

I am writing to you as Chairman of ACHES (Adult Child Health and Environmental Support) which aims to educate councils and the public at large as to the dangers of EMF radiation (which insurance companies will not underwrite, as Wera Hobhouse MP once informed the then relevant government minister) – and so that harmful tech can be replaced by safe tech.

Many councils, just like national government representatives do, write to me that Microwave EMF radiation is perfectly safe as long as it complies with ICNIRP – written in the below planning decision as ICNRIP (sic).

Eventually, Councils like yours and the National Government, just as in the prior Asbestos issue, will be forced by truth to change their ways. You will remember that the relevant authorities once said Asbestos is perfectly safe. You know how wrong they were now, of course.

The deleterious health effects of microwave EMF's are caused in the main by **non thermal** pathways and ICNIRP is a **thermal** metric of course – so I hope you take cognisance of this fact, for the sake of your own health, if you are exposed to microwave emf radiation. Before this tech 6% of the UK population got cancer – now by the government figures it is 50%.

Here is the salient paragraph in the Swisscom telecom company patent application, attached for you:

“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”

Leaving all that aside, pro tem – you, I am sure, accept ICNIRP hook line and sinker – and you must be aware of the failed attempt by your very own Cheltenham Borough Council (CBC) to overturn, in the Appeal Court, the Judge Jarman ruling made in the ‘*Thomas v Cheltenham Borough Council*’ judicial review case, and which ruling held that a council could err if it did not take into account

people living in proximity to a telecom mast who have metal implants or AIMDs such as pacemakers, and the like. Why could they err? Because such people are not covered by ICNIRP for their safety.

ICNIRP says such people are **outside** the purview of their guidance and I quote below the relevant section of their guidance:

“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.”

I refer you to the attached ACHES Letter 9 sent to all relevant councils in the UK, so you will have a copy of it on your files, no doubt.

Paras 7 – 12 are salient and relevant to the planning decision below (ref: 26/00738/CACN):



The Applicant
c/o Ground Control
FAO Mr Dillon Alcock
1 Kingfisher House
1 Radford Way
Billericay
CM12 0EQ

APPLICATION NO: 26/00738/CACN

DATE REGISTERED: 6th May 2026

DECISION DATE: 13th May 2026

PROPOSED WORK TO TREES IN A CONSERVATION AREA

SECTION 211 NOTICE UNDER TOWN & COUNTRY PLANNING ACT 1990

CONSERVATION AREA:

LOCATION:

WORK PROPOSED:

Vodafone Telecommunications Mast 60360 Lansdown Road
Height reduction to 3 trees by 3m to clear occupational ICNIRP zone
T1 = Cypress T2 = Holm Oak T3 = Holm Oak.

I refer to your notice received on 6th May 2026 to undertake work to trees as described above.

A decision has been made under authority delegated by the council, to issue **NO OBJECTIONS** to the proposed work as set out in the notice.

All works should be carried out within two years of the date of this letter. A further notice will be required after the expiry date of the two year period.

There are some important procedural points to be made in relation to this planning decision, which is why I have copied in your external auditor, inter alia, to ensure that he is aware of the huge sums of money that CBC deployed in the famous and pivotal case of '*Thomas v Cheltenham Borough Council*', in which Judge Jarman issued his seminal ruling and which your council failed to overturn of course, and at great expense to the Cheltenham taxpayer.

In that case, a total of £91,528 of presumably unanticipated expenditure had to be met by CBC – which is added to the public burden of course. The question for the auditor is whether this represents best value of public funds and/or lawful expenditure of public funds. It is arguable that CBC tried to defend their original erroneous planning decision at the High Court (at a cost of £32,700), but the fact that they then spent almost £60k of public funds trying to overturn the High Court decision is extremely contentious, especially given the fact that by that time they knew that residents living at Harris and Charlton court would be relegated to live inside the ICNIRP public exclusion zone where radiation levels can exceed those of the recommended limits and which could have resulted in an unmitigated financial liability for CBC if those residents had fallen ill. I refer you again to paras 7-11 inclusive of ACHES letter 9, attached. Can the auditor please confirm whether these legal costs have been recorded in the last set of financial accounts and whether they have been independently assessed for best value and proper use of public funds?

In addition, the next point for the external auditor, given that people with pacemakers and the like are not covered by ICNIRP in terms of CBC safety guidance, and given that your insurer, like all insurers, will not underwrite health claims against CBC, how will CBC include this risk in their risk assessments? This is a critical point since CBC like all councils, and like national government, relies in ICNIRP guidance to protect public safety in the realm of EMF – yet ICNIRP leaves councils completely exposed in relation to people with pacemakers and the like.

Going back to the latest planning decision, 26/00738/CACN, the next point for the CBC external auditor is, has CBC opened the door to another legal challenge in regard to potential unlawful expenditure risk via procedural defect, by short circuiting a Section 211 Conservation Area notice within 7 days instead of the statutory 6 weeks? The 6-week window is meant to act as a protective safeguard in order for the amenity value of the trees to be assessed, however no such assessment was done by the council as confirmed by their response to an FOI requesting to see the Tree Officers' Report. This would suggest a corporate governance failure, as CBC's procedure clearly states that an assessment has to be made for any tree works in the Central Conservation Area (see the final paragraph of below link):

https://www.cheltenham.gov.uk/info/67/trees/510/protected_trees

Evidence has now come to light that there are a number of animal nests in those trees, and this would seem to render their decision unlawful under two pieces of key legislation which is designed to protect threatened species, namely:

- (a) section 1 of the Wildlife and Countryside Act 1981 (protection of wild birds and their nests);
and
- (b) Regulation 43 of the Conservation of Habitats and Species Regulations 2017 (strict protection of bats and their roosts).

This could of course result in litigation which could potentially expose CBC to unmitigated financial liabilities as the courts have the power to enforce unlimited fines and/or up to two years' imprisonment in regard to the legislation above.

The question too, might also be raised in the minds of many, is has CBC bowed to a request from a commercial operator by allowing trees to be lopped for a 'mast upgrade' when no such planning application has been submitted as of this date? If so, why?

So, to recap, would the external auditor be able to comment on the procedural issues set out above in regard to potential unmitigated financial consequences?

Finally, another question does also arise in relation to the permission granted in a Conservation Area for the lopping of trees in regard of a request by a telecom operator – does this pre-empt adjudication of a future planning application by the operator for an upgrade of an existing mast? Or for a new mast?

I look forward to hearing from you and with kind regards

Nicholas Martin

For and on behalf of ACHES



ACHES

Adult Child Health and Environmental Support