

The Water Fluoridation (Consultation) (England) Regulations 2022

The clauses and what they mean. Note, however, a [Memorandum](#)

exists which alters some of the conditions in the Regulations for responding to the PC. These are highlighted in the final row of the table in **blue**.

<p>These Regulations extend to England and Wales but apply in relation to England only.</p>	<p>There has been nothing in the media to hint that Wales is under threat during 2024.</p>
<p>2. In these Regulations— “the Act” means the Water Industry Act 1991;</p>	<p>2. The Water Industry Act 1991, ss.87 - 91</p>
<p>“fluoridation arrangements” means arrangements under section 87(1) of the Act;</p>	<p>“(1)If requested in writing to do so by a relevant authority, a water undertaker shall enter into arrangements with the relevant authority to increase the fluoride content of the water supplied by that undertaker to premises within the area specified in the arrangements.” The water undertaker has no choice. It “shall enter into arrangements”.</p>
<p>“local authority” means a county council, a district council, the Greater London Authority, a London borough council, the Common Council of the City of</p>	

<p>London (in its capacity as a local authority) or the Council of the Isles of Scilly;</p>	
<p>“proposal” means a proposal by the Secretary of State to take any step concerning fluoridation arrangements that falls within section 89(2) of the Act.</p>	<p>(2)The steps are—</p> <p>(a)requesting a water undertaker to enter into arrangements under section 87(1) above;</p> <p>(b)requesting a water undertaker to vary any such arrangements in, or except in, prescribed circumstances or cases;</p> <p>(c)giving notice to a water undertaker under section 87C(7) above to terminate any such arrangements;</p> <p>(d)maintaining any such arrangements in prescribed circumstances.</p>
<p>Consultation</p> <p>3.—(1) In order to consult and ascertain opinion before taking any step concerning fluoridation arrangements that falls within section 89(2) of the Act, the Secretary of State must—</p> <p>(a)publish, through such media as the Secretary of State considers appropriate, details of the step the Secretary of State proposes to take and the manner in which persons can make</p>	<p>3.1</p> <p>3.1.a A Public Consultation must be published in media which is appropriate. It used to be that such PCs were published in the press. If the DHSC is depending on residents learning about the PC without it being published in the local Press, then there would be very little response from residents. However, a Press Release has</p>

<p>representations regarding the proposal; and</p>	<p>been issued (now on-line). It all depends if regional newspapers publish it. The SoS MUST explain the details of the step the SoS proposes, and how residents can make their views felt.</p>
<p>(b)give notice of the proposal to every local authority whose area falls wholly or partly within the area to which the arrangements relate and any other person the Secretary of State considers appropriate.</p>	<p>3.1.b All local authorities whose constituents are involved in the proposal must be notified. The SoS can also include in the notification anyone he/she considers should be informed. By notifying Local Authorities and any other person, this implies that affected residents should also be notified by means other than accidentally getting to learn about the Public Consultation. Members of the Public do NOT routinely scour the Government Departments websites to identify Public Consultations which may or may not affect them. Is this unfair or unjust?</p>
<p>(2) The details published under paragraph (1)(a) must include—</p>	<p>3.2. Details must include:</p>
<p>(a)the nature of the step the Secretary of State proposes to take;</p>	<p>3.2.a What is being proposed. This will probably take the form “adjusting the level of fluoride already in the drinking water up to the optimum of 1mg Fluoride/litre”.</p>
<p>(b)the reasons for the proposal;</p>	<p>3.2.b. Why the proposal is being made. The DHSC may state, for example, that the target group are young children living in disadvantage but that it’s good for people of all ages and social class, etc, etc, etc....</p>
<p>(c)the area affected by the proposal;</p>	<p>3.2.c. Areas to be included and excluded from the proposal.</p>

