

Review of Laois County Development Plan 2017 - 2023

Submission on Stage 1 - Pre-Draft stage

02.03.2020

via email to: cdp@laoiscoco.ie

Dear Sir / Madam,

Please note the following submission to the review of the Laois County Development Plan 2017-2023.

1. Please state the reason for the early CDP review and the connected plans: The current county development plan (CDP) is scheduled to be valid from 2017-2023. Engaging properly with development of a new plan can be an onerous task for the public who will be the most affected by the plan but have the least time and resources to engage with the process. This current review is early i.e. it will cut short the lifetime of the current plan and means that the public gain less certainty than planned from their engagement in the last CDP. The reasons for this early review should be stated to allow the public to understand clearly why this review is being carried out ahead of the normal schedule. I am led to understand that the review may be linked to a Regional Spatial and Economic Strategy. Please also clarify if National energy and climate plans (NECPs) are included in this process. This should be stated clearly along with easy access and links to all the relevant documents so that the public are in a position to engage fully with the strategies which will impose requirements and constraints on the Laois CDP.
2. 'Public consultation meetings' not suitable for real public participation. For the next stage of the CDP review, I suggest that comprehensive public presentations will need to be prepared and provided in order to brief the public fully on the scope of the review and the reasons for it including the background information.
3. All policy inputs should be evidence based (including those from state agencies): As a principle, developers' inputs (including state agencies such as Coillte, EirGrid, Board Na Mona etc.) should not be simply inputted into the CDP without critique and demonstrating due process. All plans and strategies by such agencies which impact on and impose requirements / constraints on the Laois people and environment must be capable of withstanding scrutiny and should not be adopted into the CDP if they cannot demonstrate this.
4. Note the failure to comply with environmental law regarding National Renewable Energy Action Plans (NREAP) / National energy and climate plans (NECPs):
As reported by the Irish Energy Blog - "*The EU once again fails to comply with International Law*"¹
Posted: 29 Feb 2020 08:14 AM PST

The European Union have once again stonewalled attempts by the UN Aarhus Convention Committee (UNECE) to comply with the Aarhus Convention which protects citizens rights to protect their environment, and is a part of International Law, just like the Geneva Convention on Torture or the 1951 Refugee Convention. The Convention enshrines in law

¹ <http://irishenergyblog.blogspot.com/>

the rights of citizens to public participation, public access to information and access to justice in environmental matters. In 2017, it was found that the EU denied these rights to citizens when Member States such as Ireland prepared their Renewable Action Plans in 2010 (NREAPs), plans which had a serious impact on the environment. Since Member States are now preparing new Renewable Action Plans (NECPs), the Committee has switched it's focus on to them to ensure compliance. Essentially, the Committee is acting as a watchdog for the EU, and the EU is not happy.

Regarding the evaluation by the Party concerned of member States' 2010 NREAPs, the Committee already made clear in its report on decision V/9g to the sixth session of the Meeting of the Parties that the information provided by the Party concerned in that intersessional period did not satisfy the requirements of the last sentence of paragraph 3 of decision V/9g.

The Committee stressed the need for the Party concerned to address these points. The Party concerned has to date failed to do so. The Committee reiterates its serious concern that, despite having been explicitly invited to do so in the Committee's first progress review, the Party concerned in its second progress report has still not yet replied to the questions put to it in the Committee's second progress review on decision V/9g in the last intersessional period.

The Committee regrets the lack of engagement by the Party concerned on this issue.

However, since a proper regulatory framework or clear instructions for implementing article 7 with respect to the NREAPs was never, and upon the NECPs' supersession of the NECPs, now never will be, put in place by the Party concerned, there will remain no proper framework or clear instructions for any public participation on the NREAPs to be evaluated against. The Committee thus considers it would be futile for the Committee to spend further time on reviewing the manner in the Party concerned evaluates NREAPs and more expedient to instead focus its review on the evaluation of the Party concerned of the member States' post-2020 NECPs. The Committee underlines that it expects considerably better engagement from the Party concerned moving forward than that it has provided with respect to the evaluation of member States' 2010 NREAPs.

The Committee reiterates its serious concern that, despite having been explicitly invited to do so in the Committee's first progress review, the Party concerned in its second progress report has still not yet replied to the questions put to it in the Committee's second progress review on decision V/9g in the last intersessional period. The Committee regrets the lack of engagement by the Party concerned on this issue.

Essentially when the European Union wants to implement it's plan, it will do it even when its in defiance of International Law. And still we in Ireland wonder why the UK would ever want to leave such an institution.

Thanks to Pat Swords for the update and all his hard work in this case."

5. Laois - Kilkenny reinforcement Project represents a litany of failures of every participating state agency. The project has complaints accepted by both the EU and UN ACCC against non-compliance with environmental and human rights laws.

6. Apply the precautionary principle as a core principle within the CDP to safeguard health and environment from harmful Emissions (in particular Noise / EMF): The updated CDP should apply the precautionary principle to restrict the proliferation of Noise and EMF's which are demonstrated risks to health and the environment i.e.

