

# Packham fight over HS2 goes to Court of Appeal

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A MAJOR review of the HS2 rail scheme gave a “very incomplete assessment of environmental matters”, the Court of Appeal has been told.

This meant that the Government gave the green light to the scheme based on a “complete misapprehension” of the environmental impact, lawyers for Chris Packham argue.

The TV presenter is pursuing a legal challenge at the Court of Appeal against the Government over its decision to give the go-ahead to HS2, a high-speed rail network planned to be built partly in Sheffield and Leeds.

Mr Packham took his case to the High Court in April, seeking an emergency injunction to stop works he claimed would cause destruction or “irreversible and irreparable loss” to ancient woodland sites.

He applied for the order as part of his attempt to bring a legal challenge against the Government over HS2.

But two senior judges refused Mr Packham permission to bring a claim against the Government's decision and did not grant the injunction.

Announcing the court's decision, Lord Justice Coulson said: “This application has no realistic prospect of success, so we do not grant permission to bring judicial review proceedings.”

Mr Packham was given permission to appeal against the High Court ruling and his case is being heard by three leading judges in a remote hearing on Wednesday.

The well-known environmental campaigner is not repeating his application for an injunction.

Lawyers for Mr Packham argue that there were failings in the way the Government reached its decision to give the HS2 project the go-ahead. The Government is opposing the challenge.

## ‘No prospect of success’

**TIMOTHY MOULD QC, barrister for the Government, argued that Mr Packham's claim should be dismissed.**

**In written submissions to the Court of Appeal, he argued that it “has no realistic prospect of success”.**

**He said: “It is simply fanciful for the appellant to assume that the first respondent (the Secretary of State for Transport) knew nothing about the public legislative and procedural history of HS2, including the comprehensive assessment of environmental impacts undertaken in accordance with parliamentary procedures, beyond that which was drawn to his attention by the report itself.”**

In written submissions to the Court of Appeal, David Wolfe QC, for Mr Packham, argued that ministers would have proceeded with making a decision on HS2 on the basis that the report from the Government-commissioned Oakervee Review would have explained what they needed to know about the environmental impacts of the project, when in fact, it did not.

The Oakervee Review was set up to examine whether and how HS2 should proceed.

Mr Wolfe said: “The report gave a very incomplete assessment of environmental matters. That mattered, because it meant the decision-maker Secretary of State then proceeded (when balancing its various pros and cons) on a complete misapprehension of the existence and/or scale of the environmental impacts of the scheme.”

The judges reserved their ruling.



**WELLY GOOD IDEA:** Yorkshire artist Anita Bowerman, with her Welly Art installation at Castle Howard, near Malton; Anita with more of the 191 stainless steel wellies to launch Yorkshire Cancer Research's annual 'Give it Some Welly' campaign. PICTURES: SIMON HULME.

## Welly sculptures aim to encourage more people to give cancer the boot

WHILE THE sight of Wellington Boots trampling through the grounds of Castle Howard will by no means be anything unusual – boots hanging from a tree may well be.

But despite its frivolity, a new art installation at the stately home, between York and Malton, has a serious meaning.

It has been created by Harrogate artist Anita Bowerman to launch Yorkshire Cancer Research's annual 'Give it Some Welly' fundraising campaign.

The charity, which is dedicated to helping Yorkshire people avoid and survive cancer, is celebrating the 191,000 people in Yorkshire who are living with

or have survived cancer thanks to advances in early diagnosis and treatment.

The boot-based sculpture, entitled Give Cancer the Boot, is made up of 191 stainless steel boots, with each welly representing 1,000 people who are living with or have survived cancer in Yorkshire.

The art installation, which is located on the South Front in the grounds of Castle Howard, is now open to the public until Wednesday, July 22.

The charity is aiming to raise £10m this year and is encouraging people to fundraise this Yorkshire Day, Saturday August 1, with a welly-themed

idea – whether it is “wanging” them, wearing them, or baking some boot-themed cakes.

