



SAVE WIMBLEDON PARK LTD

1 November 2025

Planning and Infrastructure Bill Amendment 250 Report Stage House of Lords 2025

- **Core Issue:**

Amendment 250 would **retrospectively remove long-standing public rights over open spaces**, effectively favouring private landowners (especially AELTC) and denying public remedies. It would cynically undo 150 years of statutory protections for public land.

- **Procedural Concerns:**

It appeared at **Committee Stage in the Lords (15 Sept 2025)** as Amendment 227E, was **withdrawn**, and has **reappeared without the consultation promised** by Baroness Taylor of Stevenage. If as claimed, there are so many cases around the country, it is even more important to ensure objective and fair consultation, to avoid a reckless mistake.

- **Legal Background:**

Under the **Local Government Act 1972**, councils must **advertise and consult** before disposing of land held for public enjoyment. The **Supreme Court decision in Day v Shropshire as recent as 2023 confirmed** that failure to follow these procedures preserves public rights in the land, even after sale.

- **Retrospective Effect:**

Amendment 250 would **override the Supreme Court in 2023 and retroactively, not merely to 2023 but as far back as 1980, remove vested public rights**. Nullifying public rights on any land disposed of since 1980, it targets Merton Council's disposal of Wimbledon Park golf course to the AELTC and favours the AELTC in their own litigation against their community.

- **Practical and Legal Deficiencies:**

The amendment protects purchasers but not the public whose rights are removed. The proposed public remedy (judicial review) is **inadequate** — limited by time, cost, and confidentiality barriers. This amendment is **attached to Clause 108** of the **Planning and Infrastructure Bill**, which is about housing and infrastructure — **not** local government powers or public open space. Its drafting is **unbalanced**, lacking **input from parliamentary draftsmen** or **wider consultation**.

- **Outcome Desired:**

Withdraw the amendment, consult widely and quickly, and create good law for the future. Don't make it retrospective; don't remove the public's vested rights.

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