

EXTRAORDINARY MEETING OF THE COUNCIL

21 March 2021

Commenced: 5.00pm

Terminated: 5.35pm

Present: Councillors Affleck, Alam, Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Costello, Dickinson, Drennan, Fairfull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen (Chair), Lane, Lewis, Martin, McNally, Mills, Newton, North, Owen, Patel, Patrick, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, Sweeton, Taylor, Ward, Warrington, Welsh and Wills

Apologies for Absence: Councillors A Holland, B Holland, Naylor and T Smith

Councillor Kitchen, Chair of Council Business, in the Chair

In opening the meeting, the Leader of the Council made a statement about the current war in Ukraine.

The Executive Leader began by saying that she was appalled by the tragedy currently unfolding in Ukraine. To see an independent, sovereign and democratic country invaded in such a way was something no one had expected to witness in the 21st century. Not only was this the largest military conflict in Europe since World War Two, it had the potential to be the most dangerous political moment in the world since the collapse of the Soviet Union. Information was currently limited but casualties were already numbering in their thousands and conservative estimates from the United Nations were that five million Ukrainians had become refugees or internally displaced within their own country. With the conflict only a month old, it was feared that these numbers would increase in the near future.

She stated that she supported the sanctions imposed on Russia by the British government so far and would encourage them to go much further to ensure that no one associated with Putin's murderous regime could ever find a safe haven in Britain for themselves or for their ill-gotten money again.

The Council was currently in touch with the government about the local implementation of the new homes for Ukraine's scheme. This was an emerging situation and, as such, the Council were awaiting full details of the scheme, but expected funding to be provided to support families to rebuild their lives and fully integrate into Tameside communities.

She spoke about what Tameside was doing to show support and solidarity with Ukraine and with its beleaguered people. A number of organisations within the borough including The Association of Ukrainians In Great Britain, Europa, and Action Together, were coordinating fund raising and donation efforts for refugees and others affected by the conflict and people were encouraged to give whatever they could to help. Thanks were extended to a local chaplain, Jean Hulston, who had organised an interfaith vigil at St Peter's Church in Ashton-under-Lyne in order to pray for a swift and just resolution to the conflict. The Leader requested that if there were any Ukrainians currently living in Tameside who needed any help at this time to please come forward and seek assistance.

In finishing, she said Tameside and its residents stood firmly alongside Ukraine and against Russia's brutal and unprovoked invasion. Freedom and democracy had to prevail and Tameside continued to stand by Ukraine.

67. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members of the Council.

68. HS2 PHASE 2B PETITIONING REPORT

Consideration was given to a report of the Director of Governance and Pensions and Director of Place, which sought Full Council approval for Tameside Metropolitan Borough Council (the Council) to object to the High Speed Rail (Crewe-Manchester) Bill (the Bill). Notwithstanding the Council's overall support for HS2, the Bill as currently drafted, included provision for the full closure of the Metrolink Ashton Line for a circa two year period. The Council was therefore seeking approval to petition against the Bill and secure the necessary changes to make appropriate provision of sustainable travel modes during the construction period.

It was reported that the Government planned to implement a new high speed rail network (HS2), including Manchester to London, Manchester and Leeds. This was a major national infrastructure proposal that was being progressed over several decades by two Hybrid Bills through Parliament. Phases 1 and 2a of the network, between London and the West Midlands and between the West Midlands and Crewe had already been consented. Phase 2b, between Crewe and Manchester, of which the report was concerned, would be progressed through a Hybrid Bill.

On 24 January 2022, the Government's High Speed Rail (Crewe-Manchester) Bill (the Bill) was deposited in Parliament to the House of Commons and was the start of the formal parliamentary process to obtain royal assent. The Bill was accompanied by a range of documents including in particular the Bill, Environmental Statement, deposited plans and accompanying documents. The Bill would secure powers to implement Phase 2b of HS2, comprising Crewe-Manchester including stations at Manchester Airport and Manchester Piccadilly. More specifically the Bill included powers to:

- build and maintain HS2 and its associated works;
- compulsorily acquire interests in the land required;
- sever the existing Ashton line of the Metrolink to enable the construction of HS2's Piccadilly station;
- make consequential changes to the Metrolink network;
- affect or change rights of way, including the stopping-up or diversion of highways and waterways (permanently or temporarily);
- modify infrastructure belonging to statutory undertakers (e.g. utility companies);
- carry out work on listed buildings and demolish buildings in conservation areas;
- carry out protective works to buildings and third-party infrastructure; and
- make necessary changes to existing legislation to facilitate construction and operation of HS2.

It also granted the necessary changes to existing legislation to facilitate construction and operation of the HS2 Phase 2b (Crewe – Manchester) scheme.

The principal stages of the Bill were outlined as follows:

- There was currently a period for representations on the formal Environmental Statement setting out the design and impacts of the railway, to which the Council would respond by 31 March 2022;
- The first reading of the Bill had been completed and was a formality; the second reading in the House of Commons would approve the principle of the Bill, and thereby the railway, and set out the timetable for petitions against the Bill (see below). Thereafter, the Bill proceeded to a Select Committee, which would present the first opportunity for petitioners to seek amendments to the Bill;
- The Bill would then be re-committed to a Public Bill committee of the House of Commons followed by Report stage and Third Reading; and

- The Bill would then be sent to the House of Lords where the process was repeated with a further opportunity for petitioning. When both Houses had approved the Bill, it received Royal Assent.

