

Consultation response form

Please complete this form in full and return to ECCcodepowers@ofcom.org.uk.

Consultation title	Proposal to apply Code powers to Giggle Fibre Limited
Full name	John Wood
Contact phone number	[X]
Representing (delete as appropriate)	Self
Organisation name	
Email address	[X]

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? Delete as appropriate.	Nothing
Your response: Please indicate how much of your response you want to keep confidential. Delete as appropriate.	None
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

Your response

Question	Your response
Question 1: Do you have any comments on our proposal to apply Code powers to the Applicant?	<p><i>Is this response confidential? – N</i></p> <p>I object to this and all similar proposals on the grounds below. All government bodies, including OfCom, have an overriding duty to protect the public and the environment we all depend upon. There can be no justification for putting private profit before the needs of people and planet.</p> <p>I note that my previous objections to Code</p>

Powers have been ignored by OfCom. Please acknowledge receipt of this one and respond in detail to the points and evidence presented.

1. National Security

China can Weaponise Laptops Cars and Fridges for Spying, Daily Telegraph, 24 January 2023:
<https://www.pressreader.com/uk/the-daily-telegraph/20230124/281505050345166>

2. Human Rights and Privacy

The coercive employment of Code Powers is completely unnecessary to provide adequate mobile phone coverage for the public. The main purpose seems to be to create the Internet of Things – which automates and destroys jobs and services, destroys human rights and de-humanises society. It is also a form of mass surveillance and control the Gestapo would be proud of. It is therefore against the public interest.

'Smart' Cities are Surveilled Cities
<https://foreignpolicy.com/2021/04/17/smart-cities-surveillance-privacy-digital-threats-internet-of-things-5g/>

3. Material Resources impacts:

The Royal Society of Chemistry tells us that the consumption and wasting of resources for use in this technology is unsustainable:
<https://sustainability.rsc.org/>

4. Energy Use and Climate Change

Each 5G mast requires approximately 3 x more power than a 4G mast (as much as 73 typical homes).
(www.spectrum.ieee.org/5gs-waveform-is-a-battery-vampire)

With 5G's greatly increased mobile traffic, electricity usage from telecommunications could create up to 23% of global greenhouse gas emissions by 2030; power demand would be the equivalent of 36 nuclear reactors or 7800 massive offshore wind farms worldwide.
(www.mdpi.com/2078-1547/6/1/117/htm - www.wsimag.com/science-and-technology/64080-green-5g-or-red-alert)

The France, Spain and California Green Parties, the France Climate Change Council, and Greenpeace East Asia have all warned of the climate footprint of 5G. An extra 7 billion tonnes of carbon dioxide could be released into the atmosphere by 5G
(www.france24.com/en/europe/20201220-deploying-5g-will-lead-to-spike-in-co2-emissions-french-climate-council-warns)

Insufficient research into energy demands of 5G: <https://www.sciencedirect.com/science/article/pii/S1364032121012958>

5. Human health impacts:

Stop global roll out of 5G networks until safety is confirmed, urges expert (Professor John William Frank, Usher Institute, University of Edinburgh, in the British Medical Journal).
www.bmj.com/company/newsroom/stop-global-roll-out-of-5g-networks-until-safety-is-confirmed-urges-expert/

Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices.
Anthony B Miller, Margaret E Sears, L Lloyd Morgan, Devra L Davis, Lennart Hardell, Mark Oremus, Colin L Soskolne, (published online by the US National Library of Medicine): <https://pubmed.ncbi.nlm.nih.gov/31457001/>

Fast Track to New York 5G Microwaved

City <http://westviewnews.org/2023/01/24/fast-track-to-new-york-5g-microwaved-city/james/>

6. Environmental Impacts, including on pollinators and biodiversity

Research showing that manmade RF radiation (RFR) may be seriously harmful to wildlife, including vital pollinators such as bees:

www.sciencedirect.com/science/article/abs/pii/S0048969720384461?dgcid=author

www.emfdata.org/en/studies/detail&id=566

www.mdpi.com/2075-4450/12/8/716?&ml_subscriber=1772077450675623693&ml_subscriber_hash=s0w7

The [British Ecological Society](#) has identified RFR as one of the top emerging issues that could affect global biological diversity and conservation.

