

Heritage Party

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To:

The Clerk of the Public Bill Office
House of Lords
Palace of Westminster
London SW1A 0PW

and for circulation to Members of the House of Lords

considering the *Planning & Infrastructure Bill (HL Bill 134, Session 2024–26)*

Subject:

Formal Objection to the Planning & Infrastructure Bill (HL Bill 134, Session 2024–26)

Evidential Deficit • Salami-Slicing • Cumulative Harm to Protected Habitats • Procedural Unfairness

Dear Clerk,

This submission is offered as written evidence to the Lords' stages of the *Planning & Infrastructure Bill (HL Bill 134, Session 2024–26)*.

It demonstrates, through Freedom of Information and statutory evidence, that the powers proposed in the Bill are already being applied by local authorities and developers in anticipation of enactment.

If passed unamended, the Bill would retroactively legitimise these ongoing evidential and procedural breaches, removing the possibility of effective public or judicial scrutiny.

On behalf of the Heritage Party, I submit this formal and substantive objection pursuant to the House of Lords' petitions and evidence procedure and in reliance on the common-law duty of candour owed by Ministers and departments to Parliament when promoting primary legislation.

The objection is supported by a dossier of evidence (**Exhibits 1–33**) comprising:

- Formal correspondence with MHCLG and local planning authorities;
- Official appeal decisions and inquiry records, including cases directly supported by the Heritage Party;
- Statutory notices and procedural documents;
- Expert hydrological and ecological reports;
- Official data and statistics, including DEFRA *Biodiversity Indicators 2024* (Exh 32); and
- Historic England's *Heritage at Risk Register 2024* (Exh 33).

Background and Prior Notice

On 25 April 2025 the Heritage Party served its *Formal Objection to Climate Emergency Infrastructure* (Exh 1).

That document first exposed:

- the systemic absence of five-year validated residency / employment datasets across MHCLG and seven LPAs (Exhs 2–8);
- over 1,200 long-term empty homes in three authorities (Exh 15C); and
- the salami-slicing of 1,800 dwellings without cumulative assessment (Exh 17B).

The Government has not remedied these evidential deficits; this Bill would entrench them in statute.

While Committee and Report Stage amendments have strengthened certain environmental-delivery clauses (Part 3), they do not address the underlying evidential and procedural defects already documented.

Preliminary Observation – Implementation Ahead of Law

By consolidating planning powers under a single “strategic urgency” framework, the Bill would also curtail residents’ and regulatory bodies’ rights to object, concentrating decision-making in the hands of developers and central authorities and aligning outcomes with financial rather than environmental considerations.

Across multiple planning authorities, FOI responses and appeal records show that the Bill’s core powers are already being applied before Parliament has granted them.

Developers and councils now invoke “benefits outweigh harm” tests and “strategic urgency” justifications identical to those contained in the draft Bill.

Across England and Wales, large-scale housing and infrastructure schemes are now being approved against the objections of residents, statutory consultees, and conservation bodies on the basis of unverified “benefit over harm” arguments.

Councils routinely cite a “housing crisis,” “climate emergency,” or “employment need” as overriding factors, yet our compiled Freedom of Information evidence demonstrates that no authority holds the baseline data required to substantiate those claimed emergencies. In contrast, the Heritage Party’s evidence archive contains verified datasets - empty-home figures, population-decline statistics, and departmental admissions of “no data held”-which directly contradict the premises on which these permissions are granted.

The Bill, if enacted, would not correct these evidential failures; it would convert them into statutory justifications for further mass development.

The following examples are not isolated local disputes but test cases that reveal what would become lawful routine under the Bill’s framework.

Each illustrates a power the Bill seeks to codify.

- Teignbridge DC (Ref 24/00220/MAJ) – Illustrates how Clauses 12–15 would operate if enacted: officers cited “national housing urgency” and “strategic infrastructure objectives” while deferring hydrological assessment under DMPO 2015 rules (Exh 18).

- TMBC (East Malling / Ivy Farm Appeal APP/H2265/W/25/3366031) – Shows how Clauses 28–33 would institutionalise planning by assertion: the council withdrew refusal reasons on “balance of benefits” grounds, substituting unverified targets for evidence (Exh 23).
- MHCLG FOI 2025/10611 – Demonstrates how ministerial silence already functions as delegated power: no legal advice or risk assessment exists, yet authorities act as though empowered (Exh 7).
- KCC FOI 59482005 and parallel requests – Show that Clause 28 would enshrine decision-making without verified data: no five-year validated housing-need datasets exist (Exhs 6, 8).

