Heritage Party Response to Ministry Reply: Reorganisation, Climate Policy, Planning Legality
To: Ministry of Housing, Communities & Local Government
From: Madeleine Hunt, General Secretary, Heritage Party
Date: 11.07.2025
Re: Government Response to Heritage Party Letter of 7 June 2025 (Ref: TO2025/16566)

Dear Carole,

Thank you for your reply dated 7 July 2025 in response to our formal letter to Ministers regarding planning policy, environmental oversight, and democratic governance.

We appreciate the acknowledgment of our correspondence. However, your response does not substantively address the legal and constitutional concerns raised, and in several areas appears to restate policy lines without answering the specific questions posed. We write to reiterate those points and seek a further ministerial-level reply.

---

1. Democratic Legitimacy and Use of "Invitations"

Your letter references "statutory invitations" under the *Local Government and Public Involvement in Health Act 2007*, and states that decisions may be taken by Executive rather than Full Council. This does not address our concern that multiple councils acted without full council approval, public vote, or documented democratic mandate - despite these being clearly referenced in parliamentary debates and FOI responses.

Furthermore, your response confirms that non-binding invitations were widely treated by local authorities as authoritative directives, leading to significant governance changes—including the postponement of elections—without the necessary statutory basis or public consultation.

You also omitted any reference to Minister McMahon's public confirmation that no formal consultation reports were submitted by councils to support election postponements. This is a critical omission, and directly relevant to the lawfulness of decisions taken.

We therefore renew our requests for:

- Confirmation that reorganisation cannot proceed without documented democratic mandate.
- Disclosure of whether any councils submitted election delay requests with consultation evidence.

- Ministerial clarification on whether action taken solely based on invitation, absent legal preconditions, may be considered ultra vires.

---

2. Legal Boundaries of Secondary Legislation

Your reply implies that the Executive may lawfully enact reorganisation via secondary legislation, even where consultation has not occurred. This is a mischaracterisation of the statutory framework.

Secondary legislation under the 2007 Act is contingent upon meeting preconditions including:

- A formal local authority proposal
- Stakeholder and public consultation (including with other affected councils and any others deemed appropriate under Sections 7–8)
- Evidence of community support
- A ministerial determination that the proposal improves governance

Where these criteria are not satisfied, the use of secondary legislation would be procedurally defective and potentially open to judicial review.

We also note that no national emergency, fiscal crisis, or public referendum has been declared that would justify the circumvention of consultation or democratic checks. The suggestion that reorganisation may proceed via executive authority alone is constitutionally untenable.

This view is reinforced by contributions in the House of Lords debate on 24 March 2025, where peers expressed serious concern about the lack of transparency and legal justification underlying the *Local Authorities (Changes to Years of Ordinary Elections) (England) Order 2025*.

https://hansard.parliament.uk/Lords/2025-03-24/debates/49ECD628-E2E3-420F-A49F-628439355034/LocalAuthorities(ChangesToYearsOfOrdinaryElections)(England)Order2025#contribution-A76D1A38-738D-4AEF-90AD-1EE420F3818A

---

3. Clarification on “Sledgehammer” Remarks

Our original letter raised concern over the Deputy Prime Minister’s remarks about giving “an army of mayors sledgehammers to deal with blockers.”

We asked:

- Who is considered a “blocker”? Do elected councillors and residents fall into this category?

- What is the intended action mechanism behind the term “sledgehammer”?

Your reply did not acknowledge these questions.

Given the context - accelerated planning powers and declining democratic oversight - this language may be perceived as an attempt to intimidate lawful public dissent. We therefore request formal ministerial clarification of these comments and whether they reflect current policy intent.

---

4. Climate Policy, Risk Assessments, and Scientific Basis

Your reply asserts that government climate interventions are delivering positive environmental outcomes. However, FOI responses from DEFRA, DESNZ, and the Environment Agency confirm:

- No specific environmental or health risk assessments were conducted for UK-funded geoengineering (e.g. sun-dimming/solar radiation management trials)
- No emergency-level CO_2 or pollution data exists across the vast majority of council areas
- Funding has been allocated to speculative interventions, such as solar radiation management, without public consultation, mandate, or local data validation

These points are not disputed in your reply, and no evidence has been presented to support climate emergency declarations that are being used to override planning law and public objection.

We therefore request:

- A legal and evidential basis for proceeding with national climate interventions in the absence of localised environmental risk data
- Clarification of what risk assessments (if any) were conducted regarding sun-dimming or climate modification projects

---

5. Planning Policy, Housing, and Green Belt Use

Your letter repeats assertions of a housing crisis, but does not answer the following questions:

- **Why are councils proceeding with development plans without local housing needs assessments substantiated via FOI or public reporting?**
- **How do policies justified on grounds of “equity” or “net zero” align with compulsory acquisitions, displacement risks, and traditional planning law?**
- **What safeguards exist to prevent co-option of planning frameworks by land speculation or foreign investment?**

No ministerial response has been provided on whether this approach risks undermining public confidence in planning frameworks, or whether it replicates historical models of top-down resettlement and political relocation.

---

6. Lack of Direct Ministerial Engagement

This reply was issued by the Correspondence Unit rather than the Ministers to whom our original letter was addressed. This matter is not a consultation - it is a legal and constitutional challenge, supported by parliamentary references, FOI evidence, and formal documentation.

To clarify:

- We have not submitted evidence at this stage but have stated we hold it and are prepared to submit it in appropriate legal or parliamentary contexts.
- If ministerial responses remain unavailable, this matter will proceed through judicial, parliamentary, and public channels.

Conclusion

The Ministry's reply does not adequately address the legal, statutory, or democratic issues raised. It avoids clarity on key questions of mandate, policy legality, and environmental risk, and offers no reassurance that public rights or legal standards are being upheld.

We therefore request a direct and substantive ministerial reply to the above points no later than 28 July 2025. Failing that, we reserve the right to escalate this matter in full through lawful and parliamentary means.

Sincerely,
Madeleine Hunt
General Secretary, Heritage Party
On behalf of heritage party members, civic groups, and concerned residents across the UK