

Parish Council Response to Deadline 1 Submissions

My name is Julian Lavington, I am a resident of Birdlip and I am the Chair of Cowley and Birdlip Parish Council and I am making this submission to the Planning Inspectorate in my role as Chairman. The reason for this submission is that I believe a number of the responses to Deadline 1 are alleging disreputable conduct towards the community of Cowley with regard to the Parish Council's consultation on the A417 Missing Link scheme. Furthermore, I believe that a number of the responses to Deadline 1 are making defamatory allegations with regard to the conduct of myself as Chair.

First, I would like to bring some context to the suggestion that the Parish Council has not consulted on or represented the views of the village of Cowley and to respond to the suggestion by Lorcan Knox that we have not been democratic.

Cowley and Birdlip Parish Council is an elected civil local authority constituted under the Local Government Act:1994 and is located within the Ermin Ward of Cotswold District Council. Its boundary encompasses the villages of Birdlip and Cowley and the surrounding areas. It has an electorate of approximately 300 persons of which currently 212 are residents of Birdlip and 103 are residents of Cowley. It is governed by 7 elected Councillors and 1 part time clerk who acts as the Proper Officer. As it is one single Civil Parish then conceivably Councillors could be elected notwithstanding their residency in either Birdlip or Cowley villages but traditionally the Parish Council has tried to maintain a balance of Councillors with 4 from the village of Birdlip and 3 from Cowley. The Chairman is elected annually by majority vote of the Councillors and again could be from either village. I have been Chair for nearly 8 years but my predecessor was a Councillor who resided in Cowley and who was the Councillor who suggested that: '...and Birdlip' should be included in the name of the Parish Council

Decisions of the Parish Council are made democratically in accordance with its Standing Orders and by majority vote of Councillors. All activities are subject to an annual independent audit which is published in the public domain. As Chair of the Parish Council I have an equal vote to other Councillors unless there is a tie where the Chair has an additional casting vote. The suggestion by Pascale Gysi that the Parish Council is 'Birdlip heavy' is quite correct as that is appropriate given that over two-thirds of the residents of this Parish reside in Birdlip. Notwithstanding this the Parish Council has lobbied National Highways during the final consultation for changes to the project to minimise the impact of Option 30 to Cowley such as the improved noise reduction measures and the restrictions on access to Cowley from Cowley roundabout. As result the Parish Council was successful in getting these changes made and reflected in the

current dDCO.

There is a common theme with many of the submissions by Cowley residents that the Parish Council has failed to consult with the residents of Cowley. Whilst the formal consultation on this scheme is the legal responsibility of National Highways, in my role as Chair I have always sought to ensure that the views of our Parishioners have been carefully considered.

In reading the submissions made by the Cowley residents and, in particular how vociferous they are towards both the Parish Council and National Highways, the average person would be inclined to think that there has been a long standing campaign by Cowley residents and its Councillors against both the Missing Link project and the choice of Option 30 as the preferred route. However from my perception as Chair of the Parish Council this cannot be further from the truth. From the commencement of the consultation in 2017 and up and to August 2021 there has never been any correspondence received by myself or the Parish Council from Cowley residents complaining about the conduct of the Parish Council or stating any objections to the proposed scheme. There was a request from a Cowley resident for copies of all minutes and correspondence that concerned the scheme which was duly provided but no further response from the resident.

In terms of the Councillors who reside in Cowley, notwithstanding concerns over some of the detail such as the potential for increased noise, there has been unanimous support to the scheme. The decision of the Cowley Councillors to withdraw their support only changed following submission of the dDCO to the Inspectorate. Therefore I totally refute the statements made by [REDACTED] in his submission which claim that the views of Cowley residents have been revised or censored as until recently no such views have ever been made to the Parish Council. Furthermore I consider his remarks about the conduct of the Parish Council to be derogatory and inflammatory. I also consider it to be incredulous that the strength of opinion from Cowley residents, either against any type of replacement road scheme or supporting Option 12, has only surfaced since this scheme has been lodged with the Planning Inspectorate given that there has been public consultation in one form or another for 5 years.

With regard to the consultation that involved the Parish Council, this commenced in June 2017 with a meeting of local parish councillors with the Applicant at Elkstone. I asked at our council meeting for volunteers to join myself and only a Councillor from Birdlip offered to attend.

The meeting at Elkstone only served to explain to the local Parish Councils the process for approval of a DCO; there was no details of the scheme or routes presented at that time. Given the significance and impact of this scheme on the Parish I agreed with all Councillors that we should hold a public meeting and

invite all residents of the Parish to ensure the Parish Council had a clear 'mandate' to speak on their behalf as the various stages of the DCO progressed.

The public consultation meeting was held in November 2017 at Birdlip Village Hall as it was a publicly accessible venue in the most populous area of the community. The meeting was widely publicised in both villages and was well attended by over 100 residents. The substantial output that was collated by the Clerk and forwarded to the Applicant was that the most important issues that needed to be addressed by the Applicant were: Safety, Congestion/Rat-Running and protection/improvement of the Environment.

When the Applicant then held its route option consultation in 2018 with consultation events at the National Star Centre the Clerk agreed to assist the Applicant with the publicity by receiving and distributing posters and information packs. These were made available to all Birdlip and Cowley Councillors to disseminate to their residents and to post on local notice boards.