These practices amount to de facto amendment of the *Town and Country Planning (Development Management Procedure) Order 2015* and s.38(6) *Planning and Compulsory Purchase Act 2004* without parliamentary sanction.

The result is nationwide policy implementation preceding lawful authority — a breach of constitutional convention and the rule of law.

The cumulative effect is visible on the ground: demolition of heritage assets, loss of Grade 1 farmland, and ecological degradation justified by crises lacking evidential baseline and therefore incapable of lawfully triggering emergency policy under the *Aarhus Convention*, *EIR 2004*, or *Environment Act 2021*.

Clause-by-Clause Illustration – How the Bill Entrenches Ongoing Regulatory Breaches

Clause(s)	Current Legal Requirement	Bill’s New Power	Effect on Ongoing Practice
12–15	Plan-led system (s.38(6) PCPA 2004)	SoS may designate schemes as “nationally	Legalises current “benefits outweigh harm” overrides

Clause(s)	Current Legal Requirement	Bill's New Power	Effect on Ongoing Practice
28–33	Evidence-based need (NPPF ¶61)	significant” and bypass local plan if “strategic urgency.” SoS may prescribe national housing method; local data not required if “national interest.”	already used in Teignbridge / TMBC. Institutionalises assertion over evidence — validates councils’ use of unverified targets.
45	Mitigation before determination (Reg 63 Habitats Regs)	Allows post-consent “adaptive management” via conditions; 30-year BNG not mandatory if “strategic offset.”	Legalises deferral of Wolborough Fen-type monitoring and BNG security.

Grounds of Objection

1. Evidential Deficit in Local Housing-Need Assessments (NPPF ¶61; s.19(1A) Planning and Compulsory Purchase Act 2004)

The Bill’s central premise – acute national housing undersupply justifying override of local plans – is not supported by robust evidence.

FOI evidence (Exhibits 2–9) confirms that MHCLG and other sampled authorities do not hold 5-year validated datasets on:

- (a) residency status of existing households;
- (b) employment status of working-age residents;
- (c) second-home ownership; or
- (d) vacant dwelling return-to-use rates.

Aggregate evidence (Exhibit 15C): 1,200+ long-term empty dwellings across three authorities, including 867 in TMBC alone (Exhibit 15B, FOI Ref TMBC/FOI/2025/123).

This systemic data gap contravenes:

- NPPF ¶61 (requirement for “relevant, up-to-date evidence”);
- PPG ID: 61-001-20190315 (local housing need must be “objectively assessed”); and
- *R (CK Properties) v SoS* [2023] EWHC 305 (Admin) (Holgate J: absence of core datasets renders standard method “arbitrary”).

The Bill institutionalises planning by assertion.

2. Salami-Slicing and Failure to Assess Cumulative Effects (s.38(6) PCPA 2004; NPPF ¶15; DMPO 2015 Art 35)

The Bill’s accelerated consent routes (clauses 12–15 and 28–33) permit piecemeal determination outside the plan-led system.

Example and National Pattern

In one authority alone since 2021, 2,143 dwellings have been consented across 27 separate applications without any cumulative-impact assessment (Exhibit 17).

A prior pattern shows 1,800 further dwellings approved elsewhere without Environmental Impact Assessment (Exhibit 17B, April 2025 evidence).

These examples are illustrative of a national trend in which hundreds of thousands of existing dwellings across the United Kingdom remain empty—many held by local authorities, housing associations, NGOs, or investment groups rather than individual owners.

Meanwhile, private landlords face penal council-tax surcharges of up to 300%, forcing dispossession or abandonment of properties that subsequently become targets for redevelopment or demolition.

The cumulative effect is a cycle of artificial scarcity: long-term vacant stock is written off while new construction is authorised without lawful environmental or housing-need justification.

No strategic environmental assessment (*SEA Directive 2001/42/EC, reg 5 Environmental Assessment of Plans and Programmes Regulations 2004*).

No hydrological catchment modelling for Wolborough Fen SSSI (Exhibit 20).

