



Adult Child Health and Environmental Support

Dear Colleagues

We have been made aware that councils across the nation have received prior approval planning applications for 5G telecom masts, from companies not necessarily on the OFCOM "**register of persons with power under the Electronic Communications Code**" at the time of application.

In addition, we have discovered that ICNIRP certificates, required to vouch for ICNIRP compliance and so to vouch for the safety of public health, have been issued to councils in the name of "Three UK Limited".

"Three UK Limited" was dissolved on October 27, 2015, according to Companies House records. Again Companies House filings show, in a 1995 return, that Three UK Limited was operating in 'internal display fittings' and not in the telecom industry.

We have been made aware that Hutchison 3g UK Limited knew that Three UK Limited did not exist as a company

The question arises as to why such certificates were issued? A retired police inspector made the following summary in relation to possible offences under the Forgery and Counterfeiting Act 1981:

"I believe S9(1)(b) fits our scenario:

'An instrument is false if it purports to have been made in the form in which it is made on the authority of a person who did not in fact authorise its making in that form'

So the instrument is false in that it tells a lie about itself in that it purports to have been made by Three UK Limited, which is impossible because that corporation is no longer trading. Which leads us to the question 'Why?'

S10(1)(b)(ii) states:

an act or omission intended to be induced is to a person's prejudice if, and only if, it is one which, if it occurs—

(b)will result in somebody being given an opportunity—

(ii)to gain a financial advantage from him otherwise than by way of remuneration; or...

The argument here I would suggest is that the intended act to be induced by the person accepting the

certificate as genuine is for the planning application to be approved and the financial advantage would be that in the event of an incident or claim related to the mast in question, the telecom company would not be the liable party - that would fall to the council who accepted the false instrument as genuine.

Section 3 of the Act creates the offence of 'Using a False Instrument' :

It is an offence for a person to use an instrument which is, and which he knows or believes to be, false, with the intention of inducing somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.

So this is our initial position in reporting the crime allegation, we have potential offences of making and using a false instrument, however, it will be prudent to mention that this is not an isolated incident, and that a number of employees at various locations in the UK are uttering these false instruments intending that they be accepted as genuine. This would suggest a pattern of behaviour that is potentially about avoiding liability in the event of any incidents or claims in relation to specific masts, which gives the telecom company a financial advantage (a potentially huge one)."

It would be logical to revoke any relevant planning permission granted if the applicant was not empowered to make such applications, for the following reasons:

If it should be the case that an applicant was not in fact empowered to make such applications for any of the following reasons, then surely it would be logical to revoke any relevant planning permission already granted, i.e.:

- a) the applicant not being on the OFCOM register of "**persons with powers under the Electronic Communications Code**" at the time of the relevant planning application
- b) if a certificate of ICNIRP compliance submitted with such an application was issued in the name of a non-existent company
- c) and/or which did not have involvement, prior to its dissolution, in the telecom industry.

It would be pertinent for any council to examine its records carefully to see if the above paragraph pertained to it.

Councils do have the power to revoke any planning permission if they consider it expedient:

Section 97 of the Town & Country Planning Act for revocation:

Town and Country Planning Act 1990 legislation.gov.uk

We note that some councils have said that, in such circumstances, it is not up to them to check the validity of an ICNIRP certificate and that all they have to do is to accept it.

It is also interesting to note that where councils have rejected a mast application based on the inadequacy of an ICNIRP certificate - and a telecom company has subsequently appealed such a refusal to the National Planning Inspectorate (NPI) in order to achieve a decision reversal – the NPI has set a precedent in backing the relevant council. For reference please see NPI decision APP/T2215/W/22/3309680.

The telecom industry have themselves set out the damage to human health caused by such mast radiation as detailed in Swisscom Patent <https://patents.google.com/patent/WO2004075583A1/en> and to quote from it:

"Thus it has been possible to show that mobile radio radiation can cause damage to genetic material, in particular in human white blood cells, whereby both the DNA itself is damaged and the number of chromosomes changed. This mutation can consequently lead to increased cancer risk. In particular, it

could also be shown that this destruction is not dependent upon temperature increases, i.e. is non-thermal."

Therefore, it is vitally important that a council can show to its residents that it has performed its due diligence carefully and properly in its acceptance of any ICNIRP certificate, as a safeguard to public health. If the council were to say to its residents that it had relied on a certificate to guarantee residents' health, submitted from a company that was not only no longer or even never involved in the telecom industry but also now a non-existent enterprise, dissolved nearly 10 years ago – would that be at all acceptable to any council tax payer?

It has been reported by the EH Trust in the USA that Verizon, a large multinational telecom company with offices in Reading, UK, makes provision in its statutory accounts for potential health claims from members of the public. Indeed, Wera Hobhouse MP stated in a letter to the minister at the DDCMS that such technology is uninsurable.

If any UK council were to face such a potential claim from any of its residents and a court discovered that the relevant council had relied on an ICNIRP certificate to protect and safeguard public health from a non-existent enterprise, one which had had no prior involvement in the telecom industry, it would be logical to assume that the court might well uphold such a potential claim.

Then the question arises as to who would pay the costs? Given that many councils are currently short of money, such a claim might push a relevant council into section 114 measures.

We trust that you will see fit to take these points into consideration.

N. Martin

A. Kenton

I. Jarvis

On behalf of

Adult, Child, Health and Environmental Support (ACHES)

Local Planning Authority (LPA) Investigation Committee

Email: info@aches.international

Web: www.aches.international

