

For the attention of:

John Sampson, Managing Director
Redcar & Cleveland Borough Council

Copy to:

EM-Radiation Research Trust

Local M.P

1 or 2 local Councillors

Date

Dear Mr Sampson,

I am sending you this to document matters whereby I believe you have failed in your Leadership responsibilities and duty of care to local residents and their children with regard to combating and minimising potential radiation hazards, particularly relating to, but not limited to, 5G technologies within the Redcar & Cleveland Borough Council area

I would be grateful if you would provide me with a full and transparent rebuttal, point-by-point, to all or any of the following 34 claims and assertions that you are not in agreement with. I would appreciate it if you would do this in full adherence to the Nolan principles, no later than twenty-one (21) days from date of this communication, otherwise I will consider this to be tantamount to your agreement with, and confession of all facts and assertions herein:

1. I emailed you on the 14th May 2024 with concerns about 5G technology rollout in the Redcar & Cleveland Borough Council area and concerns about radiation hazards and submitted a number of questions requiring answers. No response was received.

If no timely rebuttal it is AFFIRMED.

2. Having received no response, I emailed you again on the 11th July 2024 with concerns about 5G technology rollout in the Redcar & Cleveland Borough Council area and concerns about radiation hazards and submitted a number of questions requiring answers. No response was received.

If no timely rebuttal it is AFFIRMED.

3. ICNIRP Certificates have been issued in the name of 'Three UK Limited' in Redcar & Cleveland Borough Council area.

If no timely rebuttal it is AFFIRMED

4. Three UK Ltd was a company, dissolved in 2015, that does not appear to have been involved in telecommunications.

If no timely rebuttal it is AFFIRMED

5. I sent you three attachments relating to ICNIRP certificates in the Redcar & Cleveland Borough Council area. In all three examples the document names at the top the dissolved company, 'Three UK Limited.' Not 'Three UK.'

If no timely rebuttal it is AFFIRMED

6. No other name other than 'Three UK Limited' is mentioned on the New Marske certificate. I claim that this certificate is consequently a complete nullity and has no validity whatsoever.

If no timely rebuttal it is AFFIRMED

7. On the other two ICNIRP certificates, lower down the document it, it claims that it is 'for and on behalf of Three.' I claim that in any event this certificate is a nullity and has no validity. It is axiomatic that a non-existent company (Three UK Limited) is not able to authorize anything, nor can it be said that it can act for and behalf of anything. I claim that to suggest otherwise is nonsensical.

If no timely rebuttal it is AFFIRMED

8. I claim that that where a mast without an accurate ICNIRP Certificate has been approved and installed then it may be operating unlawfully. Some reference could also be made to the National Planning Framework (2023) and the Code of Practice for Wireless Network Development in England (2022) which could reveal that its measures have not been properly met. Some consideration is also warranted as to whether any fraudulent activity has taken place, for example, if there is a potential breach of the Fraud Act 2006.

With respect to any potential fraud, the Economic Crime and Corporate Transparency Act 2023 introduced a Failure to Prevent Fraud offence to encourage organisations to put reasonable preventative measures into place. Criminal liability can still be established here without the need to prove that senior management within the organisation knew about or were involved in the fraud. Guidance notes for this legislation also indicate that

introducing reasonable preventative measures to combat any potential fraud would also be helpful for other organisations falling outside the strict scope of this legislation.

Consequently, whether or not Redcar & Cleveland Borough Council actually falls within the strict ambit of the Economic Crime and Corporate Transparency Act 2023, would you agree that it would be prudent to put in place reasonable preventative measures to ensure that the company name on the ICNIRP compliance certificate is an active company registered at Companies House, being mindful, for example, that certificates have been issued in the name of non-existent companies, rendering them as unreliable documents.

If no timely rebuttal it is AFFIRMED

9. Where masts without accurate ICNIRP Certificates have already been approved and installed then I would claim that some reasonable level of investigation is warranted by you on this matter.

If no timely rebuttal it is AFFIRMED

10. The use of the Precautionary Principle is enshrined in European Law and continues post Brexit. The European Environment Agency has recommended its use based on past experience, including failure to act on hazards. The precautionary measure that a number of Councils take is not to allow masts being situated within 500 yards of local schools.

With regard to the two masts in Birkdale Road, New Marske, in very close proximity to a primary school, the Council have stated: ‘The Council has not adopted a policy that requires development to be a minimum distance from particular locations...’ I believe that you have departed from the Precautionary Principle here as far as health and safety in concerned for local children.

If no timely rebuttal it is AFFIRMED

11. I contend that there is some scientific basis to claim that children are more vulnerable than adults to radiation hazards.

If no timely rebuttal it is AFFIRMED

12. It appears that the ICNIRP guidelines could have been too heavily relied upon by you, to the extent that it does not properly address the issue of any potential health effects or conduct risk assessments.

If no timely rebuttal it is AFFIRMED.

13. I assert that there is no claim that the levels in the ICNIRP Guidelines are themselves 'safe.'

If no timely rebuttal it is AFFIRMED.

14. I claim that ICNIRP guidelines limit itself purely on short term thermal effects for non-ionising exposure over 6 minutes parameter for head, torso and limbs and 30 minutes exposure for core exposure.

