

Dear

5G mast planning adjudication process in the UK

We note that the “requisite” ICNIRP guidance, referred to under the NPPF, acknowledges that it does not cover people with pacemakers (and other implants) – as referenced below:

In their 2020 'Statement of Principles' ICNIRP states:

*“**Indirect effects** - Most health effects considered in non-ionizing radiation protection are direct effects. However, health effects can also arise from indirect pathways. For instance they may occur from an electric discharge arising from metallic objects charged by exposure to some types of non-ionizing radiation; these types of indirect effects are considered by ICNIRP. Other types are not, for example, heating of metallic objects in the body, such as prostheses, or an influence on the operation of medical devices such as pacemakers. The latter electromagnetic interference effects are of a technical nature and do not fall within the remit of ICNIRP.”*

The article referred to below is about a court case in relation to a 5G mast in Washington, USA, rejected by the local City authorities, describing the plight of the Knudsons. The technology referred to is international of course.

The following phrase was abstracted from the article and drives home the seriousness of this issue: **“My husband was an electrical contractor and understands these structures and what they emit,” she said. “If his pacemaker falters for any reason he will have no heartbeat and will die within minutes.”**

[Couple Who Fears Cell Tower Could Disrupt Pacemaker Wins Right to Intervene in AT&T Lawsuit ' • Children's Health Defense \(childrenshealthdefense.org\)](#)

For the UK several factors are especially relevant:

1. Complying with the ICNIRP Guidance and the Equality Act

ICNIRP own that their guidance does not cover implants as shown above. It could thus be seen as incumbent on relevant councils to canvass residents to see if they have any such implants or similar, as 5G masts can service 100s of square miles. Metal fillings, joint replacements and pacemakers are common. It would seem to follow that if councils do not conduct such surveys of their residents, they might perhaps be seen as non-compliant with both ICNIRP guidance and the Equality Act.

2.The Heath and Social Care Act 2012

This Act places obligations on national and local government to protect people from ionizing and non-ionizing radiation. 5G mast radiation is considered by the Government to be non-ionizing – so if people with metal implants and pacemakers are considered vulnerable, as implied in ICNIRP guidance, then unless such people

are specially protected, a council might be considered to be in breach of the Health and Social Care Act 2012.

3. ICNIRP Guidance and Invalid Companies

5G mast applications with accompanying ICNIRP certification (supposedly verifying public health safety) have been submitted *in the name of dissolved companies*: Three UK Ltd, is an example. This is a company which was not only dissolved in 2015, was never involved in the telecom industry when extant. (This matter has been referred to the Independent Office of Police Conduct in respect of the potential use of a false instrument under the Forgery and Counterfeiting Act, 1981). It might be seen by the public that all councils need to verify that planning applications and associated documents, are genuine, and completely ICNIRP compliant, in order to verify public health safety.

5G is Fundamentally Different from Previous Generations

- a) **5G involves collimation of signal, which is beam forming.** This is not so in respect of previous generations. Beam formed signals can travel for miles at a very high-power density. *Our concern is that councils may not be aware of this key aspect.* It is also worth noting that 5G non isotropic beams do not drop off in power intensity in the way that 2G to 4G beams do.

- b) **5G power output is perhaps far more than is understood.** The ICNIRP metric, which councils 'must' comply with, is **1mW/cm² for 6 or 30 minutes**, at most current 5G frequencies. We question how a council could possibly be able to verify that a particular 5G mast antennae set is compliant with the ICNIRP limit, without knowledge or understanding of the specific antennae design details from the Telecom applicant? We have been alerted to a relevant paper, which draws on data from the national spectrum regulatory body in France (ANFR), the equivalent to OFCOM in the UK. The paper details a 5G mast array which has a set of antennae (including certain Nokia equipment) ranging from 2G to 5G. It shows the combined total power output from the mast set of **47,000 watts, which equates to 47,000,000 mW**.
<https://www.electromagnetic-expert.com/relay-antennas/puissance-reelle-emission-5g/>

5G is a known Health Danger

Information is readily available detailing the deleterious health effects of 5G technology. A patent application from Swisscom, a leading telecom company in Switzerland, shows that the telecom industry itself is aware of the carcinogenic factors of this technology. The following phrase is abstracted from the application:

<https://patents.google.com/patent/WO2004075583A1/en>

***“These findings indicate that the genotoxic effect of electromagnetic radiation is elicited via a non-thermal pathway. Moreover aneuploidy is to be considered as a known phenomenon in the increase of cancer risk.*”**

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.”

ICNIRP guidance relates to thermal effects.

Finally, many council planners believe they are unable to consider health effects, under the questionable idea that they *are compelled to* follow NPPF and ICNIRP. This is a misapprehension. Both NPPF and ICNIRP are guidance and not statute. The Supreme Court case ruling below shows that local councils actually have great latitude under their existing prerogative powers:

Lord Gill in the Supreme Court judgment in *Suffolk Coastal District Council v Hopkins Homes Ltd et.al*: ***“the guidance given by the Framework (the NPPF) is not to be interpreted as if it were a statute. Its purpose is to express general principles on which decision-makers are to proceed in pursuit of sustainable development.”***

DLA Piper, one time solicitors to the then PHE made it clear that It is not the guidance itself or even the issuer of the guidance that is liable. It is in fact any public body that follows ICNIRP that would be then liable in the face of potential health claims in the light of DLA Pipers` views. This is similarly stated on ICNIRP's own website. ICNIRP state on that website:

“We expressly assume no liability for the topicality, correctness and completeness of the content of lectures, event documents and material”

<https://www.icnirp.org/en/terms-and-conditions.html>

In a letter to the relevant government minister, Wera Hobhouse MP also raises the issue of insurance, with regard to the liability accrued by a council when following ICNIRP guidance. If she is correct, then councils who might think they are fully insured for health claims under this technology, might be mistaken. Lloyds of London it seems, will not insure against the harmful effects of RF radiation (CFC Underwriting Ltd: *“The Electromagnetic Fields Exclusion (Exclusion 32) is a General Insurance Exclusion and is applied across the market as standard. The purpose of the exclusion is to exclude cover for illnesses caused by continuous long-term non-ionising radiation exposure i.e. through mobile phone usage.)*

The US multinational telecom company, Verizon, with offices in Reading UK, **make provision for such potential claims** in their statutory accounts, as stated by the EH Trust of the USA. Is it possible perhaps that Verizon might be aware of the apparent lack of insurance indemnity (as also referred to by Wera Hobhouse MP) and which might cause them to make such provision ?

We trust you will consider all of the above in relation to adjudicating 5G mast planning applications.

Yours faithfully,

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For and on behalf of ACHES

(Adult Child Health and Environmental Support)

www.aches.international