Chief executive Dr Kathryn Scott said: “In the past few months, life has come with increasing challenges and apprehension about what the future might hold, so the continued support of people in

Yorkshire means more to us than ever before. With our ambitious target to fund £10m of world leading research to prevent, diagnose and treat cancer every year, we need the people of Yorkshire to join us in raising life-changing funds, so we can continue our work in helping more people give cancer the boot for good.”

Castle Howard owner Nicholas Howard welcomed the event.

He said: “It is an honour to welcome Yorkshire Cancer Research to Castle Howard and to be supporting the charity in its work to help the people of Yorkshire live longer and healthier lives.”

**“ We want to help more people give cancer the boot for good ”**

Dr Kathryn Scott, chief executive of Yorkshire Cancer Research

## Officials now ‘fair game’ in anonymous briefings, says top civil servant

CABINET SECRETARY Sir Mark Sedwill has warned that civil service officials have become “fair game” in modern politics as he spoke out again on anonymous briefings against him.

Sir Mark, the most powerful official in Government, is set to step down as Cabinet Secretary

and national security adviser in September amid reports of clashes with the Prime Minister's chief adviser Dominic Cummings.

He told MPs and peers on the National Security Strategy Committee that it was “never pleasant” to read off-the-record reports against civil servants in the

media but said it had become a “regrettable feature of modern politics”.

Before Sir Mark stood down, criticisms of his performance, particularly his handling of the coronavirus outbreak, appeared in the press.

“It is never pleasant to find

oneself, particularly as an official, in the midst of stories of that kind,” he told the committee yesterday.

“We appear to be in an era where some of us are fair game in the media and I'm afraid it goes with the territory now.

“I guess my successors will

have to deal with some of that as well.

“I don't think it is ever pleasant in government, whether it is against ministers, between them and particularly against officials, when you have briefings to which you cannot really reply, particularly those that

are off the record and sniping away. But it is a regrettable feature of modern politics, I'm afraid.”

When asked why he resigned from his dual post, Sir Mark replied: “I haven't resigned. The Prime Minister and I agreed I should step down, by agreement.”

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## Ringo celebrates 80th birthday with a little help from his friends

SIR RINGO Starr celebrated his 80th birthday with a livestream featuring some of his famous friends.

The former Beatle usually marks his birthdays with a public get-together in Hollywood but was forced inside by the coronavirus pandemic.

He hosted an online event on Tuesday – from behind his drum set – with cameos from the likes of Elvis Costello, Dave Grohl and Sheryl Crow, who performed Beatles and Sir Ringo covers from home.

And there were a number of throwback moments from Sir Ringo's concerts of years gone by, including a performance of *Helter Skelter* with Sir Paul McCartney.

Money raised from the livestream went to four charities: Black Lives Matter, the David Lynch Foundation, MusiCares and WaterAid. Sir Ringo reflect-



**RINGO STARR: 'Black lives matter. Stand up and make your voice heard.'**

ed on how the Beatles were influenced by black artists as he praised the Black Lives Matter movement.

He said: “There's no greater act any of us can make than to stand up and be counted when you see injustice.

“I don't have to tell you that the Beatles' early success had a lot to

do with the influence we found in American artists.

“We loved listening to Ray Charles, Little Richard is my hero, Stevie Wonder, Sister Rosetta Tharpe – I saw her live – and my stepdad's favourite, Billy Eckstine. The list goes on and on.”

He added: “Black lives matter. Stand up and make your voice heard.”

Each year for his birthday, Liverpool-born Sir Ringo usually asks his fans to call for “peace and love” around the world. Last year he gathered outside the Capitol Records Building in Hollywood.

This year, the digital event featured well wishes from the likes of 22-year-old rapper Jaden Smith, highlighting Sir Ringo's generation-spanning appeal. After joking he still feels 24 years old, video from Sir Ringo's life played alongside his hit song *Photograph*. He signed off with a call for “peace and love”.

