

# **City council position on the HM6L**

## **A comment by Professor John Whitelegg on Lancaster City Council's response to the Examiners First Questions**

**Unique reference number: XXXX**

Dear Mr Robottom,

- 1 I wish to make a brief comment on Lancaster City Council's response to your "First Questions". For ease of reference I have appended to this comment the relevant paragraphs and reference to the document that I am commenting on (Appendix 1)
- 2 The City council is correct that on 20<sup>th</sup> June 2007 Lancaster City Council voted to oppose the northern bypass, the road proposal now under consideration by NID. This decision was made by full council after a lengthy debate on a formal motion. It should be emphasised that under the constitution of Lancaster City Council full council is the superior decision making body of the council and this decision set a policy context which was clearly opposed to the route of the HM6L. The Council decision of 20 June 2007 is reproduced as Appendix 2
- 3 After this date council officers continued to work in a way that was contrary to the policy decision that had been taken. It is clear that in a normal well-run local authority a policy decision at full council sets the seal on policy and nothing should be done to undermine that policy.
- 4 Council officers continued to work in support of the HM6L up to and including the submission of the LDF to full council in July 2008. The LDF contained a policy of support that was directly contrary to the vote on 20<sup>th</sup> June 2007. On 23<sup>rd</sup> July 2008 officers did not alert councillors that para 6.25 of the Core Strategy as written was contrary to Council policy. Councillors were not informed that in voting for the LDF Core Strategy as recommended by officers they would be contradicting the vote on 20<sup>th</sup> June 2007. Councillors followed the officer recommendation and voted to approve the 117 page LDF Core Strategy document.
- 5 It is very important that the record on these matters is clearly logged in current proceedings and also it is important to assert the importance of constitutional democracy on these matters. Objectors do not "take great comfort" (para 3.3) from anything that has emerged from Lancaster City Council but take great exception to the way in which the clearly expressed will of the supreme decision making body of the Council has been frustrated.
- 6 The bypass itself has only been discussed once by Lancaster City Council and that was in June 2007 and the decision was "to oppose the northern route". This is the route now under discussion in these hearings.



# Appendix 1

## EXAMINING AUTHORITY'S FIRST QUESTIONS

**Town and Country Planning Act 2008**

**HEYSHAM /M6 LINK ROAD : RESPONSE BY  
LANCASTER CITY COUNCIL.**

[http://infrastructure.planningportal.gov.uk/wp-content/ipc/uploads/projects/TR010008/2.%20Post-Submission/Representations/Written%20Representations/Redacted%20web%20ready/120504\\_TR010008\\_Written%20Representation%20from\\_Lancaster%20City%20Council.pdf](http://infrastructure.planningportal.gov.uk/wp-content/ipc/uploads/projects/TR010008/2.%20Post-Submission/Representations/Written%20Representations/Redacted%20web%20ready/120504_TR010008_Written%20Representation%20from_Lancaster%20City%20Council.pdf)

3.3 Whilst it is understood that opponents of the scheme take great comfort from the June 2007 resolution, they do not seem to accept that the City Councils position has changed. Even at the time of the June 2007 resolution it was fully understood that the original scheme sat with the Secretary of State awaiting a formal decision following a local inquiry which was pending at the time, and it was generally agreed that the Council would accept the Secretary of States final decision.

3.4 By the summer of 2008 the Secretary of State had granted planning permission for the original Heysham/M6 Link scheme and in addition the City Councils Local Development Framework Core Strategy had undergone its examination in public. The Inspector had issued his binding report and had been able to consider fully the Secretary of States recent decision on the Heysham/M6 Link. The revised wording in the Core Strategy made it clear that by that time the City Council had returned to its original position and supports the northern route. On 23<sup>rd</sup> July 2008 the City Council voted to adopt the Local Development Framework Core Strategy which set out very clearly its position on the Heysham/M6 Link. That position has guided the Council's officers in their participation in the pre examination process leading up to the formal submission for a Development Consent Order.

## Appendix 2

Minutes of full council on 20<sup>th</sup> June 2007: bypass motion



[Home](#) > [Council and Democracy](#) > Agenda item

### Categories

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- [ePetitions](#)
- [Forward Plans](#)
- [Portfolio Holders](#)
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## Agenda item

### NOTICE OF MOTION - HEYSHAM M6 LINK

- [Meeting of Council, Wednesday, 20th June 2007 2.00 p.m. \(Item 36.\)](#)

To consider the following motion, notice of which has been received from Councillors Chris Coates, John Whitelegg, Emily Heath, Anne Chapman and Jon Barry.

“Lancaster City Council no longer believes that the Heysham M6 link - Northern route is the solution to the district’s traffic problems.

The Chief Executive should therefore take the following action:

1. Write to the NW Regional Assembly and asks that the Northern Bypass (The Heysham M6 link) be withdrawn from the list of projects put forward for funding by the Regional Assembly.
2. Inform the programme officer at the public inquiry into Northern Bypass (The Heysham M6 link) that Lancaster City Council will not be appearing in person and will not be submitting any written evidence.”

A briefing note prepared by the Corporate Director (Regeneration) is attached.

#### Minutes:

*(Councillors Roger Dennison and Geoff Marsland declared personal*

*interests in connection with the item in view of living in the vicinity of the proposed link road. Councillor Sarah Fishwick declared a personal interest in view of her capacity as a County Councillor).*

The following motion, notice of which had been received by the Chief Executive in accordance with Council Procedure Rule 15 was moved by Councillor Coates and seconded by Councillor John Whitelegg.

