

**Date:** 2 July 2020  
**Our ref:** 287986  
**Your ref:**  
**Contact:** Robert Long  
**Direct dial:** 01275 888426



Information Governance  
North Somerset Council  
Town Hall  
Weston-super-Mare  
BS23 1UJ

Ms Jane Bishop  
By email

DX 744900 Clevedon

Dear Ms Bishop

Thank you for your request for a review received on 7 June 2020. I am sorry that you are dissatisfied with our attempts to handle your request under the Freedom of Information Act 2000.

### **Your initial request**

Your original request of 19 April 2020 was worded as follows:

- 1) I require information where you asked for consent of North Somerset people to install 5G?*
- A) I require information to the planning permission and information where you put out notices for people within North Somerset to see and to object to.*
- B) i require your Insurance policy for 5G. Please provide information that no loss, Injury to life that 5g towers could cause to nature.*

*It is noted the company installing 5G within North Somerset Area Since the lockdown took affect on 23 March 2020.*

- 2) Do you have a 5G strategy?*
- A) I require to see the complete strategy, its ambitions and its objectives in PPTX, Word, PDF or picture format.*
- B) If yes to question 2, have the public had the opportunity to read and understand NORTH SOMERSET COUNCIL?*

- 3) I require where was this information of implementation of 5G strategy published?*

*4) require a supplementary document that includes the highest level of detail on all 5G technology that's planned to be used and current in use in public spaces within North Somerset and its surrounding areas by NORTH SOMERSET COUNCIL.*

- (a) Companies and entities involved and the names of the company/entity officers.*
- (b) Specification sheets of all 5G technology, as outlined of the GDPR section 173.*
- (c) What technology e.g. units and arrays are not currently 5G, but can be 5G enabled e.g. with current software, future software, hardware upgrades or retrofitting?*
- (d) What is the UK, EU and International safety standards that North Somerset Council are complying with for the 5G strategy and existing 5G technology?*
- (e) i require proof for an example: a certificate from North Somerset Council confirming that UK, EU and International safety standards for workers and the public have been meet.*

*5). I require copies of all documentation, memos, emails and communication on companies and entities you're in talks with regarding the formulation of a 5G strategy, without the consent of North Somerset people.*

*6) I require the name(s) of the Officer(s) that are in charge of the 5G strategy and the roll out that includes their CV and qualifications in 5G and Smart Cities, etc; and what are their subject area*

of expertise or consultancy are?

7) Are you in talks with any experts, companies or entities about autonomous vehicles (AV) for public transport and/or private use on Public Highways?

8) If yes to question (7) I require to see the complete strategy of its ambitions and its objectives in either format such as: PPTX, Word, PDF or picture format.

9) I require a supplementary document that includes all levels of detail on:

(a) Companies and entities involved and the names of the company/entity officers?

(b) Copies of specification sheets of all technology.

(c) What type of communication system will NORTH SOMERSET COUNCIL and/or PARTNERSHIP be utilising to control the vehicles?

(d) What is the UK, EU and International safety standards does NORTH SOMERSET COUNCIL and/or PARTNERSHIP AV strategy and rollout comply with?

(e) I require proof e.g. a certificate from NORTH SOMERSET COUNCIL or PARTNERSHIP that confirms that UK, EU and International safety standards for workers and the public have been meet.

10) I require copies of all documentation, memos, emails and communication on companies and entities you're in talks with regarding the formulations of an autonomous public and private vehicle technology strategy.

11) Do you have a strategy for smart roads and smart signage on Public Highways and Public spaces?

If so to question (10), I require to see the complete strategy, its ambitions and its objectives in PPTX, Word, PDF or picture format.

12) I require a supplementary document that includes all levels of detail on:

(a) Companies and entities involved and the names of the company/entity officers?

(b) Specification sheets of all technology.

(c) What technology e.g. units and arrays will not be 5G, but can be 5G enabled e.g. with current software, future software, hardware upgrades or retrofitting etc (you must be specific on everything here)?

(d) What is the UK, EU and International safety standards does your 5G strategy and rollout comply with?

(e) I require proof e.g. a certificate from NORTH SOMERSET COUNCIL and/or PARTNERSHIP that confirms that UK, EU and International safety standards for workers and the public have been meet.

13) I require copies of all documentation, memos, emails and communication on companies and entities you're in talks with regarding smart roads and smart signage.

14) Are you planning to rollout or have rolled out LED street lighting?

15) If yes to question (14) I require answers these questions:

(a) What is the CMS and specification of the software and hardware of the LED street light system?

(b) What type of waveform is the LED; e.g. Square wave?

(c) Can you control the Pulse Width Modulation (PWM) of the streetlight system using the CMS?

(d) Can you control the PWM of each streetlight that's connected to the system?

(e) What restrictions do you have in place for the control of the PWM?

(f) What is the UK, EU and International safety limit (low and high) for the amount of 'flicker' (Hz) the Human Body and eyes can be exposed to and for how long?

