



The EM Radiation Research Trust
Charity
Chairman Mr. Brian Stein CBE,
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Sent via Email for the attention of:

Brighton and Hove Planning case officer Matthew Gest

Email: Planning.Applications@brighton-hove.gov.uk

Copied: EM Radiation Research Trust Chairman, Mr Brian Stein CBE

Peter Kyle MP for Hove - Email: hove.portslade@parliament.uk

Councillor Les Hamilton - Email: Leslie.hamilton@brighton-hove.gov.uk

Councillor Alan Robins - Email: alan.robins@brighton-hove.gov.uk

24th November 2022

Dear Matthew Gest,

Ref: BH2022/03457

I formally give notice of objection against phone mast application by WHP Telecoms Ltd acting on behalf of CK Hutchison Networks (UK) Ltd for the Installation of a 15m high Phase 8 Monopole with wrapround cabinet at base and installation of 3no ancillary cabinets at Land South of 91 Fishergate Terrace Portslade.

WHP Telecoms Ltd supplied information to offer reassurance regarding health and safety concerns. This letter of objection challenges Government and Industries claims of safety in using ICNIRP. It also provides legal cases that have successfully challenged false and outdated claims of safety.

The EM Radiation Research Trust (RRT) calls on Brighton and Hove Planning Authority, Local MP Peter Kyle, and local councillors Les Hamilton and Alan Robins to protect the health and safety of the local community, especially the children attending St Peter's School. The RRT also call on the local authority to protect the local area from the visual impacts associated with the clutter associated with the ancillary works and the overpowering visual impact of a 15m high Phase 8 Monopole with wrapround cabinet at base and installation of 3no ancillary cabinets.

I originally started the radiation campaign in Sutton Coldfield in 2002 with a grassroots group called SCRAM - Seriously Concerned Residents Against Masts. I have since campaigned for 20



years. I am the Director and Co-founder for the UK EM Radiation Research Trust charity. I have worked with cross party members of the UK and European parliament's offering help to provide advice and information for parliamentary questions and reports, also presented written and verbal evidence at local and national Government level in the UK, European Parliament, and EU Commission. I was also a member of the UK Health Protection Agency EMF Discussion Group chaired by Sir William Stewart and a member of the EU Commission Dialogue Group on EMFs.

A very important announcement received today from Action Against 5G confirms an up-and-coming court hearing. 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 full day Court Hearing will take place at The Royal Courts of Justice on Strand, London WC2A 2LL on Tuesday, 13th December 2022.

The message received from the Action Against 5G today confirms that the legal team have completed the preparation of the Exhibits, Statements and Reports and are now ready for the case to be heard. The message is clear following 32 months of diligent work that there has been **no environmental risk assessment of the effects of 5G. Further details available here:**

<https://www.crowdjustice.com/case/legalactionagainst5g/>

How can Brighton and Hove grant permission for a 5G mast when it is clear from UK legal experts that there is NO ENVIRONMENTAL RISK ASSESSMENT OF THE EFFECTS OF 5G?

The Radiation Research trust is deeply concerned for the residents and children who live, work, and attend the local school near this proposed phone mast application and hope decision makers will seriously consider the information contained within this letter of objection.

This mast will create a blight on the landscape and 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 . Mental anguish can result in liability claims for "bodily injury".

Local Planning Authorities should seek to reconcile the environmental and public health considerations in question, taking due account of the precautionary approach in accordance with defined criteria stated in Environmental impact assessment regulations 2017. The LPA has a duty of care regarding mast applications to determine if the application is an acceptable or



unacceptable material planning consideration. <https://www.gov.uk/guidance/environmental-impact-assessment>

SWISS RE GROUP - one of the world's largest insurance providers- rated 5G as a "High Impact" risk affecting property and casualty claims- May 2019. Underwriters such as LLOYDS OF LONDON do not insure for such harm and damage - February 2015.

<https://ehtrust.org/wp-content/uploads/Swiss-Re-SONAR-Publication-2019-excerpt-1.pdf>

The Radiation Research Trust would like to know if the COUNCIL holds any commercial Public Liability Insurance policies that include liability coverage for claims directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation including, but not limited to 5G? Can the Council please provide all 'Pollution Liability' or 'Policy Enhancement' in relation to commercial Public Liability Insurance policies held by the COUNCIL?

Can the Council also provide the commercial Public Liability Insurance policy/policies and include policy numbers, that confirm the COUNCIL holds certificates, documents which provide proof of Indemnity from the COUNCIL's commercial Public Liability insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation, including but not limited to 5G emitting devices and equipment is covered by the COUNCIL's commercial Public Liability insurance policy?

