A judicial review has been lodged by a woman in Southampton against the decision to add fluoride to tap water in Southampton and parts of Hampshire.

Leigh Day & Co solicitors revealed that it has begun the legal challenge on behalf of Geraldine Milner against South Central Strategic Health Authority (SCSHA). A statement from Leigh Day & Co said: ’Ms Milner is opposed to the proposals to fluoridate the water supply on account of the continuing uncertainties with regard to the long term health risks associated with fluoridation, as well as concerns with regard to the possible adverse environmental effects. She also considers that more targeted and less intrusive measures should be used to deal with problems of tooth decay in the Southampton area.’

The legal challenge argues that the SCSHA failed to have regard to the government’s policy that mass fluoridation of drinking water should only go ahead in any particular area if a majority of the local people are in favour of it.

Leigh Day & Co claim in part of the Water Bill that became the Water Act 2003, Lord Warner, the Junior Health Minister, stated in Parliament that it was government policy that ‘no new fluoridation scheme would go ahead without the support of the majority of the local populations determined by local consultations conducted by strategic health authorities.’

The South Central Strategic Health Authority (SCSHA) board’s decision was made in February despite 72 per cent of 10,000 respondents in a public consultation opposing the move.

It also claims that much of the information on fluoridation submitted by bodies such as Hampshire County Council and Hampshire Against Fluoridation was never properly considered by the SCSHA Board. The SCSHA said in a statement that the board is satisfied that, based on existing research, water fluoridation is a safe and effective way to tackle tooth decay and that the health benefits outweigh all other arguments against water fluoridation.

If the SCSHA gets its way, Southampton will be the first place in England to introduce fluoridation since Health Minister Alan Johnson’s ‘fluoridation’ for all proposal in February 2008.

Campaigners against the decision recently handed in a petition of over 15,000 signatures to the government.

However it seems that the government has decided to ignore the petition and is still determined to press ahead with fluoridating the water in Southampton and parts of Hampshire.

Ann Keen, the Parliamentary Under-Secretary of State for Health Services, said the government is firmly in favour of fluoridation ‘because of the potential it offers for reducing inequalities in oral health’.

The two Hampshire MPs, Romsey MP Sandra Gidley and Eastleigh MP Chris Huhne, who accompanied Hampshire Against Fluoridation campaigners last month to Downing Street to hand in the petition, have called the decision ’hazardous’.

Ms Gidley said: ‘They may be in favour of fluoridation but it’s up to us to make the case to the public, which they have clearly failed to do. They are in favour of fluoridation but don’t appear to be in favour of local democracy. I am just filled with despair.’

Mr Huhne said: ‘First of all they gave powers to the Strategic Health Authority to over-ride the local community. I am afraid this is consistent with the past arrogance that has seen local opinion ignored.’

Health chiefs want to add fluoride to the water supplies of 200,000 households covering parts of Southampton, Eastleigh, Totton, Netley and Rowhams.

The law was changed in 2002 to allow SHAs, rather than water companies, to decide on fluoridation.

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