<p>and</p>	<p>Hopefully this will be detailed and it is hoped that the SoS will list bordering areas which will not be proposed for WF.</p>
<p>(d)the period, being a period of not less than 12 weeks from the date on which the details are first published, within which representations can be made to the Secretary of State.</p>	<p>3.2.d. Its 12 weeks, not 3 months. This means that the public are to be given less time than allowed for the Southampton Public Consultation 2008-2009 to respond., and not just their political rights.</p> <p>This is rather unfair. The DHSC has prior knowledge of the date of the start of the PC but the people who are to be fluoridated cannot prepare adequately. This is akin to an ambush: you know where the attack is coming from but you don't know when it might be. This PC is unlike other PCs because the proposal affects everyone's body/health. It is also heavily biased because the Government is determined to fluoridate 1.6 million people. The language used by the DHSC indicates a pre-determination that it doesn't matter what the results of the PC are, the DHSC will go ahead and declare that "it shall be so".</p>
<p>Variation proposals for which consultation is required</p> <p>4. Requesting a water undertaker to vary fluoridation arrangements is a step falling within section 89(2)(b) of the Act if—</p>	<p>Section 4 is not relevant to this particular Public Consultation but is included here for the sake of completeness.</p> <p>4. s89(2) of the Water Industry Act 1991 states</p> <p>(2)The steps are—</p> <p>(a)requesting a water undertaker to enter into arrangements under section 87(1) above;</p> <p>(b)requesting a water undertaker <u>to vary</u> any such arrangements in, or except in, prescribed circumstances or cases;</p> <p>(c)giving notice to a water undertaker under section 87C(7) above <u>to terminate</u> any such arrangements;</p>

	(d) <u>maintaining</u> any such arrangements in prescribed circumstances.
(a) the variation concerns the boundary of the area to which the fluoridation arrangements relate; and	4.a. This condition has recently been applied to West Cumbria. Consultation is required if there are boundary changes relating to current fluoridation programmes and
(b) the number of houses that would be affected by the variation, either by being brought within the area or by being excluded from it, exceeds 20% of the number of houses within the area at the time that the request is made.	4.b. The number of houses affected by the variation reduces or increases by 20% of the houses currently fluoridated. It must be 20%. It cannot be 19.99%. But what constitute a house and if they are divided into two is that is one or two houses?.. Static caravans are houses?
Decision-making in relation to a proposal 5.—(1) When deciding whether to take any step concerning fluoridation arrangements that falls within section 89(2) of the Act following a consultation under regulation 3, the Secretary of State must, in particular—	5.1 After the Consultation, the SoS must:
(a) have regard to any representations made in response to the consultation	5.1.a. have regard to any representations made in response to the consultation

<p>with a view to assessing— (i)the extent of support for the proposal</p>	<p>5.1.a.i. Calculate the percentage of respondents in favour of the proposal and</p>
<p>(ii)the cogency of any arguments advanced, and</p>	<p>5.1.a.ii. The well-expressed conviction of the respondents' arguments and</p>
<p>(iii)the strength of any scientific evidence or ethical arguments advanced in relation to the proposal;</p>	<p>5.1.a.iii.The inclusion in the respondents' presentation of citations/references and possibly a discussion of the merits of the arguments made by the respondents. However, it would be too much to expect the same respondent to argue the case for and against the proposal since that would be self-defeating. This is not a debate!</p>
<p>(b)consider whether additional weight should be given to representations made by individuals who would be affected by the proposal or by bodies with an interest, or both;</p>	<p>5.1.b. Here, people who are sensitised to fluoride should make a case for not adding fluoride to drinking water. If the respondent cannot used fluoride toothpaste, for example, because it affects the mouth, or if there have been problems with exposure of the skin to fluoride, which clears up when moving away from a fluoridated area, this should be used as an argument. Note: there is no requirement to provide a GP's letter but dates and duration of harm are advised.</p> <p>Bodies with an interest which are and are not headquartered in the proposed areas are able to make representations but that doesn't mean that the SoS will give additional weight to their representations. This is quirky: adverse human responses to swallowing a toxin is universal and is not just confined to an area proposed for Water Fluoridation.</p>
<p>(c)consider the capital and operating costs which are likely to be incurred in giving effect to such arrangements as are specified in the proposal; and</p>	<p>5.1.c. It does not say here that these costs should be included in the proposal. Only the arrangements must be specified in the proposal. However, it would be an incomplete proposal if residents cannot comment on costs. It turns out that detailed costs of installing fluoridation equipment are not included in the Impact Assessment (a.k.a. cost benefit</p>