"Potential Effects on Wildlife of Increases in Electromagnetic Radiation"

"Understanding the potential effects of nonionising radiation on wildlife could become more relevant with the expected adoption of new mobile network technology (5G), which could connect 100 billion devices by 2025. During use, mobile telephones and other smart devices generate radiofrequency electromagnetic fields (RF-EMFs), a form of nonionising radiation, which may change biological processes such as neurotransmitter functions, cellular metabolism, and gene and protein expression in certain types of cells, even at low intensities [82]. The notion of risk to human health remains controversial, but there is limited evidence of increased tumour risk in animals [83]. 5G uses the largely untapped bandwidth of the millimetre wavelength, between 30 and 300 GHz on the radio spectrum, which uses smaller base stations than current wireless technology. As a result, wireless antennae may be placed densely throughout neighbourhoods on infrastructure such as lamp posts, utility poles, and buildings. This could expose wildlife to more near-field radiation. Although some studies reported negative associations between electromagnetic field strength (radiofrequencies and microwaves: 1 MHz–3 GHz range) and species, for example the density and abundance of house sparrows (*Passer domesticus*) [84, 85], these studies have not yielded clear empirical evidence that the observed effects are due to RF-EMFs. The potential effects of RF-EMFs on most taxonomic groups, including migratory birds, bats, and bees, are largely unknown. The evidence to inform the development of exposure guidelines for 5G technology is limited, raising the possibility of unintended biological consequences [86]." ([www.cell.com/trends/ecology-evolution/fulltext/S0169-5347\(17\)30289-6](http://www.cell.com/trends/ecology-evolution/fulltext/S0169-5347(17)30289-6))

[Physicians for Safe Technology](#) have stated that wireless radiation is being increasingly recognised as an environmental pollutant.

- www.sciencedirect.com/science/article/pii/S0013935118300161?via%3Dihub

Experts have warned that RFR encourages drug resistance in microbes.

- www.ieeexplore.ieee.org/document/8665432

List of studies regarding potential harm to wildlife compiled by the [Environmental Health Trust](#), a US foundation run by the Nobel lead author and eminent environmental oncologist Dr Devra Davis - ehtrust.org/science/bees-butterflies-wildlife-research-electromagnetic-

[fieldsenvironment/](#)

A field monitoring study spanning 9 years involving over 100 trees found trees sustained significantly more damage on the side of the tree facing the antenna, leaving the entire tree system prone to degradation over time - www.ncbi.nlm.nih.gov/pubmed/27552133

The journal, *Reviews on Environmental Health*, has published the final part of a three-part monograph that examines the effects of non-ionising electromagnetic fields (EMF), including wireless radiation from cell towers and EMF from power lines, on flora and fauna. This 150 page tome (plus supplements) written by B. Blake Levitt, Henry Lai and Albert Manville cites more than 1,200 references. B. Blake Levitt, an award-winning journalist/author and former contributor to the New York Times, has specialized in medical and science writing for over three decades. Since the late 1970's, she has researched the biological effects of nonionizing radiation. Henry Lai is a scientist and bioengineering Professor Emeritus at the University of Washington and former Editor-in-Chief of *Electromagnetic Biology and Medicine*. Dr. Lai is best known for his research published in 1995 which concluded that low-level microwave radiation caused DNA damage in rat brains. Albert Manville is a retired branch manager and senior wildlife biologist in the Division of Migratory Bird Management at the U.S. Fish and Wildlife Service. Dr. Manville has served as an adjunct professor and lecturer for more than two decades at Johns Hopkins University where he has taught field classes in ecology, conservation biology, and wildlife management.

Part 1: Effects of non-ionizing electromagnetic fields on flora and fauna. Rising ambient EMF levels in the environment <https://pubmed.ncbi.nlm.nih.gov/34047144/>

Part 2: Effects of non-ionizing electromagnetic fields on flora and fauna, impacts: how species interact with natural and man-made EMF <https://pubmed.ncbi.nlm.nih.gov/34243228/>

Part 3: Effects of non-ionizing electromagnetic fields on flora and fauna. Exposure standards, public policy, laws, and future [directionshttps://doi.org/10.1515/reveh-2021-0083](https://doi.org/10.1515/reveh-2021-0083)

See also: Alfonso Balmori. *Electromagnetic radiation as an emerging driver factor for the decline of insects* <https://www.sciencedirect.com/science/article/abs/pii/S0048969720384461>

6. Legal and Regulatory concerns:

Code Powers enable operators to ignore even the (completely unsatisfactory) regulatory arrangements that exist. They are given carte blanche to trample over all health and environmental considerations, as well as private property rights, in the pursuit of private profit.

Planning legislation

Under the Planning Acts, planning authorities must come to an 'informed and reasonable' decision, based on evidence presented. They are empowered to require applicants to present assessments and mitigation proposals as necessary. Planning authorities act in a quasi-judicial role, and are legally responsible for their decisions. The Granting of Code Powers rides roughshod over this basic democratic safeguard, and permits the introduction of hazardous infrastructure without scrutiny.

