

AT A MEETING  
- of the  
**3G TELECOMMUNICATION**  
**WORKING GROUP**  
held at The Council House, Walsall on  
**Wednesday, 18 January, 2006** at 6.00pm

**PRESENT**

Councillor Ian Shires  
Councillor Louise Harrison

**OFFICERS PRESENT**

David Elsworthy	(Service Manager - Planning, Building & Pollution Control)
Steve Pretty	(Service Manager - Engineering Design & Construction)
Mr Peter Murray	(British Telecom Wholesale)
Jonathan Bailey	(Amey PFI)
Stuart Bentley	(Scrutiny Officer)

Apologies for non-attendance were received from Councillor Johnson, Ann Johnson (Risk) and Stuart Portman (Legal).

Jonathan Bailey presented an update of the presentation he gave at the Workshop held 15 December 2005 in order to address issues that had arisen and for Peter Murray's Information.

(annexed)

Peter Murray responded by stating that the contract was not clear in so far as BT would be undertaking work on behalf of the Authority and that the lighting structures would not be owned by BT.

Peter Murray then tabled a sheet highlighting the benefits for both local business and the Authority and he stressed that the mobile operators were the customer and not the Authority.

(annexed)

Peter Murray then tabled a copy of the minutes of 15 December 2005 3G Telecommunications Working Group, annotated with his responses to certain points. He stated that any agreement made with the Council would not affect the title / risk of any equipment licensed to Amey.

(annexed)

There then followed a discussion clarifying the position with regards to maintenance / replacement of equipment containing Microconnect technology during which Peter Murray tabled the power-down procedure for the Micro-connect unit.

(annexed)

Councillor Shires thanked both Jonathan Bailey and Peter Murray for their input and stated that he found the proposal appealing but it did not negate the ability of the 5 mobile operators to install their own units regardless. This would then negate the major benefit to the Council.

Peter Murray replied that it was the job of BT to sell the proposal to the mobile operators and if they could not then the installation would not take place.

Councillor Shires replied that he was not convinced that the operators would take the opportunity to work together as they had opportunities in the past that they had failed to capitalise on.

Peter Murray replied that operators wouldn't deviate from their roll-out plans until a firm agreement had been put in place.

David Elsworthy stated that the operators were driven by cost imperatives and will not share unless the option is cost effective.

There was then a general discussion around possible barriers to partnership with the conclusion that they were probably surmountable at the negotiation stage of any agreement process that may go forward.

Jonathan Bailey stated that to put an agreement in place would incur legal costs to all the parties involved. The Public Finance Agreement would have to be modified to incorporate any partnership and these issues would need to be addressed before a decision to proceed or not could be made.

Councillor Shires agreed that there was a need to obtain some idea of the up-front costs to the Council before a decision to recommend the proposal to Cabinet could be made.

David Elsworthy asked if BT would be willing to underwrite the up-front legal costs in light of a savings to be made from a possible national roll-out of a successful agreement.

Peter Murray stated that he certainly couldn't rule it out as an option and agreed to take the proposal back to BT for consideration.

Councillor Shires asked if relevant information could be forwarded to Risk and Legal for their input at this stage.

Resolved:

- That the 3G Telecommunications Masts Working Group recommend that the Regeneration, Housing, Environment and Community Safety Scrutiny and Performance Panel recommend that Cabinet proceed with the contract for the installation and hosting of telecommunications equipment subject to the satisfactory conclusion of necessary amendments to the existing Lighting PFI contract and proposed WMBC & BT contract together with associated fees and other costs.
- That officers circulate any relevant documents to Risk and Legal for their consideration and advice.
- That BT explore the possibility of underwriting the up-front lcosts for the proposed contract.

TERMINATION OF MEETING

The meeting terminated at 7.20 p.m.