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15<sup>th</sup> November 2023

**Sent from: EM Radiation Research Trust Director Eileen O'Connor**

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15<sup>th</sup> November 2023

Dear Ladies and Gentlemen,

**The EM Radiation Research Trust strongly contests the validity of the ICNIRP certificate submitted for the War Lane, Harborne, Birmingham B17 1RP Application Ref: 2022/02399/PA**

Thank you to Birmingham City Council for sending a copy of the ICNIRP certificate following our request for the missing certificate. We understand that the mast was unfortunately erected late Monday evening on 13<sup>th</sup> November on War Lane, Harborne, Birmingham while under tight security and against the desperate appeals and wishes of local residents.

Three UK Ltd is registered on the certificate. This company was dissolved on 27<sup>th</sup> October 2015 and no longer exists and cannot verify ICNIRP compliance for public health and safety. In addition, the dissolved company according to Companies House filings, were not involved in telecom.

The ICNIRP certificate submitted to Birmingham City planning and the inspectorate is unacceptable and could possibly carry huge implications for the council for future liability claims. Birmingham is not the only council to receive certificates containing false information. Members of the public are beginning to see a pattern developing and are rightly concerned this may be a 'sleight of hand' form of manipulation offering telecom a **get out clause** and huge financial advantage when claims are brought forward.

The EM Radiation Research Trust is disappointed that letters addressed to planning on the 8<sup>th</sup> and 9<sup>th</sup> of November 2023 calling for all work to **cease and desist** were ignored. We call on you to read the information again contained within both letters available to download here:

<https://www.radiationresearch.org/news/em-radiation-research-trust-calls-for-5g-on-war-lane-harborne-birmingham-to-cease-and-desist/>

It has been brought to our attention that, discrepancies associated with ICNIRP certificates could lead to potential offences under the Forgery and Counterfeiting Act 1981 and carry serious implications for those who submit and accept incorrect information. This matter should be investigated by councils throughout the country and the police. The Forgery and Counterfeiting Act 1981 states: "(3)It is an offence for a person to make or to have in his custody or under his control a machine or implement, or paper or any other material, which to his knowledge is or has been specially designed or adapted for the making of an instrument to which this section applies, with the intention that he or another shall make an instrument to which this section applies which is false and that he or another shall use the instrument to induce 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." Link to **Forgery and Counterfeiting Act 1981**:

<https://www.legislation.gov.uk/ukpga/1981/45>

**The ICNIRP certificate contains false information with details of a company that does not exist. The phone mast must therefore be removed immediately. Who will award compensation should a resident suffer ill health or disruption to a medical device such as a pacemaker which is outside the scope of ICNIRP guidelines?**

We agree with Birmingham City Council for rightly refusing the initial application due to the size, siting, and appearance, and would be prominent in the street scene to the detriment of visual amenity.

We also appreciate that the Rt Hon Preet Kaur Gill MP objected to the build of the mast, on the grounds that the mast would encroach on a greenspace and would be much taller than the current infrastructure, such as the streetlights present on the highway.

We have now seen the photographs of the phone mast and cabinets and confirm that the phone mast is very close to residents homes with blocks of flats and four storey housing on the other side of the roundabout. The mast is very prominent in the street scene. It impacts on the visual amenity and additional telecommunications equipment is exposing residents to excessive clutter. The sight of the mast and associated cabinets when viewed from heavily populated neighbouring properties will reduce the enjoyment of the surrounding area and act as a constant reminder of the potential health threat. Perceived health concerns related to masts create anxiety levels that are in themselves unhealthy and detrimental to the well-being of the local community. Therefore, the presence of the mast will be a constant reminder reinforcing the fear of health issues and this is a material consideration.

The decision taken by Elaine Moulton the planning inspector to overturn the original decision is not in line with concerns raised by the council, the local MP or the residents. We consider the Inspectors decision reckless and call on Birmingham City Council, the Rt Hon Preet Kaur Gill MP and local Councillors Martin Brooks and Jayne Francis to challenge the serious implications associated with future liability claims/responsibility for dissolved companies registered on ICNIRP certificates. There is also a need to address the visual impacts of mast and cabinets and more importantly the health implications associated with this technology.

