



New planning legislation would have profound impact on AELTC Wimbledon development...proposed by Lord O'Donnell, a director of AELTC

October 24th, 2025

A proposed amendment change (Amendment Number 250) to appear after clause 108 of the Planning and Infrastructure Bill is to be discussed next week in the House of Lords on Monday (Oct 27) or Wednesday (Oct 29), proposed by Lords Banner, Grabiner, O'Donnell and Pannick. This would potentially have a profound impact on the development proposed by the All England Lawn Tennis Club (AELTC) not to mention countless other open spaces designated for public use and recreation.

In addition, Lord O'Donnell is a Director of the AELTC and, as a former member of Wimbledon Park Golf Club, the heritage parkland on which AELTC want to develop, would have been eligible for the £86,000 pay out that was made to all members in 2018 when AELTC bought out an early termination to the lease.

Jeremy Hudson, a director of Save Wimbledon Park Ltd said: *"This retroactive amendment defies the rule of law. It seems highly probable that this amendment is specifically intended to assist the AELTC in its proposed development of the golf course land, given that one of the sponsors of the amendment is Lord Gus O'Donnell, a Director of AELTC. This is allowing private development on public land and should not be allowed"*.

The amendment proposed would back-date to 1980 and make a change to the Local Government Act which would then allow any purchaser of land from a local authority to take it free of an existing public recreation trust.

In summary:

- The Planning & Infrastructure Bill is currently going through its Report Stage in the House of Lords
- This amendment (number 250) is likely to be considered by the Lords early next week
- The amendment seeks to overturn the effect of the decision of the Supreme Court in 2023 in *Day v. Shropshire*, i.e. that public recreation land sold by a local authority without going through a statutory consultation procedure remains subject to a statutory trust (for public recreation) (<https://www.theguardian.com/law/2023/mar/01/activists-win-supreme-court-appeal-stop-housebuilding-shrewsbury-park>)
- A particularly noteworthy aspect of the draft amendment is that it would backdate its effect to 1980, so catching all local authority transactions over the past 45 years
- This would include the sale of the old Wimbledon Park golf course to AELTC in 1993, which we, SWP, say is subject to a statutory trust (court case upcoming in January)

Fleur Anderson, MP Putney, Southfields, Roehampton and Wandsworth Town, said, *“This is a desperate attempt by AELTC to change the rules so they can push their development through. Everyone who loves their local green space should be worried by this. This proposed law would reduce protection for all green spaces owned by Councils”*

Paul Kohler MP, Wimbledon, said, *“I am alarmed by this scandalous back door attempt to secretly rewrite the law and allow the AELTC to ride roughshod over the rights of the public.*

“I have raised my concerns with my Liberal Democrat colleagues in the House of Lords who will challenge this amendment next week. We should be protecting the public’s right to public land rather than giving those rights away to private developers.

“I am concerned by the support given to the amendment by Lord O’Donnell who is a member and on the board of AELTC. As the AELTC will directly benefit from the change to the law he is sponsoring there appears to be a clear conflict of interest. I am also doubtful as to whether Lord O’Donnell is abiding by his duty of selflessness and impartiality, as required under the House of Lords code of conduct, though of course he would make no personal gain.

“The AELTC should be talking to the community to reach a compromise, not undermining our democracy and the Supreme Court, by clandestinely seeking to rewrite the law in their favour.”

A link to Lord O’Donnell’s entry in the directory of member's' interests in the House of Lords does not appear to mention his directorship of the AELTC:

<https://members.parliament.uk/members/lords/interests/register-of-lords-interests?SearchTerm=Lord+O%27Donnell&ShowAmendments=False>

PLANNING & INFRASTRUCTURE BILL 2025

House of Lords Report Stage October 2025 Amendment number 250

LORD BANNER, LORD PANNICK, LORD GRABINER, LORD O'DONNELL

After Clause 108, insert the following new Clause—

“Amendment to the Local Government Act 1972 to enhance provisions for protection of purchasers of land from local authorities.

For section 128(2) of the Local Government Act 1972 (consents to land transactions by local authorities and protection of purchasers), substitute—

“(2) Where under the foregoing provisions of this Part of this Act or under any other enactment, whether passed before, at the same time as, or after, this Act, a local authority purport to acquire, appropriate or dispose of land by any method whatsoever after 13 November 1980, then—

(a) in favour of any person claiming under the authority, the acquisition, appropriation or disposal so purporting to be made shall not be invalid by reason that any consent of a Minister which is required thereto has not been given or that any requirement as to advertisement or consideration of objections has not been complied with, and

(b) a person dealing with the authority or a person claiming under the authority shall not be concerned to see or enquire whether any such consent has been given or whether any such requirement has been complied with;

and any such person who acquires land to which this subsection applies shall take such land free of any trusts arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1906 notwithstanding any failure by the relevant authority to comply with the requirements of section 122(2A) or section 123(2A) of this Act.””

Member's explanatory statement

This amendment seeks to clarify purchasers’ protection machinery in the Local Government Act 1972 following the Supreme Court’s decision in R (Shropshire) v Day [2023] AC 955 for persons who acquire land from local authorities.

Ends

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