

**Housing Department Template Letter where people can insert their and their council's details in the relevant spaces shown .....**

**ACHES letters can be found in the Councils and Planning section of the ACHES website together with evidence of harm from EMF/EMR.**

Dear Housing Department

I would like to introduce ACHES (Adult Child Health and Environmental Support) which is an organisation that flags up health and environmental concerns and I write to you in my capacity as Chair of ACHES.

One of your tenants, .....has contacted ACHES in relation to a telecom mast potentially to be located very close to the property he/she ... rents from ..... Borough Council.

ACHES works closely with its USA counterpart CHD (Childrens Health Defense) and in two of their London public events, ACHES had Scott McCollough, lead outside counsel to CHD, presenting. Mr McCollough is a prominent US attorney who won a major case against the US government agency, the FCC. The judgement forced the FCC to evaluate the non-thermal effects of telecom mast radiation and not only to consider the thermal effects. Thermal effects (SAR) is what ICNIRP ( International Commission for Non Ionising Radiation) relies in and the UK government promulgates the ICNIRP guidance in this area, though the guidance is not mandatory, it is merely guidance. In this respect I attach the Hensinger Paper which says that oxidative stress occurs at levels below the international guidelines and oxidative stress is a known precursor to cancer.

It is interesting to note that CHD was set up by Robert Kennedy Jr who is about to enter the US government. Where the US leads, the UK generally follows and the FCC is the lead body for antenna design internationally.

The reason I set all this out for you is that ..... is concerned about the polluting radiation effects of the proposed mast at the address: ..... as the location of the proposed mast is very close to the property that ..... rents from .....Borough Council.

ACHES is keen to educate and inform public bodies in relation to EMF effects (electromagnetic radiation effects, EMR effects) on health as a result of close proximity to telecom masts. In fact I personally sit on the organising committee for the One Name Project which has generated the term EMR-S (electromagnetic radiation syndrome) to be adopted worldwide to give sufferers of EMF/EMR effects, appropriate recognition. The decision making body of the EMR-S project included three doctors with one them being a former Whitehouse medical advisor.

I attach evidence of adverse health such electromagnetic radiation effects for you and councils are obliged to operate in conformance with the Health and Social Care Act 2012 designed to protect residents from ionising and non-ionising radiation and by implication tenants who are also residents.

Also attached is the patent application from Swisscom AG - a leading Swiss telecom company and below is a salient abstraction from that application:

***"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"***

..... has advised that she/....he has neighbours she/he....is concerned for , also tenants of ..... Borough Council, **in case they have pacemakers or metal implants and the like.**

..... is naturally concerned about the potential effect of a telecom mast sited near the properties they rent from ..... Borough Council and attached is Aches Letter 6 (sent to all councils in England) detailing medical concerns with regard to both increased cancer risk and also to EMR effects on pacemakers.

**The ICNIRP guidance does not cover people with pacemakers** and metal implants and the like, and such people by logic therefore, need to be safeguarded from this radiation.

In a recent judicial review case against Cheltenham Borough Council, the judge ruled that failure to do such safeguarding of relevant vulnerable people was an error.

What is most concerning too is that councils may not realise that they may not be insured against claims for EMF/EMR health damage and this is detailed in the letter from Wera Hobhouse MP to the government, attached. DLA Piper, solicitors to PHE/UKHSA make clear that any public body relying in ICNIRP (and such reliance is optional and not mandatory) is liable, not the issuer of such guidance. Wera Hobhouse MP goes on to say that Lloyds of London and Swiss Re, two huge insurance underwriters, will not underwrite EMF effects and the London Borough of Wandsworth (a large London borough) confirmed in an FOIA reply that their insurer stated that they are not insured against EMF effects.

This is all set out in ACHES letter 6, attached, and which also sets out the detail concerning ICNIRP guidance not covering people with pacemakers and similar implants.

What is interesting is that Brighton and Hove City Council backed down in a judicial review case and a planning application grant of permission for a telecom mast was declared illegal and so had to be reversed and the high court judge signed the consent order and the statement of reasons of which is shown below.

### **Statement of Reasons**

1. The Claimant has brought judicial review proceedings seeking the quashing of the Defendant's decision notice of 30 July 2021 granting prior approval under reference BH2021/01639 for the Installation of a 15m Phase 8 Monopole with wrapround cabinet at base and installation of 3no ancillary cabinets on land south of 91 Fishersgate Terrace, Portslade.
  2. The grounds for judicial review are:
    - (i) the Council unlawfully determined that the highway safety implications of the cabinets and the concerns expressed by the Council's highways team were not a relevant consideration;
    - (ii) the Council failed to address the health impacts of this particular proposal and to obtain adequate evidence of the assessment of the proximity to the school and the amended proposal; and
    - (iii) the Council failed to consider whether the facility could be sited on an existing building or structure, the Interested Party having failed to provide any evidence on that matter.
  3. For these reasons the decision was unlawful and should be quashed.
  4. The Defendant in its acknowledgment of service has stated that it does not intend to contest the claim and would agree to the decision being quashed.
  5. The Interested Party has not responded to the claim.
  6. The Defendant's decision notice of 30 July 2021 should therefore be quashed for the reasons set out above.
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Para 2.2 of the above is very significant **if schools are in close proximity to the proposed telecom mast. You may care to note that two planning inspectors referred to school children as "sensitive receptors" who should be specially protected.**

In the light of all of the above it would be wise of .....Borough Council ( Housing Department ) as landlord in this instance, to contact .....Borough Planning Department to suggest that permission for the mast at planning ref: ..... is refused in order for ..... Borough Housing department to protect the tenants of ..... as it may well be they fall outside ICNIRP guidance, as detailed. In doing so .....Borough Housing Department would be able to fulfil their duty of care obligations to their tenants, including its obligations under the Health and Social Care Act 2012, as their landlord.

Please do not hesitate to contact me if you have any questions at all.

With kind regards,

Nicholas Martin, BSc

Chair, ACHES

Countersigned by:

Ian Jarvis, BSc

A member of the ACHES Board of Directors



Please note people with pacemakers and metal implants and similar are not covered by ICNIRP guidelines – please see ACHES Letter 6 to councils for full detail. Since 2017 it was found that certain medical injections have contained metal nano particulates meaning that a huge number of people could fall outside the ICNIRP guidance.