Planning authorities must for example consider whether any subsequent monitoring and / or mitigation measures may be required to protect people and planet. If they fail to adopt the precautionary principle, and approve a development that is then found to have damaged people's health, their livelihoods or the environment they lay themselves open to possible future legal action for compensation.

Effects to be considered should include cumulative effects where there is shared equipment or other networks in operation; usage including re-transmission by mobile devices; the differences between background and very high peak levels according to traffic, or differences in levels of pollution according to distance from the transmitter. Planning permission is also only currently required for the installation of new equipment. Having obtained permission, operators may subsequently raise the output as they please, without further scrutiny. This renders any 'certification' by ICNIRP or other body, completely worthless. (At present even these considerations are not being taken into account by planners., but Code Powers seem designed to avoid any scrutiny at all)

The ICNIRP

The ICNIRP is the body that all UK policy in this area depends on. It deals only with human exposure levels (not environmental risks which have not been assessed at any stage). Their recommended maximum levels have been rejected by several major countries, including Russia and India, as well as a growing number of city authorities around the world, and in August 2021, by a US Federal Court:

Decision by US Federal Court of Appeals , District of Columbia Circuit, Argued January 25, 2021 Decided August 13, 2021 No. 20-1025 Environmental Health Trust, Et Al., Petitioners V. Federal Communications Commission And United States Of America, Respondents ([https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf))

See also:

Scientific evidence invalidates health assumptions underlying the FCC and ICNIRP exposure limit determinations for radiofrequency radiation: implications for 5G (International Commission on the Biological Effects of Electromagnetic Fields (ICBE-EMF)Journal of Environmental Health <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-022-00900-9>)

Both the European Parliament (in its resolution 2008/2211(INI)) and the Council of Europe recommend lowering the exposure limits based on the ICNIRP opinions. The Council of Europe in its Opinion of 6 May 2011 on health risks associated with electromagnetic fields (12608)

“29. The rapporteur underlines in this context that it is most curious, to say the least, that the applicable official threshold values for limiting the health impact of extremely low frequency electromagnetic fields and high frequency waves were drawn up and proposed to international political institutions (WHO, European Commission, governments) by the ICNIRP, an NGO whose origin and structure are none too clear and which is furthermore suspected of having rather close links

with the industries whose expansion is shaped by recommendations for maximum threshold values for the different frequencies of electromagnetic fields.”

Certification by the ICNIRP is therefore no guarantee of safety. This is all the more so as each certificate refers only to the application under consideration. No account is taken of cumulative effects of RF radiation when combined with other sources – for example other nearby networks and equipment, including wifi or emergency networks the public may not be aware of.

OfCom

OfCom completely fails in its duty of care to the public and the planet we all depend on in granting such rights. Despite mounting scientific evidence of harm, no strategic environmental assessment has been undertaken, and there is no requirement on operators to carry out any assessment of risk or mitigation measures. OfCom’s cursory checks on a very small sample of sites for human health impacts appear to be mere window dressing with little real validity; and are based on ICNIRP guidance (see above).

Nothing, it seems, is permitted to delay the rapid and coercive rollout of this technology. Code Powers are an unjustified, anti-democratic method employed by OfCom to override any objection, even property rights

Other regulators

At least some of the evidence presented here has been submitted to the Medical Officer of Health for Scotland, the UKHSA, Nature Scot, The Scottish Public Services Ombudsman, the UK and Scottish governments: and representatives of the industry for comment. None of them has been willing to acknowledge, let alone engage with any of the material, or comment in any way: every enquiry is referred to others. This failure to engage with legitimate concerns or to defend public policy on scientific grounds is simply unacceptable.

See also: Current *legal action against 5G* in the Royal Courts of Justice: <https://actionagainst5g.org/>

7. Further general and background resources:

Arthur Firstenberg, 2020, *The Invisible Rainbow* (<https://blackwells.co.uk/bookshop/product/The-Invisible-Rainbow-by-Arthur-Firstenberg/9781645020097>)

Katie Singer, 2014, *An Electronic Silent Spring* (<https://blackwells.co.uk/bookshop/product/An-Electronic-Silent-Spring-by-Katie-Singer/9781938685088>)

Safe Tech International <https://safetechinternational.org/>

Environmental health Trust <https://ehtrust.org/about/>

World scientists’ international appeal <https://www.5gspaceappeal.org/>

Thank you for this consultation. You may publish this response if you wish.

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Please provide evidence in support of your views.