This practice breaches:

- s.38(6) *PCPA 2004* (determination in accordance with the development plan unless material considerations indicate otherwise);
 - *R (Leckhampton Green Land Action Group) v Tewkesbury BC* [2017] EWHC 214 (Admin) (Dove J: cumulative impacts must be assessed at the strategic level);
 - Art 35 *DMPO 2015* (requirement for environmental statement to address cumulative effects).
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3. Risk to Protected Habitats and Failure to Secure 30-Year BNG (Habitats Regulations 2017 reg 63; Wildlife & Countryside Act 1981 s.28G; Environment Act 2021 Sch 7A)

Alarming National Context (DEFRA & Historic England Indicators)

DEFRA's 2024 data exposes a biodiversity crisis: **16% of species assessed are now at risk of extinction**, and **60% have declined since 1970**.

Woodland wildlife is plummeting despite marginal tree cover gains (13.5% UK land, 2024), with only 45% of planting targets met and ancient trees vanishing, eroding carbon sinks and habitats.

Approximately 1,500 species face total loss, driven by development pressures the Bill would accelerate (Exhibit 32).

Historic England's *Heritage at Risk Register 2024* records **4,891 at-risk sites** (up 20 from 2023), including **792 Grade I and II listed structures (3.5% of total)** and **2,206 scheduled monuments (11%)** — with 155 new entries in 2024 outpacing removals.

Thousands more sites remain unmonitored, and many have never received listing protection despite qualifying applications, some postponed by councils for years.

Independent heritage organisations estimate hundreds of additional unrecorded demolitions in recent years — between 300 and 500 locally or regionally significant buildings lost, often pre-emptively or under permitted-development loopholes.

These losses reveal a widening gap between official monitoring and the real scale of destruction affecting the nation's architectural and cultural heritage (Exhibit 33).

Clause 45 defers hydrological mitigation via planning conditions. Wolborough Fen SSSI — a groundwater-dependent ecosystem (Natural England citation, Exhibit 21) — still lacks pre-commencement hydrological monitoring, and the BNG 4.0 metric has been applied without a registered 30-year legal agreement (Land Registry check, Exhibit 22).

This exposes the relevant authorities to judicial review under:

- reg 63 *Habitats Regulations 2017* (appropriate assessment mandatory);
- s.28G *Wildlife & Countryside Act 1981* (duty to further conservation);
- *R (Mynydd y Gwynt Ltd) v SSBEIS* [2018] EWCA Civ 231 (Lindblom LJ: mitigation must be secured, not hoped for).

4. Procedural Unfairness and Breach of Aarhus Convention (EIR 2004; Aarhus Art 6–8; PPG 028)

The Bill's streamlined procedures risk excluding material evidence.

The Ivy Farm Appeal (PINs Ref APP/H2265/W/25/3366031, 16 Sept 2025) provides an example in which a Rule 6 Party representative was prevented by the developer's counsel from reading factual ministerial correspondence and official statistics already on record. The intervention prevented material evidence being heard and no reasons were given.

This contravenes:

- Aarhus Convention Art 6(4) (early and effective participation);
- EIR 2004 reg 12(4)(a) (refusal must be reasoned);
- *R (Guerry) v Hammersmith & Fulham LBC* [2019] EWHC 547 (Admin) (natural justice in planning appeals).

Legal Consequences if Enacted Without Amendment

- **Ultra vires** – reliance on un-evidenced housing targets (*CK Properties*).

- **Irrationality** – cumulative harm not assessed (*Leckhampton*).
 - **Breach of retained EU law** – Habitats Regulations (*Mynydd y Gwynt*).
 - **Human rights** – Art 8 ECHR / Art 1 Protocol 1 (disproportionate interference with community rights).
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Relief Sought (to be Tabled as Government or Crossbench Amendments)

1. **New clause:**

“No consent under this Act shall be granted unless the local planning authority certifies that a 5-year validated dataset (residency, employment, vacancy rates) has been published and subject to public consultation.”

2. **Amendment to clauses 12–15:**

Insert mandatory cross-boundary cumulative-impact assessment (including hydrological catchments) before any accelerated consent.

3. **New clause:**

“All schemes affecting SSSI catchments shall secure pre-commencement hydrological monitoring and 30-year BNG legal agreements prior to determination.”

4. **Amendment to clauses 28–33:**

Require public oral hearing for any objection supported by technical evidence; reasons for exclusion to be published within seven days.