If no timely rebuttal it is AFFIRMED.

15. I claim, with regard to radiation, that the public is exposed 24/7 and from cradle to grave, not 6 or 30 minutes.

If no timely rebuttal it is AFFIRMED.

16. I claim that a '6-minute exposure test' being declared 'safe' for all, particularly for children, sensitive individuals and those with medical implants who will be exposed 24/7 is unsound.

If no timely rebuttal it is AFFIRMED.

17. I contend that one of the limitations of ICNIRP guidelines concerns those who have had a metal implant. ICNIRP acknowledges that "EMFs can indirectly cause harm by unintentionally interfering with active implantable medical devices" as well as passive implants, thus excluding them from consideration in the guidance.

If no timely rebuttal it is AFFIRMED.

18. I claim that it is a possibility that a relatively high percentage of the Redcar and Cleveland population could have small amounts of metal in their body from past or present medical and dental procedures.

If no timely rebuttal it is AFFIRMED.

19. I claim that if you conducted local surveys or a risk assessment then a much clearer idea of the actual numbers of local people with metal implants could be established, even if it was limited to one or two geographical areas.

If no timely rebuttal it is AFFIRMED.

- 20.** I have previously received a communication from Redcar & Cleveland Borough Council stating: ‘The Government have made it clear both now and in the past, in respect of the development of the telecommunications system, that the health impacts of such development is a matter for Government and other agencies, not individual local Councils.’

I specifically require you to affirm or rebut the contention that the health aspects of such telecommunication developments are not a matter for individual Councils.

If no timely rebuttal it is AFFIRMED.

- 21.** I specifically require you to affirm or rebut the contention that the health aspects of such telecommunication developments are such that they DO need to abide by pre-existing law.

If no timely rebuttal it is AFFIRMED.

- 22.** I have previously received a communication from Redcar & Cleveland Borough Council stating: ‘Unless advised by Government or other appropriate bodies involved in the delivery of the system, there is no current reason to undertake a risk assessment relating to telecoms sites.’

If no timely rebuttal it is AFFIRMED.

- 23.** In respect to any telecoms sites already erected and operational I require you to affirm or rebut the contention that the health aspects of such telecommunications developments and potential radiation hazards are not a matter for individual Councils.

If no timely rebuttal it is AFFIRMED.

- 24.** I claim that under s149 of the Equality Act 2010 Equality Impact Assessments might be warranted before permitting the installation of infrastructure. Solely relying on the ICNIRP’s exposure guidelines may be insufficient here.

I contend that to ignore the needs of EHS (electro-hypersensitivity) sufferers or expectant mothers in this context of 5G or 4G could potentially constitute a breach of s149.

If no timely rebuttal it is AFFIRMED

- 25.** I require you to affirm or rebut the contention that the health aspects of telecommunication masts do warrant consideration of risk assessments at least in regard to consideration of s149 of the Equality Act 2010 and Equality Impact Assessments.

If no timely rebuttal it is AFFIRMED.

- 26.** The Health & Social Care Act 2012 s11 defines a duty to protect public health, specifically including “(3) Subsection (4,a) the protection of the public from ionising or non-ionising radiation. “ Furthermore, each local authority must take ‘such steps as it considers appropriate for improving the health of the people in its area’.

I require you to affirm or rebut the contention that appropriate and reasonable measures are now required with regard to the health of say vulnerable groups, young children, those pregnant and also those with metal implants with regard to radiation hazards.

If no timely rebuttal it is AFFIRMED.

- 27.** With regard to people who suffer from electrosensitivity, the recent High Court case of Thomas v Cheltenham Borough Council ruled that there was a potential risk to people with medical implants.

If no timely rebuttal it is AFFIRMED.

- 28.** The employment of 5G, together with 2G, 3G,4G within the Redcar & Cleveland Borough Council area reveals a clear failure of the process of scientific risk assessment and risk management.

If no timely rebuttal it is AFFIRMED.

- 29.** The Nolan principles set out seven principles of minimum expectations of those who hold public office. One of these principles in Selflessness: holders of public office should act solely in terms of the public interest.

I contend that you have not properly adhered to this principle and have failed to act solely in terms of the public interest.

It is contended that two of the Council’s statements previously received go some way to support this: ‘The Government have made it clear that the health impacts of such development is not a matter for individual Councils’ and ‘the carrying out of risk assessments is not justified.’

I claim that I have received no credible communication to indicate that you have acted solely in the public interest. Indeed, nothing has been received to date which suggests that the health and safety of the local population with regard to potential radiation hazards has been seen as an issue worthy of any serious attention.

If no timely rebuttal it is AFFIRMED.

- 30.** The Nolan principle of Integrity: holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

I claim that you have not properly adhered to this principle and could have been unduly deferential to the dictates of central government and the telecoms industry with consequently failing in your responsibility to ensure any proper regard to the health and safety of local people and their children, nor any due regard to the Precautionary Principle.

If no timely rebuttal it is AFFIRMED.

- 31.** The Nolan principle of Objectivity: holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

I claim that you have not properly adhered to this principle.