	analysis published within the PC documents on the DHSC website.
<p>(d)consider any other available scientific evidence or data in relation to the proposal, including any evidence or data relating to—</p> <p>(i)the health needs; and</p>	<p>5.1.d. This could be either a very short or a very long list depending on how much information is included for review. Judging by the cherry-picking of scientific evidence in the DHSC’s Fluoride Monitoring Reports for 2014, 2018 and 2022, written by faceless anonymous authors, we don’t hold out much hope that the SoS will get to be informed about research evidence or data which contradicts the status quo.</p> <p>5.1.d.i. Profiles of health status and needs (“Fingertips Guidance”) are published on-line for all areas of England and Wales. The SoS will be shown these profiles which will inform the final decision. We’re not holding our breath though. The SoS is unlikely to make a connection between fluoride bioaccumulation over a lifetime and, for example, the greater occurrence of fractured hips and/or hypothyroidism. Here, a consideration of health needs is more likely to focus on oral health needs.</p>
<p>(ii)the impact on the health and wellbeing, of individuals who would be affected by the proposal.</p>	<p>5.1.d.ii. However, individual respondents can tell the DHSC how drinking fluoridated water 24/7 would impact their health and wellbeing.</p> <p>We feel that anyone who has a “protected characteristic” (Equality Act 2010) ought to describe that characteristic. For example, “Osteoporosis predicts easily-fractured bones and since hip fractures are more common in fluoridated areas and since fluoride is known to make bones weaker and because I have osteoporosis, I object to having my future health risked by having to drink fluoridated water.” (References to the research literature should be added to strengthen such arguments.)</p> <p>If you have none of your natural teeth you can say: “I neither need nor want to drink fluoride because I have none of my own teeth.”</p> <p>It's a case of thinking deeply about why WF would not suit your circumstances and expanding on the reasons and matching citations/references to your concerns. It's</p>

	<p>also a case of being realistic and expressing genuine concerns.</p> <p>We are not being asked to provide proof from our GPs regarding our current health condition.</p>
<p>(2) The reference in this regulation to individuals affected by the proposal is to individuals who reside or work in the area affected by the proposal.</p>	<p>5.2. You can only respond to the PC if you live, work or study in the area proposed for Water Fluoridation. The Memorandum removes this condition. All people, seemingly, in the World, and even those below the age of 10 years can respond to the PC. See the Memorandum and the confirming email from the DHSC on 27th March 2024. It's strange that this wasn't included in the Consultation documents on the DHSC website!</p>

Four objections to **the existence of a PC** in respect of WF:

1. This measure affects everyone and yet not everyone will be able to respond due to inability to use a computer, infirmity, illiteracy, **failure to hear about the PC** or just a sheer lack of outrage. It is too much to expect everyone to take part. Thus a few will determine the future of the majority. Far from levelling up, it will be the well-educated, knowledgeable and confident people who will determine the outcome for the majority.
2. When voting during a General Election, constituents have only to prove their address before putting a cross on the ballot paper. They do not have to prove that they are politically savvy or prove they know why they are voting for a particular candidate. Voting for the wrong candidate in a GA will not affect their human rights, health and civil liberties at a personal level. But, with a WF Public Consultation, a few thousand people will decide for the majority. For this PC, we have been told that 1.6 million people will be involved in a public health measure which, looking at evidence collected over the decades (see 4. below), very few want.
3. There is shortage of research in favour of WF. And when we look at the many **books** written by authors who do not approve of WF in this [bibliography](#) and compare those numbers of **books** with the few books whose authors approve of WF, we can see why. There is so little in favour of WF that it is too difficult to write a meaningful book! Does the Government really expect that convincing evidence in favour of WF will suddenly materialise where currently there is none?

4. The results of informal newspaper and radio polls show conclusively that people do not want WF. For example, the 729 *MailOnLine* comments on the article at the beginning of February 2024 with 65% being against WF and only 11% being in favour, show, once again, that very few want to have fluoride added to their drinking water. [Pdf'd list of newspaper and radio polls](#) And it has been this way for every poll (apart from Mori polls) for decades. Put it to the vote at a General Election if you must; why expect people to get educated and run through hoops when it is simply a matter of common sense? Water Fluoridation is compulsory medicine without individual consent and the dose is uncontrolled. Babies are given the same concentration of fluoride as a weight-lifter!

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