Following the route consultation carried out by the Applicant I made it clear to all Councillors that we needed to consider the mandate that we had been given from the public meeting in 2017 and that each Councillor has a democratic duty to consider the views of their own local community. Therefore when the Parish Council was formally consulted on the choice of route I was confident that when the vote in favour of Option 30 was carried unanimously by all Birdlip and Cowley Councillors this represented the majority views of both villages in the Parish. However given that the Applicant's route consultation was open to all residents as well as the Parish Council and included making a preference for either Option 30 or Option 12 I find it incredulous that, as it would now appear from the submissions to the Planning Inspectorate, the Councillors from Cowley were so out of touch with the views of their own community and that they did not make these views known to the rest of the Parish Council at this time.

In terms of my involvement with the then Highways England in appearing in a promotional video supporting the scheme I did this without any doubt that I was representing the views of the entire Parish Council. However in taking part in this video I was not just representing the Parish Council as I am a resident of Birdlip. I have personally a strong reason for promoting change in that I had had an horrendous experience when I found myself to be one of the first responders to a fatal accident on the 'Missing Link' and I was powerless to prevent two young lads burning to death in their vehicle. This has had a profound effect on me and this was the reason why I took part in this video when personally asked. I therefore find the suggestion in the submissions from [REDACTED], [REDACTED] [REDACTED] that my support to this scheme is motivated by personal benefit or any other mercenary intentions to be most offensive.

The Parish Council (as has all statutory consultees) been involved in detailed discussions on the A417 Missing Link Scheme since 2017 including the route consultations and the initial and amended design consultations for Option 30. All Parish Councillors have been invited to and attended many of the regular meetings on progress which were held at Gloucester Rugby Ground throughout the design development and any correspondence has been reported by myself as part of a standard agenda item at each meeting of the Parish Council.

In terms of my Relevant Representation to the Planning Inspectorate in August 2021 I had no reason to doubt at this time that the submission did not represent the views of the Parish Council. The submission made was the text of the final consultation requested by and submitted to the Applicant in November 2020. This submission was voted on and supported by the majority of Parish Councillors. It included confirmation that the Parish Council still supported Option 30 and included a request for modifications to the design to cover some concerns by both Birdlip and Cowley Councillors with regard to noise, access to Cowley and proposed parking for the Air Balloon Way. Following this submission the Applicant confirmed that the scheme had been modified to cover all of the required changes by the Parish Council with the exception of measures to reduce speeding on the B4070. Therefore the Relevant Representation by the Parish Council was no different to that already agreed and took due account of the final changes to the dDCO. Given that in the period since November 2020 and August 2021 nothing had changed to the dDCO and that I had received no representation from either Cowley Councillors or Cowley residents to the contrary, then at the time it was made, the Relevant Representation is a legitimate representation of the position of the Parish Council on this scheme.

I therefore find the submission made by [REDACTED] as being particularly egregious given the history I have described above, his involvement so far and his allegations which are contrary to the matters that are held on public record. For example at the time of the consultation route response to the Applicant in March 2018, [REDACTED] commented by email that the response by the Parish Council was 'excellent' and in response to the Parish Council's draft EIA Scoping document he commented: 'you have captured my concerns/ comments'.

I now accept that for some reason during the summer of 2021 there has been an 'awakening' of opinion against the scheme and the choice of Option 30 from some Cowley residents. However, this does not mean that as a Parish Council we have failed to consult with residents. In fact I have personally received emails from concerned residents of Cowley stating that not all residents are in opposition to the scheme and Option 30. In fact one stated 'the public consultation progress has been run effectively and transparently'

With regard to the submission against Deadline 1 that was proposed by [REDACTED] on behalf of the residents of Cowley this was not purely

'blocked' as alleged. This proposed submission arrived too late for the Parish Councillors to meet and debate the merits of each point before the Deadline 1 submission date. Therefore it was agreed by the majority of Councillors for no written submission to be made as taken as a whole it did not reflect the views of the majority of residents of the Parish or the position of the majority of Parish Councillors. For some reason [REDACTED] does not accept that the Parish Council has to take a democratic position and follow its Standing Orders. It is clear that the opinion of Birdlip residents are polar opposite to those of some Cowley residents. The petition submitted to the local MP by 260 Birdlip residents and the on-line petition started by a Birdlip resident signed by over 1600 persons, is clear evidence of the views of the residents of Birdlip. However this does not mean that Cowley residents do not have a voice and are able to make their views known to the Planning Inspectorate. What is not acceptable is for some Cowley residents to carry out a smear campaign against the Parish Council and myself alleging that we have somehow manipulated opinion in an underhand manner. It is also unfortunate that the impact of the disagreements with regard to the A417 Missing Link scheme has now resulted in the resignation of an excellent and long serving 3rd Councillor from Cowley as they believe their opinion differs from some Cowley residents and Councillors

Finally I refer to the comments made [REDACTED] in her submission in which she contends that I have conspired with [REDACTED] to suppress any consultation event in the village of Cowley and that I am also motivated by reasons of financial gain to support Option 30. I have never stated to [REDACTED] that: 'I spoke for the village and it was not necessary' with regard to holding a consultation event in Cowley but I did ask [REDACTED] for Highways England to consider holding consultation events locally rather than just at the National Star Centre. The decision as to where these were held were entirely made by the Applicant and I can only presume they had to consider many aspects such as the availability of a publicly accessible and non-commercial venue. Overall I find the comments [REDACTED] to be untrue, defamatory and that her statements are unreasonable. I ask that the Planning Inspectorate remove or redact her submission and remove her from further involvement in this planning process.