

COUNCIL MEETING

30 APRIL 2014

PRESENT:

D. J. Leytham (Chairman)
D. S. Smith (Vice Chairman)

Allsopp, Mrs J. A.	Greatorex, C.	Smedley, D.
Awty, R. J.	Hancocks, Mrs R.	Spruce, C. J.
Bacon, B. F.	Heath, H. R.	Strachan, R. W.
Bacon, Mrs N.	Humphreys, K. P.	Taylor, S. D.
Barnett, Mrs S. A.	Marshall, T.	Thomas, T.J.
Bland, Mrs M. P.	Mosson, R. C.	Tittley, M. C.
Boyle, Mrs M. G.	Mynott, G.	Tranter, Mrs H.
Constable, Mrs B. L.	Norman, S.G.	Walker MBE, J.T.
Constable, D. H. J.	Pearce, A. G.	Warfield, M. A.
Cox, R. E.	Powell, J. J. R.	White, A. G.
Derrick, B. W.	Pritchard, I. M. P.	Wilcox, M. J.
Drinkwater, E. N.	Pullen, D. R.	Willis-Croft, K. A.
Eagland, Mrs J. M.	Richards, Mrs. V.	Wilson, B.
Evans, Mrs. C. D.	Roberts, N. J.	Woodward, Mrs S. E.
Fisher, Mrs H. E.	Salter, D. F.	Yeates, B. W.

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Flowith, Eadie, Hogan, Ms Perkins, A. F. Smith, Mrs Stanhope MBE and Wilks).

PRAYERS:

Prayers were said by the Reverend P. R. Clark.

322 CHAIRMAN'S ANNOUNCEMENT:

The Chairman invited Members to contribute to the appeal launched by Stephen Sutton for the Teenage Cancer Trust.

323 DECLARATIONS OF INTEREST:

There were no declarations of interest.

324 HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL:

Consideration was given to the opportunity to formally petition the Hybrid High Speed Rail (London to West Midlands) Bill in order to seek, via Parliament, changes to the Government's proposals to provide for appropriate mitigation. It was noted that to lodge a petition in Parliament against the Bill the District Council was required to pass a resolution supported by more than 50% of the elected Council Membership.

Councillor Pritchard advised Members that the key issue for debate was how far the Council would go to mitigate the impact of HS2 on the District and its residents. He stressed that now the Bill had been successful at the second reading in Parliament the only recourse was to petition. Councillor Pritchard said he had supported his local action group in fighting the rail line and as a Cabinet Member with responsibilities for the whole District he had become acutely aware of the devastating effect it would have on local communities.

He noted that originally the Council intended to petition jointly with the County Council, but it had become clear that the County Council, which was responsible for a much larger area, could not spend sufficient time on issues that were essential to the District.

Councillor Pritchard referred to Parish Councils and local groups that had worked for years, both fighting the project and trying to get reasonable mitigation with little or no success. After considering the process and taking advice he said the overwhelming consensus was that the Council should petition. He questioned how the Select Committee could take the District's issues seriously if the Council did not petition, and said it would risk undermining the work of other groups. He stressed the importance of not letting residents down when they most needed help.

Councillor Pritchard advised that according to Michael Fabricant, the Member of Parliament for Lichfield, petitioning was not only the last chance to get the required mitigation but the strongest chance. He noted that previous unsuccessful negotiations had taken place with HS2, but the Select Committee had the power to make changes. He appreciated that the costs estimated at £10,000–£70,000 were more than the Council would like to spend, however, engaging the Parliamentary Agents used by the County Council would enable costs to be paired back to reflect the shared arrangement. It was acknowledged that the more successful the Petitioning the higher the cost.

Councillor Pritchard concluded that he hoped the District Council would support its residents and moved the following:

'(1) That in the judgment of the Lichfield District Council it is expedient for the Council to oppose the High Speed Rail (London – West Midlands) Bill introduced in the Session of Parliament 2013-14.

(2) That the Cabinet Member for Economic Growth, Tourism and Development and the Strategic Director Democratic, Development and Legal Services take all necessary steps to carry the foregoing Resolution into effect, that the Common Seal be affixed to any necessary documents and that confirmation be given that Sharpe Pritchard (Parliamentary Agents) be authorised to sign the Petition of the Council against the Bill.'

The proposal was duly seconded by Councillor Wilcox.