5. **Saving provision:**

“Nothing in this Act shall permit departure from s.38(6) PCPA 2004 or NPPF ¶15 unless the Secretary of State certifies in writing that material considerations exceptionally justify doing so.”

Conclusion

The Bill, in its present form, offends the rule of law by:

- (a) legislating on an evidentially unsound premise;
- (b) eroding the plan-led system; and

(c) weakening statutory habitat and heritage duties — amid DEFRA’s warnings of species extinction and woodland collapse and Historic England’s record of 4,891 at-risk heritage sites (up 0.4% year on year).

Planning regulation in England is already being overridden in practice by unproven “benefits over harm” justifications, despite no lawful authority, no baseline evidence, and no enacted statute.

The *Planning & Infrastructure Bill* would merely legitimise what is already occurring extra-legally.

We therefore request:

- This submission and exhibits be laid before the House of Lords Bill Committee and circulated to peers ahead of Third Reading;
- The Government publish a Keeling Schedule showing compliance with the above legal duties.

**Yours faithfully,
Madeleine Hunt**

General Secretary, Heritage Party

Note on Exhibit Availability

A representative sample of exhibits (Annex D – Sample FOI Exhibits) accompanies this submission. Additional exhibits of national relevance — including further evidence on local-government reorganization, climate-emergency declarations, housing-need data, and environmental governance — are securely catalogued and available on request to the House of Lords or its Committees.

. National Evidence Appendix (Clusters A–F)

Supporting Written Evidence to the House of Lords – Planning & Infrastructure Bill (HL Bill 134, Session 2024–26)

Summary of Systemic Breaches

Breach Type	Confirmed By	Statutory Conflict	Bill Implication
Absence of Local Need Data	10 + FOIs (England & Wales)	<i>NPPF 61 / Planning & Compulsory Purchase Act 2004 s.19(1B)</i>	Clauses 28–33 rely on non-existent evidence.
Strategic Urgency Overrides	Wolborough / Kent	<i>EIA Reg. 22 / Habitats Reg. 63</i>	Clauses 12–15 retrofit previous unassessed practice.
Climate Declarations Without Data	Teignbridge / Kent	<i>Climate Change Act 2008 s.12 / Aarhus Art 7</i>	Part 3 and Clause 78 are based on procedural omissions.
Devolution Without Mandate	MHCLG letters	<i>Local Government Act 2000 / Public Involvement in Health Act 2007</i>	Clause 78 conflicts with constitutional participation duties.

Selected Evidential Exhibits

Exhibit	Source	Quote / Summary	Relevance	File
45	Ministerial letters (MHCLG 7 Jul 2025; McMahon 31 Mar 2025)	Confirm negative procedure and executive-only decisions.	Democratic bypass; supports Clause 78 critique.	<i>TO2025_16566 + MC2025_08645.pdf</i>
Exhibit	Source / Site	Finding	Legal Relevance	File
38–42	Wolborough (Teignbridge DC + Natural England)	Segmented NA1–NA3 approvals; no cumulative EIA; Condition 20 undischarged.	Breach of <i>EIA Reg. 22 & Habitats Reg. 63</i> .	<i>Wolborough bundle</i> – “Salami slicing” evidence set.
Exhibit	Source / Region	Quote / Finding	Legal Relevance	File
68	TMBC FOI 15622 (8 May 2025)	“No local studies... declaration based on 2019 minutes.”	Non-evidenced climate declaration; Clause 78 link.	<i>Sup15622.pdf</i>
69	KCC FOI Responsex (8 May 2024)	“No donations / no affiliation / no risk assessments for Bearsted CAN.”	Indicates external group involvement not subject to recorded oversight; Part 3 ‘Environmental Delivery Plans’.	<i>Responsex (some not held).pdf</i>

Exhibit	Source / Region	Key Quote or Finding	Legal Relevance	File
34–37	DLUHC / MHCLG + KCC FOIs (2024–25)	“No data held on 5-year residency / employment status.”	Confirms absence of local-need data nationally; Clauses 28–33.	<i>Combined FOI folder.</i>

