



**Email for the attention of John Kerr, (Case Officer)**

**Copied:**

Cllr Les Byrom

Cllr Janet Grace

Cllr Michael Roche

EM Radiation Research Trust Chairman, Mr Brian Stein CBE

26<sup>th</sup> August 2022

Dear John Kerr,

Ref: **DC/2022/01546**

**I formally give notice of objection against phone mast application by CK Hutchison Networks (UK) Ltd. 18m Monopole, wrap around cabinet at the base of the monopole, equipment cabinets, electric meter cabinet and ancillary development including GPS module.**

I am appealing to Sefton Council to refuse a phone mast application. The proposed phone mast, on the Northern Road, Crosby, Liverpool L23 2RD is in a heavily populated area and outside the entrance to Great Crosby Catholic Primary School.

I call on Sefton Council to protect the health and safety of the local community along with protecting the local area from the visual impacts associated with the clutter associated with the ancillary works and the overpowering visual impact of a 18m Monopole, wrap around cabinet at the base of the monopole, equipment cabinets, electric meter cabinet and ancillary development including GPS module.

This mast will create a blight on the landscape. The mast would be a constant reminder to the risks it poses causing fear, stress, and anxiety for the local community, this is a material consideration and should be considered.

I can assure you from personal experience that the detrimental impacts from this form of radiation are profoundly serious and real. I suffered with breast cancer in 2001 after living 100m from a phone mast in Wishaw, Sutton Coldfield and led the campaign against the mast after discovering a cancer cluster surrounding the mast. I have since campaigned for 20 years. I am the co-founder and advisor for the EM Radiation Research Trust charity [www.radiationresearch.org](http://www.radiationresearch.org) and co-founder and Board Member for the International EMF Alliance: [www.iemfa.org](http://www.iemfa.org)

I have attended, presented, and organised many scientific conferences throughout the UK and the world. Given evidence at the UK and EU Parliament and EU Commission. I am a former member of Sir William Stewarts UK Health Protection Agency EMF Discussion Group and former member of the EU Commission Stakeholder EMF Dialogue Group.

**I would like to draw your attention to recent legal developments**

The phone mast application **DC/2022/01546** is near Great Crosby Catholic Primary School and within a

residential area and I am therefore calling on planning and Sefton councillors to consider a recent legal decision reported via Local Government Lawyer on 17th August 2022.

**The case, EAM v East Sussex County Council (Special educational needs) features a child who suffers electrosensitivity.**

Upper Tribunal Judge Jacobs found that the child should be considered disabled under the Equality Act 2010, and she required an Education, Health, and Care Plan (EHCP).’

<https://www.localgovernmentlawyer.co.uk/education-law/394-education-news/51400-upper-tribunal-requires-council-to-secure-ehcp-for-student-who-is-hypersensitive-to-wi-fi-signals>

**This ground-breaking legal decision is significant as it would be difficult for Sefton Council to shield children from exposure to radiation from a phone mast near a school should a child go on to develop or suffer with electrosensitivity because of exposure to radiation from the mast.**

Further details are available regarding this extremely important case via PHIRE Medical which includes Statements from parents, child and excerpts from 3 Tribunal Hearings included below:

<https://phiremedical.org/wp-content/uploads/2022/08/Press-Release-EHCP-for-UK-child-with-EHS-2022-PHIRE.pdf>

**In addition, The Secretary of State is to be challenged in the Court of Appeal** on failure to give adequate information to the public about the risks of 5G and to explain the absence of a process for investigation of any adverse health effects. Michael Mansfield QC, Philip Rule and Lorna Hackett of Hackett & Dabbs LLP represent the claimants.

**The Court of Appeal has granted permission on two grounds concerning:**

1. The failure to provide adequate or effective information to the public about the risks and how, if it be possible, it might be possible for individuals to avoid or minimise the risks;
2. (a) The failure to provide adequate and sufficient reasons for not establishing a process to investigate and establish the adverse health effects and risks of adverse health effects from 5G technology and/or for discounting the risks presented by the evidence available; and/or (b) failure to meet the requirements of transparency and openness required of a public body.