Members of the Council were informed that petitioning allowed any individual, group of individuals or an organisation directly and specially affected, to petition against a Bill. A petition was a summary of objections to particular aspects of a Bill, to be heard before a Select Committee of MPs, and could be submitted if petitioners' concerns were not addressed in advance of the Bill's petitioning stage. The Council had instructed Parliamentary Agents to act for it advising on negotiations with the Department of Transport and HS2 Limited, and preparation of any petition.

Notwithstanding the Council's overall support for HS2, the Council would need to ensure that any necessary provisions were included in the Bill and / or sought assurances / undertakings from the promoters to maximise benefits and minimise negative impacts of HS2 on the Borough. Officers would work closely with HS2 Ltd and representatives from the Department of Transport to ensure that necessary provisions were provided and would seek to negotiate agreements accordingly; if agreement could not be reached on specific matters it could be necessary to petition the Bill during a specific window, with authority to do so the subject of this report. The Council had identified a number of areas that it considered to be critical in maximising benefits and minimising negative impacts of HS2 on the Borough.

It was emphasised that it was essential that the construction methodology for the HS2 infrastructure was focused on limiting disruption to Metrolink operations. The Bill, as currently drafted, included provision for the full closure of the Metrolink Ashton Line for a circa two year period. To address this, the Bill should be amended to enable the construction of a new depot at Ashton Moss to enable a tram shuttle service to operate between Ashton and New Islington instead of the full closure of the Ashton Line and the provision of ancillary works. This would enable the Ashton Metrolink line to remain open throughout the construction of HS2.

The Council required that the existing Metrolink Ashton Line should be kept connected to the remainder of the Metrolink network for as long as practicable during construction of the HS2 station and modified Metrolink infrastructure. When the line had to be disconnected from Piccadilly, trams would be able to operate as far into Manchester city centre as possible, with bus services provided to bridge the gap. There would be a need for a number of enabling works to facilitate this approach, including a stabling and maintenance depot constructed on the Ashton Line. In the Council's view, adequate provision had not yet been made for them within the Bill and it was essential that omissions were incorporated. It was the Council's position that any additional or modified powers needed to construct and operate the Metrolink enabling works must be obtained by HS2 Ltd. This meant that the Bill needed to be amended to include these powers.

The overall financial and resource implications of reaching agreements and / or petitioning would be the subject of further assessment as matters requiring agreement and associated technical work were better understood. These implications would be met through existing council resources and / or instructions to external parties to provide technical advice in-line with delegated authority approvals. As additional funding requirements became known, resources would be identified and reported for approval in accordance with the Council's financial procedure rules.

Members of the Council were informed that the Council had the power to petition against a Hybrid Bill contained in Section 239 of the Local Government Act 1972 where they were satisfied that it was expedient to oppose the Bill. Under the Local Authority (Functions and Responsibilities) Regulations 2000, this power needed to be exercised by Full Council. Under section 239, a resolution of the Council to oppose the Bill needed to be passed by a majority of the whole number of the members of the Council after giving 10 clear days' notice of the meeting and its purpose in one or more local newspapers, in addition to the normal notice required to convene that meeting. The requisite newspaper notice was published on 3 March 2022.

The details of the Council's petition would be created by officers, with the support of TfGM, the

GMCA and instructed Parliamentary Agents. They would be informed by the Council's response to the Environmental Statement consultation. It was proposed that the Leader be given delegated authority, in consultation with the Chief Executive to approve the final text of the petition and the final steps necessary to submit it to Parliament, when the petitioning timetable was finalised. Parliament was expected to publish timescales for the stages of the Bill. However, it was currently understood that those petitioning the Bill would be able to do so during late May / early June 2022. The Government was aiming for the Bill to receive Royal Assent after November 2024, with construction commencing from 2027 onwards, with Phase One of the new railway opening to the public in 2036.

RESOLVED:

- (i) That it was expedient for Tameside Council to oppose the High Speed Rail (Crewe to Manchester) Bill (“the Bill”);**
- (ii) That, subject to the above, authority be delegated to the Leader, in consultation with the Chief Executive, to take all such steps as may be necessary or expedient to carry the above resolution into effect including all those steps required for the Council to submit any petition and thereafter to maintain and if considered appropriate withdraw its petition in respect of the Bill and to instruct the Director of Governance and Pensions accordingly; and**
- (iii) Authorise the corporate seal of the Council being affixed to any documents required to be sealed in connection with the submission of its petition and the subsequent opposition to the Bill.**

69. VOTE OF THANKS TO THE CIVIC MAYOR AND CONSORT

It was proposed by Councillor Owen and seconded by Councillor Fairfoull that a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Janet Cooper and Consort, Mr Dennis Fitzpatrick, for their dedicated services to the Metropolitan Borough of Tameside during an unprecedented two years in Office due to the pandemic.

RESOLVED

That a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Janet Cooper and Consort, Mr Dennis Fitzpatrick, for their dedicated services to the Metropolitan Borough of Tameside.

CHAIR