

## HEATHROW EXPANSION - A LOCAL REFERENDUM

<b>Cabinet Member</b>	Councillor Ray Puddifoot
<b>Cabinet Portfolio</b>	Leader of the Council
<b>Officer Contact</b>	Lloyd White, Administration Directorate
<b>Papers with report</b>	None

### HEADLINE INFORMATION

<b>Purpose of Report</b>	To consider a proposition for a local referendum and resident engagement on the expansion proposals for Heathrow.
<b>Contribution to our plans and strategies</b>	This proposal will contribute directly to the Council's policy of opposition to expansion proposals at Heathrow.
<b>Financial Cost</b>	
<b>Relevant Policy Overview Committee</b>	Residents' & Environmental Services
<b>Ward(s) affected</b>	All

### RECOMMENDATIONS:

That Cabinet agrees that:

- a) The proposals for a local referendum on the expansion of Heathrow and associated publicity programme as outlined in the report, be approved.
- b) The Head of Democratic Services, in consultation with the Leader of the Council, be authorised to act as Counting Officer and implement the referendum proposals.

### INFORMATION

#### Reasons for recommendation

To survey, along with partner Boroughs, the level of continuing public support for the Council's policy of opposition to future expansion of Heathrow airport.

#### Alternative options considered / risk management

Under relevant legislation the Council has a great deal of freedom as to how to conduct a local poll. Therefore Members are at liberty to consider alternatives to the polling arrangement proposals in the report.

## Comments of Policy Overview Committee

Not applicable at this stage.

## Supporting Information

- 3.1 On 15 January 2009 the Government announced that it was giving BAA the go ahead for a third runway, a sixth terminal and to end the 'Cranford agreement' at Heathrow. However, the Transport Secretary also announced that he was abandoning plans to end runway alternation and introduce 'mixed mode', which had been of major concern to many residents in the Borough.
- 3.2 In February 2010 the Council (in partnership with the 2M Group, NoTRAG, the 2M Group local authorities, HACAN Clearskies, Greenpeace, WWF, CPRE and Transport for London) were successful in a Judicial Review in which the High Court ruled that the Government's stance on Heathrow's third runway was 'untenable in law and common sense'. This, complemented by a lengthy and successful campaign (locally by the Borough's action group NoTRAG), resulted in the new coalition Government dropping the Labour Government's plans for a third runway and sixth terminal at Heathrow in May 2010. The Government has restated its commitment to allow no new runway at Heathrow in this Parliament.
- 3.3 However, on Friday 2 November 2012 the Coalition Government announced the Davies Commission, "to identify and recommend to Government options for maintaining the UK's status as a global aviation hub". The Commission will not return its final report until 2015, and so the next Government will be the one that chooses to act, or not act, on their recommendations.
- 3.4 In the meantime it has been felt both locally and across London that it needs to be made clear to both BAA and the Government that the possibility of a third and fourth runway at Heathrow is as untenable as it has ever been and that Hillingdon will stand opposed to any plans to move forward with expansion.
- 3.5 The last time the Council gave detailed consideration to this matter was on 1 July 2010. A motion moved by the Councillor David Simmonds and seconded by Councillor Keith Burrows received unanimous support as follows: *"That this Council applauds the Government decision to rule out a third runway at Heathrow Airport, whilst noting that other major transport proposals with possible serious environmental impacts on the Borough are under consideration. Council calls upon the Government to consult fully with all stakeholders on any proposal which will have an impact on the Borough's residents."*
- 3.6 As there has been no public consultation since that date, Cabinet is asked to consider proposals to publicly invite residents to declare their views on any expansion proposals through a referendum-style vote, which would be held before the end of the municipal year 2012/13.

## Local Context

- 3.7 Unlike the other possibilities for airport expansion in the London area, Heathrow is based in the middle of a densely urban environment and any growth would affect millions of

people. A third runway built at Heathrow would increase the number of flights handled by the airport by more than 220,000 a year, resulting in a huge increase in both noise and air pollution.

- 3.8 The Borough is already subjected to excessive levels of noise, often above the level the World Health Organisation considers to be problematic and the extra runway and flights would ensure that this increased even further. Increases in noise pollution have been shown to cause hearing impairment, hypertension, ischemic heart disease, stress, annoyance and sleep disturbance.
- 3.9 During the previous Government's campaign for the third runway at Heathrow it was claimed that the increase of flights from 473,000 in 2006 to over 700,000 scheduled to take place by 2020 would allow the airport pollution limits to stay within EU rules. This was, however, based upon the possible future improvements in individual aircraft emissions. Many independent observers doubt that there would be sufficient 'cleaning up' of jet engines to allow such a massive increase in flights without a corresponding deterioration in air quality. There are a large number of proven health effects from increased air pollution ranging from wheezing or shortness of breath (including asthma attacks) to chronic issues such as cancer and heart disease.
- 3.10 It is important that local residents have a say on this potential significant development and that their voices are heard on this issue. Through its role in enabling and involving local residents, it is proposed that the Council hold a local referendum as a part of our ongoing, wider programme of consultation and engagement.

