

**CHIGWELL PARISH COUNCIL  
OFFICER REPORT TO FULL COUNCIL  
PROPOSED TELECOMMUNICATIONS INSTALLATION ON STATION GREEN EE CELL REF 91042  
- LAND ADJACENT PARK BIKE RACK, STATION ROAD, CHIGWELL**

**Date:** 22 October 2026

**Purpose of Report**

To enable Full Council, in its capacity as landowner, to determine its position regarding the proposed installation of a telecommunications mast and associated apparatus on Parish Council-owned land at Station Green, following the grant of planning permission and receipt of Heads of Terms from the telecommunications operator.

**Background**

The Council has been approached by agents acting on behalf of EE Limited seeking rights to install telecommunications apparatus on Parish Council-owned land adjacent to the bike rack at Station Road, Chigwell. The proposal forms part of a wider network deployment programme intended to improve telecommunications coverage and service reliability within the area.

Members will recall that concerns were previously raised regarding the presence of an existing telecommunications installation in the vicinity and whether infrastructure sharing arrangements could be utilised rather than permitting the erection of an additional mast.

Following those concerns, the Council requested further information from the applicant regarding the feasibility of sharing existing infrastructure before considering any lease arrangements.

The applicant has now responded and their comments are summarised below.

**Planning Position**

Members should note that planning permission has already been granted for the proposed development.

Accordingly, the principle of the development has already been considered through the planning process by the Local Planning Authority.

However, whilst planning permission authorises the development from a planning perspective, it does not oblige the Parish Council, as landowner, to enter into a lease or grant rights over its land.

The Council must therefore separately determine whether it wishes to proceed with a commercial arrangement and, if so, upon what terms.

## **Applicant's Response**

Following enquiries by the Council regarding mast sharing opportunities, the applicant advised that:

- Existing site sharing opportunities had been considered.
- Sharing the existing infrastructure would not be technically practical or commercially viable.
- Replacing or modifying the existing structure could interrupt telecommunications coverage.
- Temporary infrastructure would be required to maintain service continuity during any replacement works.
- Such arrangements would introduce additional operational complexity, costs and delay.
- The operator considers the proposed installation to be the most viable solution for meeting network requirements.
- The site forms part of a wider network deployment programme and is regarded as strategically important.

The applicant has therefore requested that the Council consider the proposal and associated Heads of Terms. The applicant has also highlighted that planning consent has already been secured.

## **Heads of Terms and Financial Considerations**

The Council has been provided with an Early Access Agreement together with Heads of Terms. The Early Access Agreement provides for:

- Early access rights over the land;
- Installation and operation of telecommunications apparatus;
- Rights relating to electricity supply, communications equipment and associated infrastructure;
- Agreement to progress towards a formal lease arrangement.

The documentation also refers to an Early Completion Incentive Payment (ECIP) of £5,000, payable in stages subject to various milestones being achieved.

Members should note that the detailed commercial arrangements, rental provisions, lease terms, rights of access, upgrade rights, termination arrangements and future liabilities have not been independently reviewed by specialist advisers acting solely on behalf of the Council.

## **Key Considerations for Members**

### **Potential Advantages**

Should Members support the proposal, potential benefits may include:

- Additional income to the Council.
- Telecommunications investment within the parish.
- Potential improvement in network coverage and capacity.
- Utilisation of Council-owned land to generate ongoing revenue.
- Opportunity to negotiate terms that protect the Council's interests.

### **Potential Disadvantages**

Members may also wish to consider:

- The visual impact of an additional telecommunications installation at Station Green.
- Community perception regarding the presence of multiple telecommunications structures in a relatively confined area.
- The long-term nature of telecommunications leases.
- Future access rights over Parish Council land.
- Restrictions that may arise regarding future use of the site.
- The extent of apparatus upgrade rights sought by operators under modern telecommunications agreements.
- Potential management and legal implications over the lifetime of the agreement.

### **Landowner Considerations**

Whilst the planning process has already concluded, Members should consider whether permitting a second telecommunications installation on Station Green aligns with the Council's aspirations for the site.

This is fundamentally a landowner decision.

The question before Members is not whether planning permission should have been granted, but whether the Parish Council wishes to:

- make Parish Council land available for the proposed installation; and
- enter into a potentially long-term legal agreement with the operator.

### **Professional Advice**

Given the complexity of telecommunications leases and the specialist nature of Electronic Communications Code agreements, it is considered prudent that the Council obtains independent professional advice before entering into any binding commitment.

Specialist telecommunications solicitors would be able to advise upon:

- Market value and rental provisions.
- Long-term financial implications.
- Restrictions on the Council's future use of the land.
- Access and maintenance rights.
- Upgrade and sharing provisions.

- Break clauses and termination rights.
- Compliance with the Electronic Communications Code.

### **Options Available to Full Council**

#### **Option 1 - Decline the Proposal**

The Council may determine that Station Green is not an appropriate location for a further telecommunications installation and decline to enter into any agreement.

#### **Option 2 - Support the Proposal in Principle**

The Council may determine that it is prepared to consider the proposal further and instruct specialist telecommunications solicitors to review the Heads of Terms and negotiate on the Council's behalf.

The matter would then return to Full Council for final consideration once legal and commercial advice has been received.

#### **Option 3 - Seek Further Information**

The Council may determine that additional information is required before reaching a decision.

### **Officer Comment**

Whilst planning permission has been granted, the Council's role as landowner remains distinct from the planning process.

In my view, Members are not presently in possession of sufficient specialist legal advice to enter directly into a lease agreement or Early Access Agreement. Given the potential long-term implications associated with telecommunications installations and Electronic Communications Code agreements, the most prudent course of action would be to either decline the proposal or support it in principle and obtain specialist telecommunications legal advice before any final commitment is made.

Should Members be minded supporting the proposal in principle, I recommend appointing specialist telecommunications solicitors to review and negotiate the proposed arrangements before the matter is brought back to Full Council for a final decision.

### **Recommendations**

Full Council is invited to determine one of the following:

#### **Option A**

That Chigwell Parish Council declines the proposal and authorises the Clerk to notify the applicant accordingly.

**Option B**

That Chigwell Parish Council supports the proposal in principle, appoints specialist telecommunications solicitors to review and negotiate the Heads of Terms and any proposed lease documentation, and receives a further report before making any final decision.

**Option C**

That Full Council requests further information prior to determining its position.

**Prepared by:**

**Jason Selvarajah** MSc

Clerk and Proper Officer