'Lancaster City Council no longer believes that the Heysham M6 link - Northern route is the solution to the district's traffic problems.

The Chief Executive should therefore take the following action:

1. Write to the NW Regional Assembly and asks that the Northern Bypass (The Heysham M6 link) be withdrawn from the list of projects put forward for funding by the Regional Assembly.
2. Inform the programme officer at the public inquiry into Northern Bypass (The Heysham M6 link) that Lancaster City Council will not be appearing in person and will not be submitting any written evidence.'

It was then moved by Councillor Archer and seconded by Councillor Kerr by way of an amendment:

'Lancaster City Council no longer believes that the Heysham M6 link – Northern route is the solution to the district's traffic problems. The City Council feels that it is imperative that a comprehensive alternative package of measures to deal with these problems needs to be identified and implemented as a matter of urgency.

The Chief Executive should therefore take the following action:

1. Write to all relevant Government bodies and agencies informing them of the City Council's decision.
2. Inform the programme officer at the public inquiry into Northern Bypass (The Heysham M6 link) that Lancaster City Council will not be appearing in person and will not be submitting any written evidence.'

This amendment was accepted by the mover and seconder of the original motion as a "friendly" amendment and therefore became the substantive motion.

The following amendment was then moved by Councillor Mace and seconded by Councillor Bray:

'This Council confirms that Lancaster District needs an M6 link.'

There followed a lengthy debate at the conclusion of which a recorded vote on the amendment was requested in accordance with Council Procedure Rule 19.4. The votes were recorded as follows:

For:

Councillors Blakely, Blamire, Bray, Brown, Bryning, Budden, Charles, Day, Dennison, Denwood, Fishwick, Gerrard, Gilbert, Greenall, Hanson, Helme, Histed, Johnson, Kirkman, Langhorn, Mace, Pritchard, Redfern, Robinson, Roe, Rogerson, Sands, Sherlock, Smith, Thomas and Williamson.

Against:

Councillors Barry, Burns, Chapman, Coates, Fletcher, Heath, Kay, Kerr, Knight, McCulloch, Marsland, Plumb, Stamp, Taylor, Towers, Trolinger, John Whitelegg, Maia Whitelegg and Woodruff.

Abstentions:

Councillors Archer, Ashworth, Barnes and Wade.

The votes being 31 for, 19 against and 4 abstentions, whereupon the Mayor declared the amendment carried.

A further amendment was then moved by Councillor Coates and seconded by Councillor Archer:

‘This Council confirms that this District needs an M6 link, but is opposed to the Northern route. The City Council feels that it is imperative that a comprehensive alternative package of measures to deal with the District's traffic problems needs to be identified and implemented as a matter of urgency.

The Chief Executive should therefore take the following action:

1. Write to all relevant Government bodies and agencies informing them of the City Council's decision.
2. Inform the Programme Officer at the Public Inquiry into Northern Bypass (The Heysham M6 link) that Lancaster City Council will not be appearing in person and will not be submitting any written evidence.’

It was moved by Councillor Knight and seconded by Councillor Burns, in accordance with Council Procedure Rule 17.11 (a) (ii) that the question be now put. Upon being put to the vote 27 Members voted for, 25 against and 1 Member abstained from voting, whereupon the Mayor declared the proposition carried.

A recorded vote on the amendment was requested in accordance with Council Procedure Rule 19.4. The votes were recorded as follows:

For:

Councillors Archer, Ashworth, Barnes, Budden, Burns, Chapman, Coates, Dennison, Farrow, Gerrard, Greenall, Heath, Kay, Kerr, Knight, McCulloch, Marsland, Plumb, Stamp, Taylor, Trolinger, Wade, John Whitelegg, Maia Whitelegg and Woodruff.

Against:

Councillors Blamire, Bray, Brown, Bryning, Charles, Denwood, Fishwick, Gilbert, Hanson, Helme, Histed, Kirkman, Langhorn, Mace, Pritchard, Redfern, Robinson, Rogerson, Sands, Sherlock, Smith, Thomas and Williamson.

Abstentions:

Councillors Barry, Day, Fletcher, Roe and Towers.

The votes being 25 for, 23 against and 5 abstentions, whereupon the Mayor declared the amendment carried.

It was moved by Councillor Mace and seconded by Councillor Bryning: -

“That there be a 10 minute adjournment.”

Upon being put to the vote 22 Members voted for and 25 voted against, whereupon the Mayor declared the motion lost.

It was moved by Councillor Knight and seconded by Councillor Coates, in accordance with Council Procedure Rule 17.11 (a) (ii) that the question be now put on the substantive motion. Upon being put to the vote 28 Members voted for and 21 Members against, whereupon the Mayor declared the proposition carried.

A vote was then taken on the substantive motion with 25 Members voted in favour, 23 Members against and 5 Members abstained, whereupon the Mayor declared the substantive motion carried.

***Resolved:***

This Council confirms that this District needs an M6 link, but is opposed to the Northern route. The City Council feels that it is imperative that a comprehensive alternative package of measures to deal with the District's traffic problems needs to be identified and implemented as a matter of urgency.

The Chief Executive should therefore take the following action:

1. Write to all relevant Government bodies and agencies informing them of the City Council's decision.
2. Inform the Programme Officer at the Public Inquiry into Northern Bypass (The Heysham M6 link) that Lancaster City Council will not be appearing in person and will not be submitting any written evidence.

**Supporting documents:**

- [m6 link inquiry briefing note, item 36.](#) PDF 15 KB

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• Source:

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- <http://committeeadmin.lancaster.gov.uk/mgAi.aspx?ID=10757>

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