You have been over reliant on ICNIRP guidelines, which have a number of weaknesses and limitations, and have failed to show any due diligence in the search for other evidence, nor show any serious inclination to follow relevant pre-existing law.

I have previously contended that to ignore the needs of EHS (electro-hypersensitivity) sufferers or expectant mothers in this context of 5G or 4G could potentially constitute a breach of s149 of the Equality Act 2010 thereby allowing discrimination to vulnerable groups

If no timely rebuttal it is AFFIRMED.

- 32.** The Nolan principle of Accountability: holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

I claim that you have not adhered to this principle, particularly in regard to the abject failure to respond and address any of the legitimate questions raised in my communications of the 14th May 2024 and 11th July 2024.

If no timely rebuttal it is AFFIRMED.

- 33.** The Nolan principle of Openness: holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there is a clear and lawful reason for doing this

I contend that you have not properly adhered to this principle, particularly but not limited to the failure to address the issue of invalid ICNIRP documents and a lack of transparency in this matter.

If no timely rebuttal it is AFFIRMED.

- 34.** The Nolan principle of Leadership: holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively support the principles and challenge poor behaviour wherever it occurs.

I claim that you have not adhered to this principle, particularly but not limited to the poor behaviour and lack of respect shown in failing on two occasions on the 14th May and 11th July to respond to legitimate concerns or answer any of the questions raised.

If no timely rebuttal it is AFFIRMED

Remedy

I require a remedy in the form of:

1. A written apology. This should detail an acceptance of liability for failure to act on the information presented on 14th May and 11th July 2024 and respond to the questions raised by me and also the various serious and troubling failings in regard to the Nolan principles.
2. An assurance that a reasonable check will now be instituted to ensure that the company name on the ICNIRP compliance certificate is a company registered at Companies House, being mindful, for example, that certificates have been issued in the name of non-existent companies, rendering them as unreliable documents.
3. Knowing that the ICNIRP Certificate/guidelines does not certify safety for those suffering with EHS or protect those with metal/medical implants, that you will now take health into consideration when determining phone mast application, small cell

deployment, 5G, thereby ensuring there is no discrimination against the medically vulnerable.

4. An assurance that the Precautionary Principle will now be adopted with regard to all matters related to radiation hazards and that reasonable measures are put in place to combat and minimise radiation hazards wherever possible in relation to any masts that have been approved and are now operational.
5. An assurance that proper and due regard will now be taken of all relevant pre-existing law in all aspects relating to 4G/5G and wireless technologies within the Redcar & Cleveland Borough Council area.
6. An assurance that you accept that you have a moral and legal duty to review the impact of wireless radiation exposures from 5G, together with 2G, 3G, 4G as a matter of urgency due to legitimate concerns for public health and especially children.

Summary

I believe that you, responsible for the officers and councillors of Redcar & Cleveland Borough Council, have potentially failed in your duty of care to local residents and their children with regard to radiation hazards.

I assert that you are in serious breach of the Nolan principles, including a failure of Leadership, and on the balance of probabilities have shown a culpable failure to act in a reasonable manner to prevent harm to both adults and children within the Redcar & Cleveland Borough Council area, nor have paid due account of the Precautionary Principle or any discernable regard to a myriad of pre-existing law.

I sent you two communications with concerns about the apparent invalid safety certificates regarding 5G masts and other concerns about EMF radiation hazards with particular focus on 5G. Your refusal to neither reply to perfectly legitimate communications nor answer any of the questions posed has caused me alarm.

Whilst Redcar & Cleveland Borough Council has highlighted that it is required to support the delivery of telecommunication systems I very much believe it has failed to recognise that it also has a corresponding duty to support the delivery of health and safety to local people and their children. This issue appears to be conveniently ignored in correspondence I have received from the Council.

The Government is simply not able to dictate that the health impacts of such developments is not a matter for individual Councils and so the carrying out of risk assessments or other precautionary measures is not justified.

I contend that you cannot continue to avoid your responsibilities, and that there is a need for Leadership, a commitment to the Nolan principles as well as paying due regard to any relevant pre-existing law.

The EM-Radiation Research Trust, in their November 2024 document highlights an important point, which seems very much applicable to the Redcar & Cleveland area: ‘The employment of 5G is a clear example of the failure of the process of scientific risk assessment and risk management.’

I contend that if you continue on your present course, failing to take any necessary and reasonable action, then this will inevitably lead to much further harm and loss, together with commercial loss, as far as radiation hazards are concerned.

For your information, I have also attached the latest short document from the EM-Radiation Research Trust which I hope you will find helpful and informative.

To Sum Up:

1. Please provide me with a full and transparent rebuttal, point-by-point, to all or any of the 34 claims and assertions that you are not in agreement with. I would appreciate it if you would do this in full adherence to the Nolan principles, no later than twenty-one (21) days from date of this email, otherwise I will consider this to be tantamount to your agreement with, and confession of all facts and assertions herein.
2. Please provide me with your response to the six points contained under the ‘Remedy’ heading.
3. Please provide any other comments, should you have any.

Many thanks.

Yours sincerely and without ill will, vexation, or frivolity,