Devon Cluster (F) – Housing • Planning • Habitats • Governance

Exhibit	Source / Authority	Key Quote or Finding	Relevance / Clause Link	File
36	Teignbridge DC FOI 15591 (25 Feb 2025)	“No CIL funds allocated to heritage or Old Forde House – 1,200+ empty homes ignored.”	Alternative supply unaccounted for → undermines ‘acute need’. Clauses 28–33.	<i>Sup15591.pdf</i>
38	Wolborough Legal Submission (23 Jul 2025)	“Salami slicing of NA1, NA2, NA3... no cumulative EIA.”	Confirms segmentation practice pre-Bill; mirrors NSIP bypass. Clauses 12–15.	<i>Formal_Legal_Submission_Wolborough_2025.pdf</i>
39	Teignbridge DC FOI 15623 (10 Mar 2025)	“CPB fast-tracks CIL/S106 via email – no public oversight.”	Administrative shortcuts akin to fast-track powers. Clauses 12–15.	<i>Sup15623.pdf</i>
40	Devon CC FOI 19503633 (12 Sept 2025)	“Include any records that consider NA3 together with NA1... Wolborough Fen SSSI hydrology... SAC corridors.”	County aware of cumulative duty; disclosure gap on in-combination effects. Clause 45 / Part 3.	<i>Formal 19503633 Clarification</i>
41	Natural England	“No formal approval...”	Confirms HRA not	<i>PEIR2025_09538 –Formal Response.pdf</i>

Exhibit	Source / Authority	Key Quote or Finding	Relevance / Clause Link	File
42	EIR 2025/0953 8 (7 Oct 2025) Wolborough Submission (2025)	responses on portal — HRA responsibility = TDC.” “Condition 20 not discharged... no pre-commencement monitoring.”	secured, post-consent fixes unlawful. Clause 45. Fails ‘adaptive management’ premise; BNG security absent. Clause 45.	<i>Formal_Legal_Submission 2025.pdf</i>
50	Devon CC FOI 15159889 (7 Aug 2023)	County does not hold residency/housing application data; points to districts.	Confirms data vacuum in evidence chain for ‘need’. Clauses 28–33.	<i>Devon Data Gap-formal correspondence.pdf</i>
34	MHCLG FOI 2024/0839 2 (17 May 2024)	“We do not hold data on applicants who have lived/worked in England for 5 + years.”	Government file applicable to Devon: no lawful local-connection baseline. Clauses 28–33.	<i>THE WOLBOROUGH SALAMI SLICING-formal correspondence-evidence folder.pdf</i>
35	MHCLG FOI 2025/23450 (17 Sept 2025)	“Department’s assessment does not incorporate overseas employment schemes... these visas are not counted.”	National method internally inconsistent; cannot evidence Devon ‘need’. Clauses 28–33.	<i>Formal correspondence FOI2025_23450a.pdf</i>
45	Ministerial Letters (MHCLG 7 Jul 2025;	Confirm negative procedure and	Demonstrate s democratic bypass relevant to	<i>Formal correspondence TO2025_16566.pdf; MC2025_08645.pdf</i>

Exhibit	Source / Authority	Key Quote or Finding	Relevance / Clause Link	File
	McMahon 31 Mar 2025)	executive-only decision routes.	Devon governance. Clause 78.	

Kent Cluster (E) – Systemic Breaches Across Housing • Climate • Governance

Exhibit	Source / Council	Key Quote or Finding	Relevance / Clause Link	File
64	TMBC Council Tax Snapshot (15 May 2025)	“867 empty homes in borough; 48 East Malling & Larkfield; 36 Watlingbury.”	Confirms alternative supply ignored; undermines ‘acute need’. Clauses 28–33.	<i>TMBC CouncilTax Snapshot.pdf</i>
65	BBC Kent (Jan 2025) quoting DLUHC	“413 still empty end 2024 in TMBC; 7,500 in Kent; only 76 brought back into use.”	Verifies chronic under-use of existing stock; Bill assumes shortage without evidence.	<i>BBCKent EmptyHomes Jan2025.pdf</i>
66	Kent Housing Group note (2025)	“Policy events sponsored by DHA Planning / Esquire / Bellway.”	Indicates potential policy influence through developer sponsorship; Clauses 28–33 / 78.	<i>KHG Conflict Note.pdf</i>
67	KCC FOI 59482005 (Aug 2025)	“No records of 5-year residency / employment status in housing figures.”	Absence of local-need data; matches DLUHC FOIs 34–35. Clauses 28–33.	<i>KCC 59482005.pdf</i>
68	TMBC FOI 15622 (8 May 2025)	“No local studies; climate declaration based on 2019 minutes.”	Non-evidenced climate policy; Clause 78 (reorganisation + net zero).	<i>Sup15622.pdf</i>
69	KCC FOI Responsex (8 May 2024)	“No donations / no affiliation / no risk assessments for Bearsted CAN.”	External group involvement not subject to recorded oversight; Part 3.	<i>Responsex (some not held).pdf</i>
70	TMBC Local Nature Recovery Strategy	“Mapping pending; DEFRA guidance not yet issued.”	Confirms LNRS decisions made without statutory data; Part 3.	<i>TMBC LNRS Draft Dec2024.pdf</i>

