicated that they were undertaking a review of their asset base which has potential implications for a number of telecommunication providers. The cost of accessing fibre was raised by a number of participants as acting as a barrier to smaller regional Internet Service Providers.

The absence of a standardised access policy to State owned infrastructure was highlighted as a major concern. A comprehensive database of State assets which could be accessed by the telecoms industry for locating of infrastructure to improve mobile and broadband services should be developed.

As the State is the largest asset owner of land and property in the country, telecommunications operators recognise the opportunity of using State assets to house telecommunications infrastructure. Many State bodies, however, do not currently have a statutory commercial mandate, remit or competence to fully exploit this opportunity and many are turning to a management services model in this regard.

Access to Infrastructure, including State owned Infrastructure

There was praise for the ongoing engagement between the telecoms operators and Transport Infrastructure Ireland (TII) on identifying suitable sites on the motorway network for the locating of telecoms infrastructure in order to improve mobile coverage, although recognition was given to the fact that road safety must remain the priority focus of the TII and the Department of Transport, Tourism and Sport when considering the siting of new telecommunications infrastructure.

Communication/Information between stakeholders
 A number of potential new issues were identified, primarily centred round communications and the requirement for the dissemination of information between stakeholders, in particular telecoms operators and local authorities.

There was general agreement that there needs to be a greater flow of information from telecoms operators to local authorities in relation to updated location specific information on coverage and network improvements. The establishment of information sharing mechanisms is crucial to bringing about tangible results in identifying solutions to issues impacting on mobile phone and broadband.

In tandem with this, operators require access to detailed infrastructure maps (e.g. of available lighting poles, ducts, etc.) which the local authorities hold. It is imperative that good communication between operators and the local authorities exists including an awareness of all available information. In fact, it should be noted that at the Planning and Licensing session, local authorities asked if telcos could provide them with a network map on their infrastructure. Information sharing was a key theme which emerged across the day.

The long-standing issue of the conflict between lack of coverage in some areas and local resistance to mobile base station masts was raised. With regard to health concerns around masts, regular testing is conducted by ComReg to ensure results are in line with safety standards set by the World Health Organisation. It was suggested that an important element in this debate was the provision of information to and dialogue with those who have concerns about such developments.

This is very pertinent in any discussion around measures to address mobile coverage blackspots. The importance of communicating the need for optimal mast location in order to improve mobile phone coverage was highlighted. The placement of infrastructure, including masts, will play an important role in addressing blackspot locations. While progress on some elements related to this issue has been made, next steps will be explored and will feed into the annual review process, and will potentially form a new action in the work programme of the 2018 Mobile Phone and Broadband Taskforce.

Role of the Broadband Officer

The Broadband Officers were recognised as playing an important role in terms of acting as an initial contact point for information requests from telecoms operators, in addition to a wider communications role in respect of engaging with the local community in providing updates for the locality and alleviating possible concerns regarding the installation of masts and infrastructure that is required to enhance mobile and broadband services. The role of the Broadband Officer was also discussed in great detail in the Consumer Breakout Session and further recommendations around this role in the future were raised for consideration. See Theme 3 below.

Another matter of concern for consumers was the poor quality of indoor phone coverage. The work that ComReg is currently undertaking on researching the feasibility of a licensing or ComReg will be hugely beneficial.

Many customers are unaware of whether alternative service providers could offer better coverage in their own locality, and in this regard the national coverage map being developed by From a consumer perspective a common issue raised is that of inadequate mobile phone signal.

Coverage Issues

Future proofing of Planning Exemptions to keep pace with technological advances was raised as a matter of concern. Regular reviewing of the Exemptions is required to ensure they remain valid and stay abreast of network developments and consumer demand. This issue was also discussed at the Network Improvement and Planning and Licensing breakout sessions.

Planning Exemptions

In relation to complaints handling, data should be monitored and reviewed on a continuous basis to inform operators on the main issues being experienced by consumers, and to enable them to communicate solutions and upgrades to address reported issues.

Complaints Handling

This breakout session discussed ways to equip consumers with the right information to help them choose the right device and/or provider to maximise the quality of the services for which they are paying, as well as ensuring consumers are aware of their rights.

The quality of broadband and mobile phone services vary considerably according to location and type of connection. It is important that consumers are fully aware of the factors that potentially may impact on service quality in their area. Equipping consumers with the right information is an important means of helping them choose the right device and/or provider to maximise the quality of the services that they are paying for.

Theme 3: Consumer Issues

There was a view expressed that there was a need for a more principle based exemptions approach to be in place to keep pace with technological changes. The issue of exemptions was also raised at the Consumer and Planning and Licensing sessions, which similarly called for more regular reviews to be made to the relevant Regulations.

Exempted Development Regulations

Another matter discussed and raised for further consideration was around the feasibility of local authorities installing dual purpose infrastructure (e.g. CCTV masts, public lighting poles) to facilitate installation of telecommunications infrastructure.

Dual Purpose Infrastructure

licensing exemption scheme for mobile phone repeaters will be of significant interest to consumers.

The main suggested new actions were centred round exploring methods to best communicate to consumers the results of the handset testing being currently undertaken by ComReg, the availability of the composite national coverage map when finalised and also providing updates to raise consumer awareness on new technologies as they become available.