Can Birmingham City Council please explain why the ICNIRP Certificate was missing off the planning portal for the War Lane, Harborne application? This is inconsistent as Birmingham City Council previously refused a planning application on the grounds that an ICNIRP Certificate was not supplied with the application documentation. Ref: 2023/04907 Link: <http://eplanning.idox.birmingham.gov.uk/publisher/mvc/listDocuments?identifier=Planning&reference=2023/04907/PA>

It is now clear that the planning inspector Elaine Moulton accepted an ICNIRP certificate with false information. She also provided conflicting, bias, and inconsistent reasons in decision making. Examples regarding inconsistent and bias decision making are contained within the EM Radiation Research Trust letter dated 9<sup>th</sup> November 2023.

<https://www.radiationresearch.org/wp-content/uploads/2023/11/THE-EM-RADIATION-RESEARCH-TRUST-CALLS-FOR-THE-PHONE-MAST-WORKS-ON-WAR-LANE-HARBORNE-SECOND-LETTER-002-1.pdf>

The council has the power to revoke planning permission if they consider it expedient. Section 97 of the Town & Country Planning Act. <https://www.legislation.gov.uk/ukpga/1990/8/section/97> A relocation order was used by a council to resolve matters under section 97 (1) of the Town and Country Planning Act 1990 in respect of manifestly defective planning permission. <https://www.localgovernmentlawyer.co.uk/planning/318-planning-features/47922-revocation-orders-compensation-and-judicial-review>

The public are expected to accept the risks associated with this technology. Will the public also carry the burden of the financial costs following compensation claims if the company listed on the ICNIRP certificate does not exist?

**We realise that the ICNIRP guidelines are irrelevant with regards to protecting public health, however we fully appreciate the importance with regards to industry signing the certificate and therefore taking responsibility for future claims.**

#### **Reasons for concern:**

There are already two successful claims in the UK for Electrosensitivity, the case EAM v East Sussex County Council (Special educational needs) features a child who suffers from Electrosensitivity and a social worker won 'early ill health retirement for disabling Electrosensitivity, details available via: <https://phiremedical.org/in>. In addition, six Italian courts have ruled that mobile phones cause brain tumours. Link: <https://childrenshealthdefense.org/news/six-italian-courts-have-ruled-that-cell-phones-cause-brain-tumors/>

The \$21 billion reinsurance company Swiss Re Group, which is one of the world's leading providers, rated 5G as a "high impact" liability risk, affecting property and casualty claims, citing concerns about biological effects, and potential claims for health impairments with long-term consequences. <https://ehtrust.org/key-issues/electromagnetic-field-insurance-policy-exclusions/>

An excellent article written by Gillian Jamieson and published today provides detailed information and research with the headline **Experts Raise Public Health Fears About Microwave Syndrome From 5G Masts**. This well researched and important article draws attention to 5G case studies carried out this year by Professor Lennart Hardell and Mona Nilsson, in which eight people developed debilitating symptoms after the installation of 5G masts next to their accommodation, where precise radiation measurements were taken. **The results put a big question mark over the Government's statement.** <https://dailysceptic.org/2023/11/15/experts-raise-public-health-fears-about-microwave-syndrome-from-5g-masts>

**The ICNIRP guidelines** are set for thermal heating for short term, 6 minutes is the normal time frame to a small area of the body, plus a 30 -minute window for whole body exposure according to ICNIRP's May 2020 paper. ICNIRP guidelines are woefully inadequate in offering any form of protection in the real world for public long-term exposure and especially children. Existing scientific data confirms that current levels of radiation exposure, as in 2G, 3G, 4G and now 5G are damaging to health of all biological life forms. The cumulative effect of densification to enable 5G, will potentially be catastrophic for health. The ICNIRP guidelines are irrelevant according to many doctors and scientists, politicians and decisions taken in the courts. The Science and Technology Options Assessment Committee (STOA) of the European Parliament published a review on 5G describing 5G as an experiment on the population.