Does the Council hold any certificates, documents of any kind providing an Environmental and Health Impact Analysis for electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation including, but not limited to 5G?

The information requested is of public interest. Failure to supply proof of Indemnity for 5G wireless RF/EMF radiation, proves that Indemnity for 5G wireless RF/EMF radiation through the COUNCIL's commercial Public Liability Insurance does not exist.

WHP Telecoms Ltd promotes ICNIRP when offering reassurance for radiation safety. Let us look at the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

A new peer-reviewed paper on October 18, 2022, presented a scientific case for revision of the ICNIRP limits. The International Commission on the Biological Effects of Electromagnetic Fields (ICBE-EMF) challenged the safety of current wireless exposure limits to radiofrequency radiation (RFR) and is calling for an independent evaluation. This new paper warns about the risks of exposure to radiation from 5G technology and claims that existing exposure limits for wireless radiation are inadequate, outdated, and harmful to human health and wildlife. The ICBE-EMF group reports that exposure limits for RF radiation set by ICNIRP and the FCC are based on invalid assumptions and outdated science. **ICBE-EMF group called for a moratorium on 5G.**

<https://ehjournal.biomedcentral.com/articles/10.1186/s12940-022-00900-9>



Professor Jim Lin from the University of Illinois recently called the precautionary principle of **ALARA – as low as reasonably achievable** should be adopted as a strategy for RF health and safety protection. His paper highlights the fact that there are consistent indications from epidemiological studies and animal investigations that RF exposure is probably carcinogenic to humans. **Jim Lin is an ex-ICNIRP commissioner for 12 years from (2004-2016)**
<https://www.frontiersin.org/articles/10.3389/fpubh.2022.1042478/full>

The ICNIRP guidelines are set by a small, pro-industry/non-governmental organization of invitation-only, unelected private members who set guidelines for thermal heating. That means ICNIRP is only concerned whether this form of radiation causes burns, heatstroke, or shocks. ICNIRP have faced criticism via the courts, from members of the EU parliament and scientific publications. In truth, the ICNIRP guidelines are deeply flawed and obsolete.

Many doctors and scientists are raising concerns about the biological effects associated with nonthermal frequencies, pulsations, and other signalling characteristics. There is a large body of science showing non-thermal biological and health effects from RFR exposure. What is profoundly misleading about that ICNIRP guidelines is that when the general public thinks about health concerns from a phone mast, they are not thinking shocks and heatstroke. The general public's concern related to RF radiation have to do with cancer, immune suppression, neurodegenerative diseases including Alzheimer's, Parkinson's and ALS, behavioural problems, learning disabilities, birth defects and infertility.

There are concerns regarding government's use of the ICNIRP guidelines. See - **Self-referencing authorships behind the ICNIRP 2020 radiation protection guidelines**. The Abstract concludes “the ICNIRP 2020 Guidelines fail to meet fundamental scientific quality requirements and are therefore not suited as the basis on which to set RF EMF exposure limits for the protection of human health. With its thermal-only view, ICNIRP contrasts with the majority of research findings, and would therefore need a particularly solid scientific foundation. Our analysis demonstrates the contrary to be the case. **Hence, the ICNIRP 2020 Guidelines cannot offer a basis for good governance.**” Einar Flydal et al. (2022).

[Self-referencing authorships behind the ICNIRP 2020 radiation protection guidelines - PubMed \(nih.gov\)](#)

Also, please read the important paper published on the National Library of Medicine from 2016 by neuroscientist Dr Sarah Starkey: **Inaccurate official assessment of radiofrequency safety by the Advisory Group on Non-ionising Radiation** ‘The executive summary and overall conclusions did not accurately reflect the scientific evidence available. Independence is needed from the International Commission on Non-Ionizing Radiation Protection (ICNIRP), the group that set the exposure guidelines being assessed. This conflict of interest critically needs to be addressed for the forthcoming World Health Organisation (WHO) Environmental Health Criteria Monograph on Radiofrequency Fields. Decision makers, organisations and individuals require accurate information about the safety of RF electromagnetic signals if they are to be able to fulfil their safeguarding responsibilities and protect those for whom they have legal responsibility.’