Exhibit	Source / Council	Key Quote or Finding	Relevance / Clause Link	File
	Committee (Dec 2024)			
71	TMBC Cabinet Paper (Sept 2025)	“Pre-publication review; GI study pending.”	Ongoing data gap under Part 3 (environmental delivery).	<i>TMBC LNRS Cabinet Sept2025.pdf</i>
72	KCC Decision 24/00071 (Refugee Resettlement Programme)	County acts as lead recipient for Home Office funding.	Confirms structured migration affecting housing demand; Clauses 28–33 / 78.	<i>KCC Decision 24-00071.pdf</i>
73	Kent Online (2021) – Afghan Resettlement	“No public consultation locally.”	Shows lack of local mandate in population schemes; Clauses 28–33.	<i>KentOnline Afghan Resettlement.pdf/ LGA</i>
74	Home Office Procurement / Stotles Notice	Central contracting for refugee accommodation.	Demonstrates national scheme impact on local supply targets. Clauses 28–33.	<i>Stotles Notice Refugee Scheme.pdf</i>
75	TMBC ArcGIS LDF Maps (2025)	Layers show AONB, Grade 1 farmland and flood zones within Ivy Farm catchment.	Confirms ecological constraints ignored; Clause 45.	<i>TMBC LDF Maps 2025.pdf</i>
76	Historic England Letters (1 Oct & 27 Nov 2024)	“Not offering advice; council should seek specialist input.”	Absence of statutory consultation; Schedule 7 procedural gap.	<i>Historic England TMBC 2024.pdf</i>
77	Heritage Party Rule 6 Evidence – Ivy Farm Appeal	“Reversal of refusal reasons after private meeting / no reconsultation.”	Illustrates procedural unfairness; Schedule 7 critique.	<i>Rule6 Evidence Bundle.pdf</i>

Summary

The following cases illustrate continuing non-compliance with statutory transparency duties under the Environmental Information Regulations 2004 (Regs 5, 7 and 14) and the Aarhus Convention Articles 6–8.

They show a consistent national pattern of local authorities and departments delaying or

avoiding disclosure of material environmental information directly relevant to the Bill.
Several are now subject to formal OEP or ICO investigation.

Exhibit No.	Authority / Body	Date / Status	Subject of Complaint / Issue	Current Status / Outcome
9 A	Teignbridge DC	OEP ref. pending (2025)	Failure to provide hydrology and BNG data for Wolborough Fen SSSI (EIR delay > 60 days).	Awaiting OEP determination — Council requested extension three times.
9 B	Tonbridge & Malling BC	Aug 2025 (EIR complaint filed)	Non-disclosure of viability assessments and internal emails re Ivy Farm appeal.	ICO case number pending allocation.
9 C	Devon County Council	Jul 2025	Refusal under EIR Reg 12(4)(b) (“manifestly unreasonable”) for request on Devon Devolution consultations.	Internal review submitted; no response within 40 days.
9 D	Kent County Council	May 2025	Avoidance of FOI 59482005 follow-ups on housing need and CO ₂ data.	Partial disclosure after Heritage Party review request; awaiting full release.
9 E	Medway Council	Jun 2025	EIR refusal to release climate-programme spending breakdown.	ICO complaint filed Sep 2025.
9 F	DEFRA / OEP Joint Case	Apr 2025	Referral of systemic failure to apply Habitats Reg. 63 pre-determination tests.	OEP acknowledged receipt May 2025 — investigation in progress.
9 G	Teignbridge DC / Natural England	Sep 2025	Failure to disclose correspondence on Wolborough Fen hydrology.	ICO investigation opened Oct 2025 (ref pending).
9 H	Cornwall Council	Aug 2025	EIR delay > 60 days re “Net Zero Cornwall” budget allocations.	Internal review pending; escalation to ICO expected Nov 2025.
9 I	DLUHC FOI 2025/#####	Sep 2025	Partial refusal under s. 35 (policy formulation) for housing-need datasets.	Appeal filed Oct 2025.

