

From: Secretary MOCCC <secretary.moccc@outlook.com>
Sent: 30 November 2021 12:02
To: Gerry_Cornes@eastdunbarton.gov.uk
Cc: susan.gray@openreach.co.uk; Alex Buist; treasurer.moccc@outlook.com; Jim Crawford; mackenzie.andy@btinternet.com; Alan Gall; agnes_raybould@hotmail.com; Gary.Pews@eastdunbarton.gov.uk; paul.ferretti@eastdunbarton.gov.uk; Billy.Hendry@eastdunbarton.gov.uk; Mohrag Fischer; MCDONALD, Stuart; Mackay, Rona
Subject: RE: [Official] : Openreach and Notification to East Dunbartonshire Council

Dear Sir,

In response to your e-mail below I can confirm that the Openreach member of staff I met with was the Chief Engineer Stephen McCafferty. I do not have a telephone number for him but if you contact susan.gray@openreach.co.uk I am sure she will be able to put you in touch, I have copied her in on this e-mail for convenience.

We; and I include Lennoxton: find it incredible in this day and age that council authorities have no input or control over this backward step of erecting unsightly timber poles to hold fibre cables, yet if you want to construct a porch over 4m² planning permission is required as your neighbours and or the planning officers may object.

Below is an excerpt from EDC Local Development Plan, it clearly tells the lesser mortals of East Dunbartonshire how great the development and planning control will be and that EDC will ensure that the quality of life and that "high quality design" will be "at the heart of the decision making process" unless of course it comes to telecom installations as they can do whatever they please with no questions asked by the high quality design led council and planning department. If new housing developer was to submit an application for a development with timber poles and overhead cables he would be refused yet you cant even challenge Openreach to prove that there is no other way of installing these cables when everyone knows there is. Please visit the following site to see how easy it is to install underground without ducts. www.stl.tech/sterlite-live/application_notes/15/original/Buried_Installation_of_Optic_Fiber_Cable.pdf

Planning is about creating better places that help to improve the quality of life for everyone. This means taking a design-led approach to the development process, as required by the Government's two policy statements, Creating Places and Designing Streets. Together, these two documents set out the value that high quality design can deliver and the important role that good buildings and places pay in promoting healthy, sustainable lifestyles.

East Dunbartonshire Council will take a design-led approach to all forms of development, and put high-quality design at the heart of the decision-making process. The Council will support proposals which contribute towards the creation of distinctive, high-quality places that provide character and a strong identity. Ultimately we want to make East Dunbartonshire an attractive place to live and

work by creating a network of well designed, accessible and healthy communities with a balanced mix of uses.

It is very apparent and came across as clear as day at the meeting that the primary reason for the poles is that it was the cheapest option; there isn't a duct already in place at that position so we are erecting poles; this is a company that earns millions every year and is receiving a very large financial contribution from the government to provide areas with fibre installations. There are actually poles and high wire installations literally 10m from ducts on the other side of Redmoss Road. Has anyone in EDC thought to contact the government for their opinion and to inform them that the ongoing installation of Fibre Broadband is back in the realms of the 50's and 60's.

We as Community Councils find the position of EDC in relation to this process to be extremely ignominious in its capitulation to Openreach. There may be an act that allows Openreach to do as it pleases but it is open to question and as a governing body EDC should be doing far more than it has been to ensure local communities are looked after just as you say in the Local Development Plan.

Not to even question Openreach and discuss option or inform the residents of the villages in question is shameful in our opinion.

Kind Regards,

Brian J McFall
Secretary - MOCCC

From: Margaret.Martin@eastdunbarton.gov.uk <Margaret.Martin@eastdunbarton.gov.uk> **On Behalf Of** Gerry_Cornes@eastdunbarton.gov.uk
Sent: Tuesday, November 30, 2021 9:52 AM
To: Secretary MOCCC <secretary.moccc@outlook.com>
Subject: Re: [Official] : Openreach and Notification to East Dunbartonshire Council

Dear Mr McFall,

Thank you for your email.

I have asked the Planning Service to check their records again for any notification and there is no record of receiving any such notification.

Regulation 5 of The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 does contain an exemption for the operator to give notice where the apparatus is to be attached or supported by poles. I believe this is the case here. Nevertheless, where notification to the Planning Authority is required, the Planning Authority is only able to reply with conditions which we would want the operator to comply with - we do not have the powers to prevent the installation of the apparatus and there is no requirement on the operator to comply with any suggested conditions.

If you are able to provide a name and contact details for the engineer who provided you with this information then the Council could take this up directly with Openreach.

I trust this is of assistance.

With best wishes.
Gerry

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From: Secretary MOCCC <secretary.moccc@outlook.com>
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Date: 29/11/21 13:54
Subject: Openreach and Notification to East Dunbartonshire Council

Dear Sir,

On the 16/09/21 I sent an email as secretary of Milton of Campsie Community Council to Heather Holland and Max Wilson of EDC requesting to be advised with the planning permission position with regards to the telegraph poles which have been appearing all over the village, the response I received was as follows from Heather Holland, Executive Officer - Land Planning & Development.

"The short answer is no they do not.

Class 67 of the General Permitted Development Order sets out permitted development rights (PDR) (work that does not require planning permission) for certain works carried out by or on behalf of an electronic communications code operator for the purposes of the operators electronic communications network or carried out in accordance with the electronic communications code. Specifically PDR apply to various development related to telegraph poles, namely the installation of new telegraph poles, the replacement or alteration of existing poles, the installation of new overhead lines on such poles and work which is ancillary to such development.

I understand that the works are being undertaken by BT Openreach but I am afraid we have no details on the need or reason for change in approach."

Since then I have been in continuous email dialogue with Openreach expressing the displeasure of the villagers at seeing these poles being erected wherever Openreach feel they need to be.

This has recently culminated with a meeting at Redmoss Road between myself, a representative of Lennoxton Community Council and the Openreach Chief Engineer and his Colleague. Whilst we gained nothing from the meeting in terms of the poles being removed and the cables routed underground what did come to light was the fact that Openreach issue a Regulation 5 notice to East Dunbartonshire Council Planning Department for **each and every** single pole they are

proposing to erect, this notice is served a minimum of 28 days in advance of the pole erection.

EDC in effect (as stated to myself by the chief engineer) have the right and opportunity to object to the erection of the poles and in our villages opinion should have done so as the poles are contrary to the Current Local Development Plan relating to Design and Placemaking and detract from the visual amenity, character and appearance of the village.

We as a community feel that the body employed to represent our village and all other areas of East Dunbartonshire have been very lean with the actual position in relation to the erection process and what could and should have been informed to the villages, now over run with timber telegraph poles. At the very least EDC should have made public, notification about the process that was about to be dumped upon our villages as should Openreach, however the Openreach position is that they informed EDC with plenty of time to either object or explain to the residents of East Dunbartonshire what was about to take place.

The lack of this consultation was emphasised to the Openreach engineers and they are taking this back to their managers, however it does not detract from the issue that we have been clearly misled by EDC with the obvious intention being that once erected the situation is a fait accompli and as such they did not have to become involved in what would be a much larger discussion and consultation process, basically we feel that certain bodies of EDC have embarrassingly ducked deliberately below the parapet and not acted in the best interests of this village and other areas of East Dunbartonshire.

As such we request that you as chief executive investigate this matter and write to both MOCCC and Lennoxton CC explaining why the opportunity of a transparent consultation was not made available to the villagers.

Kind Regards,

Brian J McFall

Secretary - MOCCC

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