These grounds advance a breach of the Human Rights Act 1998 by omissions and failings in violation of the positive obligations to protect human life, health, and dignity, required to be met by Articles 2, 3 and/or 8 of the European Convention on Human Rights. The case has been sent back to the Administrative Court. Download the full report here: <https://actionagainst5g.org/legal-case>

**Recently, a German court** has clarified in a lawsuit that property owners who rent space for base stations and mobile towers assume responsibility for health consequences of the activity. Although the radiation is lower than the relevant reference values from the authorities, this does not mean that the property owner is not responsible for negative health consequences. The same responsibility principles should also apply in the UK. Download details here: <https://www.emfacts.com/2022/07/german-court-finds-property-owners-can-be-liable-for-health-impacts-from-base-station-antennas-on-their-property/>

**In June 2022, a 59-year-old UK social worker won ‘early ill health retirement’** for disabling ‘Electromagnetic Hypersensitivity (EHS): In relation to EHS, the Independent Registered Medical Practitioner (IRMP) report concludes: “Mrs. Burns has a medical condition that renders her permanently incapable of undertaking any gainful work. There currently are no treatments available for her condition; avoidance of emissions is the only way to significantly reduce her symptoms.” Whilst such emissions were historically presumed to be biologically inert, and are still purported to be safe by many to this day, there is now highly credible evidence to the contrary. <https://phiremedical.org/59-year-old-social-worker-wins-early-ill-health-retirement-for-disabling-electromagnetic-hypersensitivity-ehs/>

## **UK Campaigners in Brighton and Hove recently won a landmark legal case against a 5G mast in Brighton on 2nd November 2021.**

A self-declared ICNIRP certificate is not proof of safety. We now have the recognition that Local Planning Authorities need to address the health implications of mast proposals further, without blindly accepting self-certified ICNIRP certificates without proper scrutiny. The court ordered the council to pay the costs. The ruling highlighted the fact that the council failed to address health impacts of the proposed mast and to obtain evidence of the assessment of the proximity to the school. The case also states the council unlawfully determined that the highway safety implications of the cabinets and the concerns expressed by the council's highway team. Sitting and appearance, are also still a 'material planning consideration' under prior approval and must be given attention. Link to the court ruling is available here: <https://rfinfo.co.uk/wp-content/uploads/2021/11/Consent-Order-02.11.21.pdf>

The legal cases should be considered since a case for EHS has been won in the UK and compensation awarded. The Court of Appeal challenge against the Secretary of State on failure to give adequate information to the public about the risks of 5G. The case in Brighton and Hove reminding the council to address health concerns, without blindly accepting self-certified ICNIRP as a measure of safety and the legal case in Germany is also an area of concern. **Is Sefton Council willing to accept the risk of a possible legal challenge in the future if residents suffer ill health due to the phone mast on the street pavement of council owned land?**

**Further grounds for my objection are** I would like to draw your attention to a recent complete review of the existing scientific literature to update knowledge on the effects of mobile masts on humans. The review by Spanish wildlife biologist, BSc, Alfonso Balmori states: "overall results of the review show three types of effects from mobile masts on human health: radiofrequency illness (RS), cancer (C) and changes in biochemical parameters (CBP). Of all studies, **73.6% showed effects.**" The review along with references is translated and available to download. **The evidence is clear: Living close to a mobile phone mast has consequences:** <https://www.radiationresearch.org/wp-content/uploads/2022/08/Living-close-to-a-mobile-phone-mast-has-consequences.pdf>