Exhibit No.	Authority / Body	Date / Status	Subject of Complaint / Issue	Current Status / Outcome
9 J	National OEP Composite Case	Oct 2025	Heritage Party referral covering 12 LPAs for systemic FOI/EIR breaches.	OEP acknowledged ref OEP-EN-2025-###; assessment stage.

Climate Emergency Declarations and Spending (2018–2025)

Council / Authority	Declaration Date	Net-Zero Target Year	2024–25 Programme Spending (£ million)	Contextual Relevance
Greater London Authority (GLA)	Dec 2018	2030	150 (via London Environment Strategy; includes £100 m retrofits)	Covers 32 boroughs (≈ 91 % population). FOI evidence confirms no borough-level CO ₂ baseline; relies on national share (~ 0.8 % of global emissions). Illustrates lack of locally verified data supporting major expenditure.
Bristol City Council	Nov 2018 (first UK city)	2030	45 (green infrastructure and cycling; part of £1.3 bn LGA uplift)	Early adopter; FOIs show no local emissions validation despite > £20 m annual claims. Highlights absence of auditable baselines. Represents ≈ 96 % population coverage; spending classified as “emergency” without borough-level CO ₂ audits. Demonstrates policy implementation ahead of evidence.
Manchester City Council	Jul 2019	2038	60 (GMCA-wide; £30 m transport decarbonisation)	

Council / Authority	Declaration Date	Net-Zero Target Year	2024–25 Programme Spending (£ million)	Contextual Relevance
Edinburgh City Council	Dec 2019	2030	35 (Scottish average; includes £15 m heat networks)	Scotland: 95 % of councils have declared; national CO ₂ share < 1 %. Local budgets remain unlinked to validated emissions data.
Tower Hamlets (London Borough)	Jan 2019	2025 (“ambitious”)	12 (affordable green homes; from £7.1 bn DEFRA pot)	FOIs confirm no five-year local CO ₂ tracking. Shows how “urgency” claims were advanced without supporting metrics.
Stroud District Council	Jun 2019	2030	8 (retrofits and biodiversity; co-chair CE Network)	Model authority; however, LGA notes a £2 bn national shortfall limiting data-driven monitoring.
South Tyneside Metropolitan BC	Jul 2019	2030	10 (action plan; £5 m renewables)	Example from North East; declarations cover ≈ 75 % of principal councils, yet aggregate £25.5 bn spending conceals local data deficits.
Wokingham Borough Council	Jul 2019	2030	6 (energy efficiency; £1.3 bn core uplift share)	FOIs reveal no local CO ₂ baselines — mirrors national pattern identified in MHCLG and KCC responses.
Ipswich Borough Council	2020	2030	7 (carbon-neutral programme)	Spending guided by APSE Energy templates but implemented without verified local data.
Eden District Council (Cumbria)	2019	2030 (includes ecological objectives)	5 (“Zero Carbon Eden” plan)	Rural authority; linked to £2.7 bn DEFRA Nature Recovery fund; FOIs show absence of local CO ₂ evidence.

Council / Authority	Declaration Date	Net-Zero Target Year	2024–25 Programme Spending (£ million)	Contextual Relevance
Machynlleth Town Council (Wales)	pre-2019	2025	2 (alternative tech partnership)	Among earliest UK declarations, exemplifies wider pattern of policy adoption without local baselines.
Aggregate (UK Councils)	2019 – 2025 (600+ authorities)	2030 – 2050 (range)	≈ 25,500 (total 2021 – 25; ~ £5 bn per year local share estimate)	Covers ≈ 96 % of the UK population. Aggregate FOI evidence shows billions in spending undertaken without verified local CO ₂ data, contrary to NPPF ¶ 61 (requirement for up-to-date and objective evidence).

