

CLEAN & GREEN COMMITTEE

26th FEBRUARY 2024

REPORT TITLE:	5G Public Petition - Response
REPORT OF:	Director of Environment
REPORT IS FOR:	Decision

REPORT SUMMARY

The petition outlines an area expertise that the Council has limited knowledge of, and influence upon, but may wish to still consider the possibility of lobbying. The concerns are centred on potential impact to human health, rather than broader environmental concerns, and therefore it would be appropriate for the petition to be further considered by the Housing, Health and Community Committee.

A case against the Government was brought by Action Against 5G. The High Court handed down the judgment on the judicial review hearing not in favour of the applicant - Action Against 5G. A permission to appeal was applied for against the judgement received, this subsequently was refused. Currently, on December 12, 2023 an application to the European Court of Human Rights has been submitted.

RECOMMENDATION

R1 – For the Committee to note the content of the report, and to refer the petition to Housing, Health & Community Committee for further scrutiny.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The information available suggests that concerns are centred on potential impact to human health, rather than broader environmental concerns, and therefore it would be appropriate for the petition to be considered by the Housing, Health and Community Committee.

2.0 BACKGROUND INFORMATION

2.1 A petition was received at Ordinary council stating the following:

I, the undersigned call on the support of Brentwood Borough Council, to use any means at its disposal to lobby and persuade the owners and network providers of the transmission tower in Kelvedon Hatch and request a delay to installation of 5G until the result of the Judicial Review by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) are known.

2.2 Officers have undertaken research of available information from credible sources to provide a succinct briefing note appended to this report (Appendix A).

2.3 The International Commission on Non-Ionizing Radiation Protection (ICNIRP) is an independent organisation that provides scientific advice and guidance on non-ionising radiation. It is formally recognised by the World Health Organisation and the International Labour Organisation. The UK Health Security Agency, which is responsible for assessing risks to public health, recommends that ICNIRP guidance should be followed.

2.4 In essence, ICNIRP considers the roll out of 5G in residential area as being safe, as long as exposure guidelines are appropriately followed while installing and operating the masts.

2.5 In summary, although there are legitimate concerns raised regarding the health impact of 5G masts, the wider health community conclude that these are limited and can be mitigated through correct operation and installation. This is the official Government position upon the matter.

2.6 A case against the Government was brought by Action Against 5G. On the 6 and 7 February 2023 the Administrative Court heard the judicial review of the Secretary of State's alleged failure to address the evidence of risks to human health posed by 5G technology. On March 12, 2023 the High Court handed down the judgment on the judicial review hearing not in favour of the applicant - Action Against 5G.

2.7 A permission to appeal was applied for against the judgement received, this subsequently was refused. Currently, on December 12, 2023 an application to the European Court of Human Rights was submitted.

2.8 It should be noted that although the petition states: *The Judicial Review by the International Commission on Non-Ionizing Radiation Protection (ICNIRP)*. It is not clear if the appeal has yet to be accepted by the European Court of Human Rights, and so may yet, not be heard.

3.0 OTHER OPTIONS CONSIDERED

- 3.1 The petition is binary in that either is supported or not, its should be noted that the Council does not have any direct influence upon this matter, and so its role is effectively to lobby.

4.0 RELEVANT RISKS

- 4.1 There is a risk that further information and research could come to light which gives weight either for or against the perceived health risks associated with 5G masts.
- 4.2 The resource and expertise that can be provided as a Council is limited, given that it is a highly specialist area of expertise. Health advice would usually follow the Government guidance on a given subject in this field.

5.0 ENGAGEMENT/CONSULTATION

- 5.1 None has been undertaken.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There are no direct financial implications arising from this report.

Name & Title: Tim Willis, Director – Resources & Section 151 Officer
Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk

7.0 LEGAL/GOVERNANCE IMPLICATIONS

- 7.1 This petition has been presented to the Full Council in accordance with the requirements of the Constitution. The Local Government Act 2000 provides the Council with a general power to 'promote economic, social or environmental well-being". Any lobbying by the council on this matter would fall within that general power.

Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer
Tel & Email 01277 312500 / Claire.mayhew@brentwood.rochford.gov.uk

8.0 ECONOMIC IMPLICATIONS

- 8.1 There are no direct economic implications arising from this report.

Name & Title: Laurie Edmonds, Corporate Manager – Economic Development
Tel & Email 01277 312500 / laurie.edmonds@brentwood.rochford.gov.uk

9.0 EQUALITY & HEALTH IMPLICATIONS

9.1 There are no direct financial implications arising from this report.

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health

Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk

10.0 ENVIRONMENTAL IMPACT

10.1 There are no direct environmental implications arising from this report.

Name & Title: Henry Muss, Sustainability & Climate Officer

Tel & Email 01277 312500 henry.muss@brentwood.gov.uk

REPORT AUTHOR:	Name:	Marcus Hotten
	Title:	Director of Environment
	Phone:	01277 312 500
	Email:	Marcus.hotten@brentwood.rochford.gov.uk

APPENDICES

Appendix A- Installation of 5G Phone Masts

BACKGROUND PAPERS

None.