Broadband Officers

Response to the appointment of a Broadband Officer as the dedicated point of contact for engagement with telecommunications operators in their own local authority was strongly welcomed, as was the case in the other breakout sessions. There were calls for the development of structures to support the Broadband Officers. While each local authority area has committed an individual to the position, some are dual jobbing and do not have supporting resources at their disposal. Given the role has expanded significantly since its introduction within the last 12 months, there may be a requirement to review and assess whether the role should be made a full-time position. In addition, a clear common definition of the scope of the role in order to ensure consistency across local authority areas is required. The role of the Broadband Officer was also discussed at the Network Improvement session.

Theme 4: Planning and Licensing

Telecommunications infrastructure must be correctly sited in order for quality mobile and broadband services to be provided to consumers. The erection of equipment, such as masts and antennae, or access to or laying of ducts is essential to the delivery of such services. Erecting equipment or opening roads to access or lay ducts can require development consent or permission in the form of planning permissions or roadworks licences. Timely decision making is also important in the delivery of telecommunications infrastructure.

This breakout session discussed issues relating to the planning process, at a national and local level, which are encountered in the deployment of telecommunications infrastructure.

Infrastructure on Roadways

In respect of the use of the "Guidance on Potential Location of Overground Telecommunications Infrastructure on Public Roadways" (Green Book), it was noted that strong engagement is taking place between Transport Infrastructure Ireland and industry. This was welcomed and mirrored the sentiments expressed at the Access to Infrastructure breakout session.

Development Contributions

On the topic of Development Contribution Schemes, it was noted that 28 of the 31 local authorities are now applying the 2013 Guideline, with a remaining 3 seeking to review their schemes. There was unanimous agreement from participants that waivers should include

mobile as well as broadband infrastructure and that the text of the guidelines should be clearer, reviewed and updated where necessary.

Retention licences for mobile phone masts was discussed, some confusion exists in relation to where additional elements are added, over and above original drawings and whether these are exempt or subject to a Development Contribution Charge being incurred.

Exempted Development Regulations

Industry welcomed the positive discussions which have taken place to date around the Revised Exempted Development Regulations. Telecoms operators expressed the view that more regular reviews of the Regulations would be desirable in order to reflect technological changes. This suggested action will be brought forward to the Taskforce Implementation Group for inclusion in the 2018 Work Programme. The issue of exemptions was also raised at both the Consumer and Network Improvement sessions, underlining the importance of this issue to stakeholders.

Planning Processes

With regard to the planning process, the need for consistency of approach and efficient timelines for decisions on applications was highlighted as the key elements in streamlining the process. Predictability is key to making business cases for investment. The application and interpretation of Section 254¹ across local authority areas appears to be inconsistent. The inclusion of a new action for 2018 on clearly defining and standardising the application approach was suggested. There was a welcome from industry for the fact that statutory planning guidelines of 1996 are earmarked for revision in 2018, given that typical masts and antennae have changed considerably in that period.

Regional Action Groups

The Regional Action Groups were recognised as being beneficial for raising awareness of issues and for the Broadband Officers to communicate about and problem solve specific matters as they emerge. It was suggested that telecoms operators could organise their own structures in a way that will lead to better engagement with the Broadband Officers.

Need for "joined up thinking"

On a local level, this session identified that efficiencies in rolling out infrastructure should be explored, with particular thought being given to examining cross sectoral collaboration for any road opening or infrastructure investment. The Dunganran cycleway was cited as a recent successful example of a joined-up approach which incorporated telecoms infrastructure. The theme of exploring a joined up approach mirrored the discussion in the breakout session on Access to Infrastructure. In order to gain efficiencies, local authorities asked if telcos could provide them with a network map on their infrastructure. Notably, at the Network Improvement session, operators asked local authorities to provide them with information on infrastructure such as lighting poles and ducts. The need to work collaboratively and to explore the scope for a more joined up approach was a recurring theme across the day.

¹ Section 254 of the Planning and Development Act, 2000

Next Steps

The Taskforce Implementation Group is tasked with carrying out a comprehensive review of progress made after 12 months and is also mandated to recommend further actions that will result in improved service for consumers.

Continued engagement by all action holders will contribute greatly to implementing tangible actions to remove barriers to the deployment of high quality telecommunications networks across this country. The Taskforce Implementation Group will examine concerns regarding existing barriers to determine whether the measures already identified are working to resolve them or if new actions are required to be included in the work programme for 2018.

A number of suggested new actions are emerging for consideration by the Taskforce Implementation Group on foot of the outputs of the thematic breakout sessions, and in light of discussion on the extent of the effectiveness of the Taskforce actions already identified. These actions are centred round the potential for developing policies, legislative matters, raising consumer awareness and improving communications streams.

Examples of the suggested new actions include: the standardising of the approach to an application of Section 254 licenses; development of a comprehensive database of and policy around accessing State owned infrastructure; ongoing revision of the Purple Book and the Green Book; further work on addressing mobile coverage blackspots; and development of communications streams for wider dissemination of information to consumers and to facilitate information sharing between stakeholders.

These items will be highlighted in the Implementation Group's Annual Report 2017 and considered for inclusion in the 2018 Work Programme of the Mobile Phone and Broadband Taskforce.



An Roinn Forairte
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Department of Rural and
Community Development



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Department of Communications,
Climate Action & Environment