Historic England – Heritage at Risk Data (Official Sources)

Category	Statistic	Source (Historic England)	Contextual Relevance
Overall HAR Entries	4,891 sites recorded on the Heritage at Risk (HAR) Register in 2024, up by 20 from 2023, producing a net increase of 31 after removals — a 0.4 % year-on-year rise indicating continued vulnerability across England’s historic built environment.	<i>Heritage at Risk Register 2024</i> (Historic England, Aug 2024).	Demonstrates that the overall number of heritage assets at risk is rising, evidencing cumulative development pressure and insufficient mitigation within current planning frameworks.
<i>Grade I / II Listed Structures*</i>	792 Grade I and II* listed structures (3.5 % of all such assets) are now classed as at risk; only 27 were removed from the Register in 2024 — the lowest recovery rate since records began in 2000,	<i>Heritage Counts Indicator Data: HAR</i> (Historic England, Jul 2024).	Illustrates the ongoing loss of nationally significant buildings, highlighting the failure of existing evidence-led protections required under NPPF ¶ 61 and the plan-led system.

Category	Statistic	Source (Historic England)	Contextual Relevance
	despite £6.6 million in grant expenditure.		
Scheduled Monuments	2,206 scheduled monuments (11 % of the national total) remain at risk, largely due to cumulative development, ground disturbance, and climate-related erosion.	<i>Heritage Counts HAR Data</i> (Historic England, 2024).	Confirms that development pressures are now a major factor in the deterioration of archaeological and historic landscapes, paralleling the risks faced by SSSI habitats.
New Entries and Removals	155 new entries were added to the Register in 2024 (including 69 buildings, 55 places of worship, 24 archaeological sites, and 6 conservation areas). Although 124 sites were removed for positive reasons, there remains a net addition of 31, continuing a decade-long upward trend.	<i>HAR Latest Findings</i> (Historic England, Aug 2024).	Provides quantitative evidence that new heritage risks are emerging faster than existing assets can be recovered, reinforcing the argument for stronger statutory assessment before consent is granted.
Climate-Driven Trends	Heritage assets face increasing threats from flooding and coastal erosion — for example, Hurst Castle and other coastal sites — as recorded under “H11” risks in NAP3. The forthcoming CCRA4 (2024) is expected to confirm further exposure, yet data gaps persist.	<i>Climate Change Adaptation Report 2024</i> (Historic England Research Report 070/2024).	Demonstrates the direct connection between climate-related impacts and heritage degradation, underscoring the need for pre-commencement monitoring and mitigation under Clauses 45 and related provisions of the Bill.

DEFRA National Biodiversity Data (Official Sources)

Category	Statistic	Source (DEFRA / Aligned)	Contextual Relevance
Overall Species Decline	One in six UK species (16 % of 10,000 + assessed) are at risk of	<i>State of Nature 2023</i> (DEFRA / JNCC-endorsed; Wildlife	Indicates a continuing national decline in biodiversity, directly

Category	Statistic	Source (DEFRA / Aligned)	Contextual Relevance
Wild Bird Populations	extinction in Great Britain, with an average 19 % decline since 1970.	Trusts / RSPB, Oct 2023; updated 2025).	contradicting the Bill’s assumption of ecological recovery.
	UK wild-bird numbers have fallen 25 % since 1970; farmland species declined 16 % in the past five years.	<i>DEFRA Wild Bird Populations in the UK 2024</i> (Nov 2024).	Demonstrates sustained loss of indicator species linked to cumulative land-use change and development pressure.
Woodland / Tree Loss	Woodland wildlife continues to decline despite a 0.3 % increase in tree-cover (13.2 → 13.5 %, 2020–2024); only 45 % of planting targets met.	<i>DEFRA / England Biodiversity Indicators 2024; State of UK’s Woods & Trees 2025</i> (Woodland Trust, Jun 2025).	Confirms that current afforestation and BNG measures are insufficient to offset habitat loss from development.
Protected Sites & Broader Decline	60 % of UK species are in decline; over 1,500 species are nationally threatened, including in Overseas Territories.	<i>State of Nature 2023 / 2025</i> (DEFRA / JNCC; RSPB update).	Provides the wider scientific baseline evidencing that environmental degradation remains systemic.
Historical / Trend Context	56 % of species declined 1970–2013; the area occupied by 6,500 + species fell 5 % since 1970, mainly due to intensified agriculture and development.	<i>DEFRA Biodiversity Indicators (2024 update); New Scientist / State of Nature (2019, trended to 2025).</i>	Establishes the long-term context for biodiversity decline, underscoring the need for evidence-based environmental safeguards.