[https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_STU%282021%29690012](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU%282021%29690012)

Thousands of medical, scientific, legal professionals and members of the public support the International Declaration calling for the human rights of children in the digital age. This Declaration launched by Americans for Responsible Technology (ART) focuses on three legal rights of children regarding the deployment and use of technology: **their right to be free from intentionally addictive devices, platforms and apps; their right to be free from excessive exposure to wireless radiation; and their right to be free from commercial exploitation.**

<https://www.thechildrensdeclaration.org/>

In 2011 the WHO/International Agency for Research on Cancer (IARC) classified the entire spectrum for radiofrequency electromagnetic fields as possibly carcinogenic to humans (Group 2B). The vote was nearly unanimous: 29 to 1.

[https://www.iarc.who.int/wpcontent/uploads/2018/07/pr208\\_E.pdf](https://www.iarc.who.int/wpcontent/uploads/2018/07/pr208_E.pdf)

The evidence of increased cancer risks has since been strengthened by further human studies, as well as toxicology studies in animals, which demonstrated clear evidence of tumours. The \$30 million US National Toxicology Program (NTP) RF studies and the Italian Ramazzini Institute ten year research project both found clear evidence of malignant tumours.

NTP study: <https://ntp.niehs.nih.gov/go/cellphone>

Ramazzini Institute Study <https://www.ncbi.nlm.nih.gov/pubmed/29530389>

Two different institutes with laboratories in different countries, totally independent of each other and both producing parallel consistent findings, reinforces the validity of these ground-breaking

animal studies. An external peer-review panel of eleven scientists complimented the methodology of the NTP study and concluded that the results showed clear evidence of carcinogenic activity.

Many doctors and scientists are now calling for an urgent upgrade to the classification of RF - EMF from 2B to Group 1 (Known Carcinogen), the same category as tobacco. Dr Hardell stated unequivocally: "The agent is carcinogenic to humans." same category as tobacco.

**Appeals include:**

- 1) The International EMF Scientist Appeal to the United Nations ([www.emfscientist.org](http://www.emfscientist.org))
- 2) Rejection of the current ICNIRP guidelines for not being protective of health ([www.emfcall.org](http://www.emfcall.org) )
- 3) Halting the 5G rollout until adequate safety studies have been done. ([www.5Gappeal.eu](http://www.5Gappeal.eu))

It is an infringement of human rights and possibly in contravention of the Nuremberg treaty to subject residents to mobile phone mast emissions when they have not been shown to be safe, and indeed much research and observation suggest that there are significant health and safety risks, and when residents have clearly **NOT** given permission or approval.

Paolo Vecchia, ICNIRP Chair from 2004 until 2012 said "the ICNIRP guidelines are neither mandatory prescriptions for safety, the " last word" on the issue nor are they defensive walls for Industry or others." Go to slide number 16 presentation given at the EM Radiation Research Trust 2008 Conference at the Royal Society, London [https://www.radiationresearch.org/wp-content/uploads/2018/06/021145\\_vecchia.pdf](https://www.radiationresearch.org/wp-content/uploads/2018/06/021145_vecchia.pdf)

Finally, we call on all MP's copied in this communication to raise this issue as a matter of urgency. The Code of Conduct for Members of Parliament calls on Members to uphold the law, including the general law against discrimination. Members have a duty to act in the interests of the nation as a whole, and a special duty to their constituents. Members should act on all occasions in accordance with the trust placed in them. They should always behave with probity and integrity, including in their use of public resources.  
<https://publications.parliament.uk/pa/cm201012/cmcode/1885/188502.htm>

**With all this in mind I respectfully request that concerns raised in this letter are taken on board and acted upon.**

Sincerely and without ill will, vexation, or frivolity,

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