(g) I request to see the training manual and safety operation manual for the CMS and the LED streetlight system that has been implemented by NORTH SOMERSET COUNCIL and/or their

## **PARTNERSHIP.**

- (h) Who is the company who is or has installed the CMS LED streetlight system?*
- (i) What company maintains and repairs the CMS and LED streetlight system?*
- (j) What entity and Officer is responsible for the safety standards for the CMS and LED streetlight system?*
- (k) I require proof e.g. a certificate from NORTH SOMERSET COUNCIL and/or PARTNERSHIP that confirms that UK, EU and International safety standards for workers and the public have been met.*
- (l) What is the amount of Blue Light leakage that's safe for the public and workers during the LED streetlights operation?*
- (m) What level of LED streetlight exposure is safe for the public at daytime and night time?*
- (n) Is there a legal requirement for diffusers to be fitted to LED streetlights?*
- (o) How have you have addressed the amount of Oxidative Stress on Human and Animal cells that's produced from LED?*

*16) If answer to question 15 is no , then I request a declaration from both NORTH SOMERSET COUNCIL and/or PARTNERSHIP that you will not be installing LED streetlights in the future. If you cannot provide a declaration, I would like the following answered in the future tense:*

- (a) What is the CMS and specification of the software and hardware of the LED street light system?*
- (b) What type of waveform is the LED? e.g. Square wave?*
- (c) Can you control the Pulse Width Modulation (PWM) of the streetlight system using the CMS?*
- (d) Can you control the PWM of each streetlight that's connected to the system?*
- (e) What restrictions do you have in place for the control of the PWM?*
- (f) What is the UK, EU and International safety limit (low and high) for the amount of 'flicker' (Hz) the Human Body and eyes can be exposed to and for how long?*
- (g) I request to see the training manual and safety operation manual for the CMS and the LED streetlight system.*
- (h) Who is the company who is or has installed the CMS LED streetlight system?*
- (i) What company maintains and repairs the CMS and LED streetlight system?*
- (j) What entity and Officer is responsible for the safety standards for the CMS and LED streetlight system?*
- (k) I request proof e.g. a certificate from NORTH SOMERSET COUNCIL and/or PARTNERSHIP that confirms that UK, EU and International safety standards for workers and the public have been met.*
- (l) What is the amount of Blue Light leakage that's safe for the public and workers during the LED streetlights operation?*
- (m) What level of LED streetlight exposure is safe for the public at daytime and night time?*
- (n) Is there a legal requirement for diffusers to be fitted to LED streetlights?*
- (o) How have you have addressed the amount of Oxidative Stress on Human and Animal cells that's produced from LED?*

*17) I request all memos, presentations, documents, plans, rollouts, emails and details regarding 2G, 3G, 4G, WiFi and WiGIG in public spaces under the GDPR rulings of subsection 173 for this land.*

## **Our response**

Lynsey Wilson, Information Governance Manager, responded on 14 May providing you with a response sent to a previous request asking the some of the same questions, and advising that no information was held for questions 7 – 13, as "North Somerset Council are not in any discussions relating to smart signage, smart roads or autonomous vehicles."

## **Your request for an internal review**

On 7 June you wrote requesting an internal review, which was worded as follows:

64 questions were asked for the benefit of public health, safety, security and the well-being within our environment and communities. The questions covered a wide range of information relating to 5G, autonomous vehicles, smart roads and smart signage, and LED street lighting over a broad timeframe.

Questions 5, 10 and 13 ask for 'all documentation, memos, emails and communication' on the different technologies.

Question 17 asks for all documents related to mobile communications equipment that are installed by a range of commercial operators across North Somerset and with their Partnership over the past 20 years.

Regulation 9(1) of the FOI requires public authorities to provide advice and assistance to the requesters. It is noted that Lynsey Wilson had provided a template response using a another member of the public FOI of another council.

Please be advised in future to give members a public under regulation 9(1) for assistance to requester.

Ms Wilson did not give me the opportunity to seek remedy or satisfaction on the FOI request before closing the matter.

Response of FOI (template) Lynsey Wilson had supplied states the following:

"I just can confirm there is no information held. North Somerset Council are not in any discussions relating to smart signage, smart roads or autonomous vehicles"

This conflicts with Lucy Zodions website where the following statement can be found.

<https://www.lucyzodion.com/>

Homepage - Lucy Zodion

Lucy Zodion's next generation solutions harness IoT technology to ensure cities are more liveable and manageable. This can be achieved through interoperable smart city networks that enable forward thinking city leaders to take control of urban infrastructure, both now and in the future.

[www.lucyzodion.com](http://www.lucyzodion.com)

"The future of street lighting is connected

Connectivity is paving the way for smarter cities. Lucy Zodion's next generation solutions harness IoT technology to ensure cities are more liveable and manageable. This can be achieved through interoperable smart city networks that enable forward thinking city leaders to take control of urban infrastructure, both now and in the future"

According to the Centregate Ltd's website: <https://www.centregreat.co.uk/lighting/capabilities>, states: "our clients, their consultants, luminaire providers and lighting CMS companies". This contradicts your response to the matter: see below.

Question 3 response by NSC states:

A) CMS – Harvard, now Lucy Zodian Vision (no software / hardware specifications held.