Councillor Cox supported the motion saying that whilst he understood reservations about the cost anything that could help provide mitigation was worth pursuing. He questioned what residents would think if the Council did not take this opportunity to represent them.

Councillor Norman said that his Group supported petitioning in principle but had difficulty in supporting the resolution which was worded as if recent events in Parliament had never happened. Councillor Norman said that the Council should petition Parliament for the benefit of local communities and then proposed the following amendment:

'(1) That a detailed report on costs is made known to Members as soon as it is known to the Chief Executive.

(2) That the Council considers using a Roll B Agent (County or District Officer to reduce costs).

(3) That the effect on the environment and local economy should be reduced as much as possible by changes in the route and design but that this principle also be applied to the service users and council staff in the light of further cuts in services.'

Councillor Norman then questioned why the issue had not been referred to any Overview and Scrutiny Committees and why the costs would be likely to increase. The amendment

proposed by Councillor Norman was then seconded by Councillor Mynott.

Councillor White voiced concern that the amendment materially changed the proposal by taking delegation back to the Council thereby slowing the whole process down and asked for a legal view as to whether the amendment represented a material change, in which case it would not be valid.

The Chairman advised that it was appropriate to adjourn the meeting for five minutes in order to consider the amendment. Following the adjournment the Chairman advised that the amendment would be put to the vote.

Councillor Mrs Woodward said that there was cross party opposition to HS2, which was not the subject of the debate, however there was a need to clarify the costs, which already appeared to have been subject to inflation, and consider whether the outcome would be affected. She said little had changed since January other than the fact that the County Council had recognised there could be problems petitioning on areas that were outside its area of responsibility including planning and noise. As a consequence District tax payers were being asked to pay twice to cover costs associated with petitioning. She questioned if £70,000 could suddenly be found when there was little or no chance of success and asked why local Members of Parliament could not be trusted to represent the District.

Councillor Mynott said that he opposed HS2 and supported petitioning but was concerned about the lack of detail regarding costs and was unsure what the District was petitioning on. He said more information was needed about the cost and the petitioning itself. He said reference had been made to supporting local groups but it seemed the Council was picking and choosing what it wanted to support, given that money was not made available from reserves to support community services and council tax support.

Councillor Tittley expressed concern over the serious disruption that would be caused during the construction phase and stated that the Council needed to petition in order to mitigate this, not least given the financial impact on the District if businesses decided to relocate.

Councillor White spoke against the amendment and referred to the Conservative manifesto pledge to oppose HS2 that had been put to the electorate in 2011. He said that his party was doing what it was elected to do.

Councillor Greatorex also spoke against the amendment. He said that since the Council remained opposed to HS2 the statement in the original proposal was still valid and the amendment requested information that the Council would be obliged to make available anyway.

With regard to costs, Councillor Greatorex drew attention to Annex 1 of the report and said an estimated range had been provided but it was not possible to give an exact figure at this stage. He concluded that the proposed amendment was of little worth and called for the Council to proceed with the original proposal.

Councillor Norman said the proposed amendment provided clarification, would not result in any delays and sought to apply the same principle when looking at costs in the future.

A vote was then taken on the amendment proposed by Councillor Norman and seconded by Councillor Mynott.

Following a vote the amendment was declared **LOST**.

Councillor Marshall noted that questions had been raised about costs but said in reality the Council could not afford not to petition. He said whilst residents took priority it was important to do everything possible to mitigate ecological damage and expressed concern that not enough attention was being given by the Government to the environmental issues associated with such a major project. He asked if it would be possible to work with local environmental

charities with regard to biodiversity and referred to the fact that the local MP had come out in full support of local residents.

Councillor Mrs Woodward said that she shared Councillor Marshall's concerns over the projects ecological impact.

Councillor Mrs England stated that she had been involved in the issue for a long time and petitioning was the only way to go forward. She said previous negotiations with HS2 had not made any progress but this represented a chance and would reassure local people that the Council was doing all it could to help them.

Councillor Taylor expressed concern that this was a vote to spend an incalculable amount of money and said there was no information in the report about the extent of the savings that could be achieved by working with the County Council.

Councillor Constable said that HS2 was almost certain to go ahead and that the vote would be on a question of principle. Councillor Norman responded that it was a matter of petitioning the Select Committee in respect of the line of the route and its impact, including its environmental and ecological impact. He said the lack of information from Cabinet was disappointing, especially given that initially the Council was working with the County Council and then everything changed. He said he presumed that expenditure above £70,000 would have to go back to Cabinet.