## High price for sought-after dolls' house

A RARE 19th century dolls' house has sold for £8,500 at auction with its accompanying furniture proving the draw for specialist buyers.

The Victorian brick-build house came with three small but “perfectly formed” pieces of furniture, including a pedestal table

and washstand made by Evans and Cartwright in unusual colours.

The Wolverhampton toy manufacturer is known for its reddish-brown furniture, so the fact these pieces were in yellow and green was what caused much excitement among bidders.

An 18th century wooden table in an individual style, one of only a handful known in existence, also caused something of a stir in the saleroom, said Tennants auctioneers.

The house and its furniture were sold to a private vendor in North Yorkshire.

## Project played ‘vital role’ in helping vulnerable

A LOTTERY-FUNDED project which aims to help people facing homelessness, addiction, reoffending and mental health across West Yorkshire has had a “transformational impact”, a study on its work has found.

Sheffield Hallam University's Centre for Regional Economic and Social Research (CRESR), found that the West Yorkshire – Finding Independence project (WY-FI) “has played a vital role in helping people with complex needs access support”.

Assessing the impact on more than 800 individuals, CRESR's final evaluation of the six-year project, said: “The project has had a transformational impact on the lives of many men and women across West Yorkshire. All interviewees reported that their lives had improved, sometimes significantly, since working with the project.”

WY-FI programme manager, Sue Northcott, added: “Finding the right help when experiencing any one of these multiple needs can be difficult. WY-FI is about making sure the right kind of help is available for people when they need it, so supporting them to live a more fulfilling life.”

The project is now in its final year of activity, with a renewed focus on system change.

Elsewhere, Wakefield Council has commissioned a new drug and alcohol service which brings together services for both adults and young people for the first time. The combined service offers information, advice, medical treatment and support to people with concerns about their use of drugs and alcohol.

Wakefield Council's cabinet member for adults, health and well-being, Coun Faith Heptinstall, said the authority wanted to ensure that people know if they need help, they know they will “not be judged and will receive the help they need to move forward in a positive direction”.

## Ex-commando attacked man for car scratch

A FORMER Army commando kicked his neighbour in the head and knocked his tooth out in an attack over a scratched car.

Stephen Ainley flew into a rage and grabbed the victim by the throat before attacking him in the street outside his home in Mickelfield, near Leeds.

The 61-year-old former Army commando was locked up for six months yesterday over the “senseless, unjustified violence” on January 5.

Leeds Crown Court heard Ainley only stopped the attack when his wife and another neighbour intervened.

Tim Jacobs, prosecuting, said Ainley caused injuries to the neighbour including a cut to his right eye which needed four stitches.

He also lost part of a tooth and had to undergo dental work which cost him £600.

Ainley pleaded guilty to assault occasioning actual bodily harm.

Mark Foley, mitigating, said his client pleaded guilty at an early stage. He said Ainley had been wearing yachting shoes and did not intend serious injury. Mr Foley said Ainley had received help after being diagnosed with post traumatic stress disorder.

## Man rescued from roof of burning pub

A MAN was in a critical condition yesterday after being rescued from the roof of a burning pub.

An investigation has started into the serious fire at The Old Swan Inn in Gargrave in North Yorkshire.

The incident on the village High Street was reported at 5.30pm on Tuesday following concerns for the safety of a man in his 50s. Just before 6pm, police noticed a fire inside the pub and a man was seen on the roof of the building.

Fire crews attended to deal with the blaze and the police tried to talk to the man in an effort to bring him to safety.

Properties nearby were evacuated as a precaution and local residents were urged to close doors and windows due to thick black smoke spreading from the fire.

As a further safety measure, the A65 was also closed to traffic. Witnesses or anyone with information are asked to call North Yorkshire Police on 101.