

Dear OfCom

I am writing following the notification of your proposal to apply Code powers to Kustom Consulting Limited under section 107(4) of the Communications Act 2003.

First, this Act needs to be reviewed, since Code Powers permit the reckless and inexcusable risk to public health and biodiversity for private profit and totalitarianism. They destroy the safeguards within the planning legislation, and ignore the mounting evidence of serious harm caused by this technology to human rights, public health, and the environment. The powers also represent a direct attack on property rights and a form of violence against both people and planet.

I have therefore copied this to my MP, Ian Blackford.

Second, OfCom has an over-riding duty to protect the public and the planet from harm. The Act cannot require OfCom to implement Code Powers and so abdicate this basic responsibility. Code powers destroy the effect and intention of the planning acts and remove any opportunity for the public to resist the coercive roll-out of this technology, which is not in the interest of either the public or the planet. Indeed the enforced roll-out of this technology, against scientific evidence.

By applying these powers you are destroying human rights and public and environmental safety for the sake of private profit.

I now wish to make a formal complaint that, although I have objected to the granting of Code Powers on several occasions on similar grounds, my objections have been completely ignored. No response has been received at all. This makes a mockery of any consultation process.

You are as aware as I am that there is no credible control on the RF radiation emitted, or the purposes to which the technology may be put, although it appears to include mass surveillance. OfCom is supposed to be a regulatory body, and to continue to act only in the interests of investors you destroy your own credibility with the public. In fact, the granting of these powers in the complete absence of any environmental assessment is simply criminal.

They must not be applied to any further companies and those previously applied must be withdrawn. I predict that if OfCom fails to do these things it will open itself to legal challenge and possible significant claims for exemplary damages by or on behalf of those affected if this outrage continues. .

Please register this complaint and acknowledge receipt.

The resolution sought is

1. Withdrawal of all Code Powers pending a full review of the implications, and the restoration of proper scrutiny of all proposals through the planning process. The requirement that any change in output from a transmitter must require planning approval, and that where masts or other equipment is shared the cumulative effects are taken into account before any approval is granted.
2. A full review of the effects on public health, biodiversity, and human rights of this technology, including all installations carried out under these powers.
3. The setting of robust, up to date limits, backed by independent research, on exposure levels to humans and other species including pollinators. Mitigation measures such as exclusion zones around masts, and regular monitoring of installations, is required. OfCom's actions in this respect have been simply farcical.

Please provide evidence that these actions have been taken.