[Inaccurate official assessment of radiofrequency safety by the Advisory Group on Non-ionising Radiation - PubMed \(nih.gov\)](#)



Politicians at the EU Parliament also raise concerns. Read the report by Klaus Buchner and Michele Rivasi, Members of the European Parliament, on ICNIRP and the long history of infiltration by telecom influence, and EU plans to roll out 5G. The International Commission on Non-Ionizing Radiation Protection Conflicts of interest, corporate capture, and the push for 5G. [ICNIRP-report-FINAL-JUNE-2020.pdf \(ehtrust.org\)](https://ehtrust.org/ICNIRP-report-FINAL-JUNE-2020.pdf)

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. [Environmental Health Trust et al. v. FCC Key Documents - Environmental Health Trust \(ehtrust.org\)](https://ehtrust.org/Environmental-Health-Trust-et-al.-v.-FCC-Key-Documents-Environmental-Health-Trust)

The Radiation Research Trust received direct support from the USA's Children's health Defense (CHD) for a letter sent directly to Boris Johnson 27th April 2020 calling on the Government to halt the 5G deployment. Here is the statement from Robert F. Kennedy, Jr Chairman of CHD, and Dafna Tachover 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." [RFK, Jr. Joins EM Radiation Research Trust in Calling Upon UK Prime Minister to Halt 5G Deployment - Global Research](https://www.globalresearch.com/rfk-jr-joins-em-radiation-research-trust-in-calling-upon-uk-prime-minister-to-halt-5g-deployment/)[Global Research - Centre for Research on Globalization](https://www.globalresearch.com/)

WHP Telecoms Ltd offer ICNIRP as a 'certificate of safety' which does not provide any level of protection for industry or government decision makers. Previous Chairman for ICNIRP Paolo Vecchia presented at the EM Radiation Research Trust conference in September 2008. In his presentation, he made it clear that: **"the ICNIRP guidelines are neither mandatory prescriptions for safety, the "last word" on the issue nor are they defensive walls for Industry or others."** https://www.radiationresearch.org/wp-content/uploads/2018/06/021145_vecchia.pdf

This statement makes it clear that the decision to adopt these guidelines into national legislation as 'sufficient to protect public health' is political.

Considering this information, I call on Brighton and Hove and planning to dismiss any claims of safety for the phone mast based on ICNIRP.



Residents including children will be forced to live 24/7 next to a mast that is a known possible carcinogen and without any consultation or informed consent.

The World Health Organisation

The International Agency for Research on Cancer (IARC) is a sub-group of the World Health Organization with its role to monitor and identify global causes of cancer. In 2011 members of IARC classified the entire RF/EMF spectrum as:-

'2B Possible Human Carcinogen'

The Radiation Research Trust would like to reinforce the fact that members of IARC with collective judgment found scientific consensus in reaching this decision. The vote was nearly unanimous: 29 to 1. [IARC classifies Radiofrequency Electromagnetic Fields as possibly carcinogenic to humans \(who.int\)](https://www.who.int/news-room/fact-sheets/detail/electromagnetic-fields-and-low-frequency-electromagnetic-fields)

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. 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."**

In addition, many scientists are calling for action to better protect the public, including:

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

Important recent legal developments

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). **This ground-breaking legal decision is significant as it would be difficult for Brighton and Hove City 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.** [Education Health Care Plan \(EHCP\) awarded \(Aug 2022\) for UK child on the basis of Electromagnetic Hypersensitivity \(EHS\). – Phire Medical](https://www.phiremedical.com/news/education-health-care-plan-ehcp-awarded-aug-2022-for-uk-child-on-the-basis-of-electromagnetic-hypersensitivity-ehs)



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.

<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/>

WHP Telecoms Ltd are resubmitting this application following the landmark legal ruling in November 2021 that took place at the Planning Court, Queen’s Bench Division, High Court of Justice, London with campaigners successfully claiming against Brighton and Hove Council with Hutchison 3G as the interested party. The Honourable Mr Justice Holgate overturned the local authority approval for the 5G mast to be sited close to a primary school. The ruling found that the Council “**failed to address the health impacts**” of the mast. <https://rfinfo.co.uk/wp-content/uploads/2021/11/Consent-Order-02.11.21.pdf>

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 an illness/cancer cluster surrounding the mast.

<https://www.radiationresearch.org/wp-content/uploads/2017/02/Eileen-OConnor-Campaign-action-2002-2022-1-1.pdf>

I recently gave an interview with Dr Sam Bailey regarding 20 years of campaigning. This interview offers a snapshot regarding this long campaign and may help to offer background information. Download the trailer via You Tube: https://www.youtube.com/watch?v=7_wwOvinTeo

The interview is also available to watch in full via Dr Sam Bailey’s Odysee channel: <https://odysee.com/@drsambailey:c/Eileen-OConnor-Interview-EMF:4>

I would appreciate receiving a progress report for this application.

Yours sincerely,

Eileen O’Connor
Charity Director for the EM Radiation Research Trust

