

DAC Guidance Notes: Telecoms and Licensing

These guidelines cover general information regarding the installation of telecommunications masts and aerials in a church, and issues arising from the Licensing Act 2003.

Telecommunications masts and aerials

Churches with high towers or spires are often approached by companies involved in the provision of radio, telecommunications or wireless broadband, seeking to use these high points as locations for masts, aerials or boosters. Leasing this space can provide a good income for the church. However, PCCs should make sure (especially on listed churches) that installations do not damage fabric and are easily removable. Cable runs and power sources should also be fixed appropriately and be concealed or disguised. The PCC should also bear in mind that any agreement will grant the company performing the installation rights of access to the church building for maintenance purposes.

The Telecoms Group of the Archbishops' Council (a working party attached to the Church Buildings Council) had by 2002 identified infrastructure provider QuintelS4 as the first Church of England 'National Approved Installer' of telecommunications equipment in its buildings. Arrangements under this National Aerials Agreement were published in a press announcement and via a letter to all incumbents and priests-in-charge. However, this fell into abeyance in 2007. New Edge Telecommunications (NET) is a company that has an extensive portfolio with Church of England places of worship regarding telecoms installations. Details regarding NET can be found here:

[New Edge Telecommunications](#)

Licensing Act 2003

[UK Legislation: Licensing Act 2003](#)

This Act is intended to provide an integrated system of licensing covering the sale and supply of alcohol by clubs, the provision of 'regulated entertainment', and the provision of late night refreshment.

The Act makes substantial changes in the previous licensing regime in relation to alcohol, so could well be relevant in relation to some church activities and premises. In addition, the term 'regulated entertainment' is very broadly defined and includes plays, films, indoor sporting events, live and recorded music, and dancing. However, this is subject to a number of detailed conditions laying down the circumstances in which the statutory controls apply and there are also a number of statutory exemptions.

In particular, the Act provides that the provision of entertainment or entertainment facilities for the purposes of, or for purposes incidental to, a religious meeting or service, or at a place of public religious worship, are not to be regarded as 'regulated entertainment' under the Act. This clearly reduces the impact of the Act would otherwise have in relation to church activities and premises.

It is important to note that the only types of premises that are completely exempted are places of public religious worship, so activities in a church hall will not automatically fall outside the new licensing controls regarding entertainments. However, the regulations relating to the fees payable for licences under the 2003 Act contain a special exemption for cases where a “church hall, chapel hall or other similar building” needs a licence under the Act solely in relation to ‘regulated entertainment’; the same exemption also applies to village halls, parish halls, community halls and other similar buildings. In addition, while the Bill that became the 2003 Act was before Parliament, the Government pointed out that the conditions attached to any licences for such premises would need to be proportionate to the risks involved in the areas of nuisance, public safety and crime and disorder, and recognised that these were likely to be minimal in most cases.

Further information on the consequences of the Licensing Act 2003 for churches can be found here:

[Churchcare: Licensing](#)