H) SSE Contracting was our term maintenance contractor who did install the CMS system. We are no longer installing any new CMS and will be removing it as part of our continued LED rollout.

I) Centregreat Ltd who is our new term maintenance contractor.

j) The manufacturers – CMS – Lucy Zodian (who took over from Harvard), LED Luminaires – Urbis Schreder and INDO Lighting, but also the term maintenance contractor

K) All lanterns and CMS are to the relevant British and EU standards, and CE marked which covers safety standards

There is no doubt by the evidence of both FOI provided that North Somerset council has misled me and requires an Internal review for the opportunity to rectify before I take the matter further.

## **My response to your request for an internal review**

I was not involved in your original request; I am the council's Head of Information and Assurance, and am Lynsey Wilson's line manager. I respond to some requests for an internal review, where Mrs Wilson (Information Governance Manager) has been involved in the case, and therefore is unable to

provide an independent review. I have reviewed all of the correspondence and notes in the case file, and have obtained and examined the records requested.

## **My findings**

My interpretation of your request for an internal review is that you have two areas you wish for me to consider:

1. Whether it was in-keeping with the requirements of the Freedom of Information Act to provide you with a previous response and to not give you the opportunity to escalate the request
2. Whether the 'no information held' response to questions 7 – 13 was correct, as you believe the responses provided to the LED questions disputes this.

I will now take both these points in turn.

### 1. Disclosure of a previous response

The Freedom of Information Act stipulates that a public body must disclose information held in response to a request made under the Act. I note that a lot of the questions you asked were along the same vein, and in some cases, near-identical, to the request made that you were sent the response to.

I am aware that Mrs Wilson did carry out checks and searches to establish that the information disclosed in the previous request was still valid. The disclosure of an anonymised copy of a previous response is an accepted method of responding to requests, as long as the response is still accurate.

It is my belief that Mrs Wilson should have been clearer with you that she had carried out the checks as to the information's validity, and this is something I will raise directly with her.

I note in your request for an internal review that you believe the response to be a "template response" from "another council". I can assure you this wasn't the case: the response was one sent by Mrs Wilson, on behalf of North Somerset Council, to a request made to North Somerset Council.

I do also need to respond to your comment "*Ms Wilson did not give me the opportunity to seek remedy or satisfaction on the FOI request before closing the matter*". I am unclear what this relates to. In both her covering letter, and the copy of the previous response, the escalation route for if you are dissatisfied with the response is defined. Indeed, you have taken that opportunity in requesting this internal review.

### 2. No information held regarding Autonomous Vehicles, Smart Vehicles and Smart Signage

My understanding of your request for a review into this is the fact that in responding to the questions relating to LED lighting, North Somerset Council has stated that they used a particular supplier for the installation of the LED lights, and this supplier advertises that they also install Smart technologies.

As stated, Freedom of Information is the disclosure of information *held* by a public body. It is not about providing a requester with opinions or appraisals. Again, Mrs Wilson could have been clearer with you about the searches she carried out. I can confirm that she:

- Asked ICT to carry out an independent search of the council's IT systems for the search terms: "2G in public areas", "3G in public areas", "4G in public areas", "5G", "WiFi in public areas", "WiGIG in public areas", "LED", "Autonomous Vehicles", "Smart Vehicles" and "Smart Signage"
- Contacted the relevant service areas directly (the Client ICT Manager, the Head of Economy, and the Highway Electrical and ITS Manager)
- Checked back regarding the 'none held', as she was under the impression that Smart Signage was under consideration for the M5. However, this would fall under the responsibility of Highways England, not North Somerset Council.

I am satisfied, therefore, that the necessary checks were carried out in order to identify whether any information in scope of your request was held.

If you are making a complaint about the use of a contractor who also offers additional services, that is not something to be visited within the Freedom of Information or internal review process. That should be raised directly with the relevant service.

### **Outcome of the internal review**

While Mrs Wilson could have been more transparent with you about the administrative processes she went through in order to provide a response to your request, I am satisfied that it has been handled in accordance with the requirements of the Freedom of Information Act.

As an aside, I will say that North Somerset Council (as well as other local authorities) have received a large number of requests recently regarding 5G, and we are aware of the posts and theories on social media in this regard. All I can say is that there really is no big cover-up: there is currently no 5G in North Somerset installed by the council, and there are no discussions taking place about its installation. That's not to say those conversations won't start happening in the future, but I can assure you, the council's current focus is keeping services running for North Somerset residents. The council's Corporate Plan does state that by 2023, we hope to have enabled all residents to have access to technologies such as 5G...but at this point in time, there have been no recorded discussions and no formal plans relating to 5G. The following article might be of interest, as it details where central government are currently up to: <http://www.broadbanduk.org/2020/03/05/dcms-select-committee-call-for-evidence-broadband-and-5g/>

### **What you may do next**

North Somerset Council now considers that it has complied with your request for an internal review. If you are not happy with the outcome, you now have the right to appeal directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF <http://ico.org.uk/>

Yours sincerely

Robert Long  
Head of Information and Assurance

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