Councillor Drinkwater supported comments made about supporting people but said it was a pity they were not made when decommissioning services and cutting staff.

Councillor Mynott said the financial details in the Annex to the report were not very detailed. He said if the exercise was only intended to make people feel good then he had to question why the Council was proceeding.

Councillor Tittley advised that petitioning had yielded positive outcomes in the past and referred to Cross Rail, where petitioning had resulted in amendments to the route and extra stations. He stated that the project had the potential for causing widespread disruption and everything possible had to be done to avoid this.

Councillor Mrs Barnett advised that the Parish of Colton did not become immediately involved until Phase 2 of HS2. In the circumstances a letter of support for the petitioning of HS2 by Lichfield District Council was to be presented by Colton Parish Council for inclusion in the submission.

Councillor Cox said paragraph 3.8 of the Annex to the report was quite clear about petitioning. He said mitigation measures put to HS2 by local action groups had fallen on deaf ears and petitioning allowed the Council to act on their behalf together with other groups if they were able to afford it. He said it was the Council's responsibility to act for its residents. He noted that the Member for Parliament for the Lichfield Constituency had voted against the Bill and was prepared to help local groups and the Council with the petitioning process. He said this should be applauded and that his opposition to HS2 had cost him his job as Vice-Chairman of the Parliamentary Conservative party.

Councillor Walker questioned whether the Member for Parliament could lead the petitioning thereby saving the District Council the costs of doing so.

Councillor Wilcox said it was important for the Council to stand behind its residents and it would be failing in its duty if it did not do so.

Councillor Pritchard advised that the Council was required to use a Roll A agent because a Roll B agent was not permitted for Districts. He confirmed that the further the petition progressed the greater the costs and Members would be kept fully informed as the petitioning progressed from stage to stage.

He concluded that the Council should petition given that the County Council would not be able to fully represent the District, it would strengthen other petitions and the Select Committee would be more likely to take notice.

With regard to ecological damage Councillor Pritchard said work was ongoing to gather all the relevant facts which would then be used to inform the Petition. He said that HS2 had not been easy to deal with and petitioning now represented the best and only way to go. He advised that the timeframe had not allowed the matter to be submitted to Overview and Scrutiny first.

A named vote was then taken on the recommendations proposed by Councillor Pritchard and seconded by Councillor Wilcox.

The vote was recorded as follows:

**FOR
(36)**

Allsopp, Mrs J. A.
Awty, R. J.
Bacon, B. F.
Bacon, Mrs N.
Barnett, Mrs S. A.
Boyle, Mrs M. G.
Constable, Mrs B. L.
Constable, D. H. J.
Cox, R. E.
Derrick, B. W.
Eagland, Mrs J. M.
Fisher, Mrs H. E.
Greatorex, C.
Humphreys, K. P.
Leytham, D. J.
Marshall, T.
Mosson, R. C.
Pearce, A. G.
Powell, J. J. R.
Pritchard, I. M. P.
Pullen, D. R.
Richards, Mrs V.
Roberts, N. J.
Salter, D. F.
Smedley, D.
Smith, D. S.
Spruce, C. J.
Strachan, R. W.
Thomas, T. J.
Tittley, M. C.
Tranter, Mrs H.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Wilson, B.
Yeates, B. W.

**AGAINST
(0)**

**ABSTAIN
(10)**

Bland, Mrs M. P.
Drinkwater, E.N.
Evans, Mrs C. D.
Heath, H. R.
Mynott, G.
Norman, S. C.
Taylor, S. D.
Walker, J. T.
Willis-Croft, K. A.
Woodward, Mrs S. E.

(Note: Councillor Mrs Hancocks left the meeting before the vote was taken).

The motion was declared **CARRIED**.

It was then:

RESOLVED: (1) That in the judgement of the Lichfield District Council it is expedient for the Council to oppose the High Speed Rail (London – West Midlands) Bill introduced in the Session of Parliament 2013-14.

(2) That the Cabinet Member for Economic Growth, Tourism and Development and the Strategic Director Democratic, Development and Legal Services take all necessary steps to carry the foregoing Resolution into effect, that the Common Seal be affixed to any necessary documents and that confirmation be given that Sharpe Pritchard (Parliamentary Agents) be authorised to sign the Petition of the Council against the Bill.’

(The Meeting closed at 7.15 p.m.)

CHAIRMAN