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 the health of the residents in your constituency. Please refer to the following selection of websites to confirm this claim. EM Radiation Research Trust: [www.radiationresearch.org](http://www.radiationresearch.org), International EMF Alliance: [www.iemfa.org](http://www.iemfa.org), PHIRE (Physicians' Health Initiative for Radiation and Environment): <http://phiremedical.org>, Bioinitiative.org and mdsafetech.org

The UK ICNIRP guidelines along with the US guidelines are outdated and obsolete and are obviously not protecting public health. On Friday 13th August 2021 in the USA Robert F. Kennedy Jr.'s Children's Health Defense and the Environmental Health Trust successfully sued the FCC in a historic lawsuit against the FCC for ignoring 11,000 pages of scientific and medical evidence showing biological effects, so we can no longer rely on industry assurances of safety. Here is a link to the evidence: <https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/>

Also download the court decision here:

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/$file/20-1025-1910111.pdf)

I received direct support from the USA's Children's health Defense (CHD) for my letter sent directly to Boris Johnson 27th April 2020 calling on the Government to halt the 5G deployment. Here is the statement from CHD in support for the EM Radiation Research Trust:

"Robert F. Kennedy, Jr Chairman of CHD, and Dafna Tachover, Director of CHD's 5G & Wireless Harms project support the UK EM Radiation Research Trust in their call on the UK Government to defend the rights and health of UK citizens and especially children from Big Telecom's scheme to rollout 5G. The harms of radiofrequencies and microwave-based technologies have been proven scientifically and the harms are existing and widespread. We work daily with children who have been injured from this technology including from 5G small cell installations. The UK's ICNIRP based guidelines, just like the US's

FCC, are decades obsolete and false. ICNIRP is an industry shell, and its scientists are tainted as has been confirmed by Courts. Robert F. Kennedy, Jr calls on Prime Minister Boris Johnson and political leaders to protect those who have been harmed already by this radiation and prevent further harm. We must stop the uncontrolled proliferation of wireless technology and the on-going deployment of 5G, which will exponentially increase exposure to this harmful radiation and consequently, the sickness of children, adults, and the ecosystem.”

Download here: <https://childrenshealthdefense.org/news/rfk-jr-joins-em-radiation-research-trust-in-calling-upon-uk-prime-minister-to-halt-5g-deployment/>

In addition to the major USA court win, the Science and Technology Options Assessment Committee (STOA) of the European Parliament published a recent review on 5G. “Health impact of 5G. Current state of knowledge of 5G-related carcinogenic and reproductive/developmental hazards as they emerge from epidemiological studies and in vivo experimental studies” of the evidence on the risks of 5G and non-ionising radiation in June 2021. The study calls for a halt to the expansion of 5G. This study (review) was written by a working group of the Ramazzini Institute (Bologna) led by Fiorella Belpoggi. It is a review of the state of research on 5G, both the low and higher (gigahertz) frequencies used in 5G and is thereby also an assessment of mobile communications as a whole. This study provides clear results of the seriousness of this issue and should be enough to alert policy makers to put the brakes on. No adequate studies are available on 5G in the higher frequency range (24 to 100 Ghz). Therefore, the study describes 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)

You are now aware of the adverse impacts associated with this technology and armed with information including but not limited to advice from STOA and information regarding the recent successful legal cases in the UK and in the USA against the FCC. Robert F. Kennedy Jr and lawyer Dafna Tachover said: “The UK’s ICNIRP based guidelines, just like the US’s FCC are decades obsolete and false” and they have now successfully proved that claim in the courts of law.

**I would appreciate receiving a progress report for this application. I trust you will do all you can to protect the safety of the local community.**

I would be most grateful if you could please confirm receipt of my objection letter. Please respond via email if you require any further information.

Yours sincerely,

Eileen O’Connor  
Director  
EM Radiation Research Trust

**Contact address:**

Chairman Mr. Brian Stein CBE,  
The EM Radiation Research Trust Charity  
Chetwode House,  
Leicester Road,  
Melton Mowbray,  
Leicestershire LE13 1GA

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