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15th June 2020

Westferry Printworks: Robert Jenrick MPs unlawful decision to approve it and public confidence in the probity of the planning process and the Ministers quasi-judicial role in these matters

Dear Sir Mark,

I wrote on the 3rd June 2020 to your department requesting an investigation but to ensure receipt I now write directly to you.

As the Councillor for the ward in which the Westferry Printworks application is located, I have been closely involved in the scheme since summer 2014 and have attended all of the public meetings including the 2016 planning permission granted by Sir Ed Lister and the 2019 public examination of the scheme.

But the more information that enters the public domain about Robert Jenricks approval of the Westferry Printworks scheme the more mysterious the decision becomes and the greater the need for full disclosure and an investigation.

Although much of the press attention has been focused on the fundraising dinner at the Carlton Club, the party political donations, Richard Desmond and the previous involvement of the Prime Minister when Mayor of London in the earlier scheme none of these fully explain why the decision was granted and why the Minister accepted his decision was unlawful on the grounds of apparent bias.

As a reminder the developer, Richard Desmond, a well-known media figure;

1. Benefitted by not having to pay approximately £40 million in Community Infrastructure Levy (CIL) despite an independent Examiner in October 2019 judging that schemes in the area including explicitly the Printworks site could afford to pay CIL.
2. Benefitted by being allowed to drop the affordable housing offer from 35% down to 21% during the appeal process despite the government's own Inspector judging that it could deliver a higher %.
3. Benefitted by the Minister ignoring his own Planning Inspectors recommendations, the Greater London Authority, Tower Hamlets Council, and residents views to approve the scheme.

These were conscious and deliberate decisions by the Minister and MHCLG, why MHCLG thought it appropriate that its role was to help make the scheme viable is unclear especially as other experts thought the opposite, the scheme could deliver greater public benefits.

Also unexplained is why after the Greater London Authority and Tower Hamlets Council submitted their Judicial Review requests in February 2020 did MHCLG change its mind and decide not to defend the JR on the grounds that it was unlawful? This was after the Minister described the Councils request for full disclosure of the documents as a '*fishing expedition*'.

In the attached synopsis is a more detailed list of questions, background and history of the scheme.

The decision also raises fundamental issues about the process by which Ministers make decisions like this and the role of public relation companies in it. As a local Councillor, it is striking how less transparent the process is in central government then it is at a local level (and it is not great locally either). This needs reform in order to ensure greater transparency and to restore confidence. Decisions should be made in public as the Mayor of London does, reports need to be released in advance, not after a decision is made, conflicts of interest should result in decision makers recusing themselves and planning ministers need to publicly declare all meetings with developers or their agents.

In summary, I urge you to investigate fully, this does raise issues about the Ministerial Code of Conduct which I know others have already raised as well as wider issues about the quasi-judicial decision-making role of some Ministers. I would also appreciate it if you would urge MHCLG to fully answer all FOIs submitted by myself as well as other interested parties. Given my own personal interest plus the press and political interest in this story, this issue won't go away.

But I urge a speedy conclusion, we desperately need the new secondary school on this site which has been repeatedly delayed by events, construction on that needs to start ASAP.

Please let me know if you have any questions, happy to assist in any way I can in resolving this,

Sincerely yours,

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CC

Jeremy Pocklington, Permanent Secretary MHCLG
Clive Betts MP, Chair House of Commons Select Committee