### **Proposed approach**

- 3.11 To gauge public opinion, the core consultation will comprise a local referendum style poll. The Local Government Act 2003 creates an express power giving the right of a local authority to conduct an advisory poll. This Heathrow poll will be carried out during and up to the conclusion of a campaign beginning in March 2013 and will involve a number of methods to enable as many people as possible to be able to have their say.
- 3.12 All residents in the Borough, who are currently on the electoral register (approximately 207,000), will be eligible to vote and will be sent a card with an individual 'polling number'. The individual polling number would enable voters to vote securely. Using the coding system / individual polling number will provide a high level of confidence in terms of combating multiple voting. The analysis of the votes will be carried out by an external independent organisation under the auspices of the appointed Counting Officer.
- 3.13 Whilst the voting period will be spread across the months of March and April, there will also be a dedicated 'Polling Day' where residents can visit their local library and civic offices to place their vote.
- 3.14 It is intended to co-ordinate the campaign with other local authorities staging similar polls so that the final Polling Day can be synchronised so as to enable maximum impact and joint declaration of results.

## Question

- 3.15 The Electoral Commission has produced guidance for producing referendum questions and it is useful to reflect that when considering the wording of any referendum style poll.
- A referendum question should present the options clearly, simply and neutrally, so it is easy to understand and to the point.
  - It should be factual, describing options clearly and avoid assuming anything about voters' views.
  - It should be unambiguous, avoid encouraging voters to consider one response more favourably than another and it should avoid misleading voters or suggest a judgement or opinion either explicitly or implicitly.
  - It should be written in plain language, uses short sentences, be simple, direct and concise, avoiding jargon or technical terms.

## Publicity

- 3.16 Publicity will be important to ensure that as many people as possible have the opportunity to have their say. This will include a three step campaign that will commence several weeks before the poll:

**Step one: Your chance to have your say on Heathrow – coming soon** - A lead up campaign principally using Hillingdon People but also including: posters / leaflets in the Council Tax mailing / stakeholder letters / social media etc. The purpose of this stage is to make people aware that their polling card is coming.

**Step two: Have your say on Heathrow** - Throughout March a campaign to encourage residents to use their polling card and vote. This will be done through Hillingdon People supported with media opportunities, posters / leaflets and social media. Also supported via the 'polling day' in each library.

**Step three: What you said about Heathrow** - Feeding back the results of the consultation to residents and other interested parties.

- 3.17 Whilst the Council cannot bind any individual or political party, it would not be appropriate for the Council to issue any publicity urging residents to vote one way or another in relation to the outcome of the referendum. It is appropriate, however, in the run up to the voting period, for the Council to run a separate campaign promoting its agreed policy position of opposition to Heathrow expansion.

## Financial Implications

- 4.1 Conversations have already commenced with neighbouring boroughs who are considering carrying out similar consultations. Whilst this relationship will be an important factor in maximising turnout, officers will also investigate the potential of working together in order to minimise costs. The London Borough of Richmond have already approved proposals for a similar exercise at an indicative cost of £57k.
- 4.2 A sum of £100k has been provided in the in the draft 2013/14 budget to cover costs associated with challenging expansion at Heathrow. This sum could be used to cover the

costs of the referendum. A tender process will take place to secure the contract for the distribution and analysis of the polling.

## **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendation?**

This proposal will create a unique opportunity for all the residents and communities of Hillingdon to have a direct influence on Council and Government policy and to send a clear message to the management at Heathrow.

### **Consultation Carried Out or Required**

No consultation has been carried out at this stage.

## **CORPORATE IMPLICATIONS**

### **Corporate Finance**

Corporate Finance has reviewed this report and concurs with the financial implications set out above.

### **Legal**

- 5.1 Section 116 of the Local Government Act 2003 provides a specific power for principal local authorities to hold polls in order to ascertain views on any matter relating to: (1) their services, or (2) expenditure on those services, or (3) their power to promote well-being in their areas.
- 5.2 The extent of this express power is broadly drawn, allowing the local authority to hold a poll on any matter relating to the promotion of well-being of its area. The section also provides express freedom to a local authority in determining, for any poll it proposes to hold, who to poll and how the poll is to be conducted.
- 5.3 The Representation of the People Regulations 2001, regulation 107 (4)(aa) allows a local authority to use the full electoral register "for the purpose of a poll under section 116 (local polls) of the LG Act 2003".
- 5.4 In publicising the poll the Council must have regard to the recommended code of practice on local authority publicity which provides guidance on the content, style, distribution and cost of local authority publicity.

## **BACKGROUND PAPERS**

Nil