6.1 Wireless and cell phone radiation are clear threats to health and the environment:

As reported by Professor Tom Butler of UCC, a huge body of research provides clear evidence of the significant threats to children's health from wifi routers and cellular masts ²
"Children's health is at risk from everyday wireless digital technologies. Why? The past 15 years witnessed the proliferation of near-field microwave Radio Frequency Radiation (RFR) devices in the home, school and society. However, far-field RFR from Wifi routers and 2, 3, 4 and 5G cellular telecommunications antennae, also pose significant risks. The cumulative body of research, which includes scientific findings from laboratory experiments and epidemiological studies, provides clear evidence of the threats to children's health and well-being.¹ In light of this, the prestigious American Academy of Pediatrics (AAP) issued specific recommendations to reduce wireless and cell phone exposure to children in order to mitigate the risk of ill-health. However, this may not be sufficient give the findings of several recent studies."

..." Thus, the weight of objective scientific evidence has always indicated significant risks to human health—these risks are magnified significantly where children are concerned. The problem is that because of the commercial and economic value of wireless technology (est. > \$2 trillion) and the risk of litigation, the industry "captured" regulatory agencies, engaged in disinformation and manipulated the press and was responsible for the institutional corruption of scientists, their universities, and governments.

The net result is that humans are unknowingly exposed to health risks that governments should have prevented in the first place. The economic stakes and related health risks have risen significantly with the emergence of 5G." ...

"In 2018, the criterion of causation where brain and heart tumours are concerned, was clearly and unambiguously met when the final report of a 10-year \$30m comprehensive study by the US National Institute of Environmental Health Sciences' National Toxicology Program (NTP) was released. This study confirmed that RFR from Smartphones caused cancer in animals and this is just the latest in a long line of experimental research studies to confirm this link. That is the "clear evidence" that the EU's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) had called for in its 2015 Opinion "to clarify the remaining uncertainties."...

"Following the release of NTP study findings on nearfield radio frequency radiation in 2018, and that of the Ramazzini Institute study on far-field radio frequency radiation also in 2018, scientists are calling for the IARC to re-categorize radio frequency radiation as a Class 1 carcinogen."

² <https://www.rte.ie/brainstorm/2019/0417/1043133-why-everyday-wireless-technology-poses-a-health-risk-to-children/>

As reported in the Lancet³ in 2018-

“Unprecedented human exposure to radiofrequency electromagnetic radiation from conception until death has been occurring in the past two decades. Evidence of its effects on the CNS, including altered neurodevelopment¹⁴ and increased risk of some neurodegenerative diseases,¹⁵ is a major concern considering the steady increase in their incidence. Evidence exists for an association between neurodevelopmental or behavioural disorders in children and exposure to wireless devices,¹⁴ and experimental evidence, such as the Yale finding, shows that prenatal exposure could cause structural and functional changes in the brain associated with ADHD-like behaviour.¹⁶

These findings deserve urgent attention.”

‘Evidence also exists of the effects of radiofrequency electromagnetic radiation on flora and fauna. For example, the reported global reduction in bees and other insects is plausibly linked to the increased radiofrequency electromagnetic radiation in the environment.¹⁷ Honeybees are among the species that use magnetoreception, which is sensitive to anthropogenic electromagnetic fields, for navigation.’

6.2 Low Frequency Noise and health impacts:

⁴ *“A recent interview by Birgit Hermes with top scholars and medical researchers, as transcribed and published on Stop These Things, AU, adds even more to our understanding of the power and “stretch” of ILFN and pulsation. In this interview, Dr. Christian Vahl, states: “Whether we hear it or not, every form of energy has physical effects, and infrasound is particularly dangerous, because we don’t hear it.”*

The study ‘Are There Harmful Effects Caused by the Silent Noise of Infrasound Produced by Windparks? An Experimental Approach’⁵ demonstrated that infrasound has the effect of reducing isolated heart muscle strength by up to 20%.⁶

7. Protect Trees and Hedgerows as a principle in the CDP: Trees are significant landscape features in our hedgerows as well as being crucial to the health and enjoyment of our environment. Mature Trees in roadside hedgerows are now being felled with alarming frequency. Likewise, hedgerows, particularly roadside hedgerows are being cut more severely than before with many being reduced to mere stumps. There is no apparent need for this level of cutting which appears to be at odds with the claims for climate and biodiversity protection.

Kind Regards,

F. Cooney
(for contact address please use email)

³ The Lancet, ‘Planetary electromagnetic pollution: it is time to assess its impact’, December, 2018, <https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196%2818%2930221-3/fulltext>

⁴ Infrasound: A Growing Liability for Wind Power By Sherri Lange -- May 29, 2019 <https://www.masterresource.org/wind-power-health-effects/infrasound-growing-liability-windpower/>

⁵ https://www.unimedizin-mainz.de/fileadmin/cliniken/herzchirurgie/Dokumente/Infrasound_Thorac_cardiovasc_Surg_2018.pdf

⁶ <https://stopthesethings.com/2018/11/10/heart-stopping-german-research-finds-low-frequency-wind-turbine-noise-infrasound-cardiac-health-risk/>