

# SCARING THE LIVING DAYLIGHTS OUT OF PEOPLE

**The local lobby and the failure  
of democracy**

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# Executive summary:

This report documents the abuses which characterise the operation of local democracy in many parts of the UK with intimidation, bullying or conflicts of interest common practice among lobbying companies, developers and local authorities promoting contentious development.

Examples include:

- The lobbying company campaigning for high speed rail that sets out to intimidate local opposition, aiming to “shit them up”.
- The HS2 campaign is an example of ‘astroturfing’, a campaign which is set up to give the impression that it is a grassroots campaign, although it is in fact run by lobbyists.
- The lobbying company boasts of its military tactics and how it tackles local opposition by creating a ‘mini army’ to ‘fight them on every street corner.’
- Consultation on the planned demolition of large parts of central London, including the Heygate Estate in south London, the Carpenters Estate in East London and the Earls Court project in West London, is widely derided by residents as a ‘sham’.
- Consultations around the country, from London to East Devon, Liverpool and Aberdeenshire are dismissed by residents, with many of the companies carrying out consultations on contentious schemes employed by the developers of those schemes.
- Residents claim that a misleading PR narrative on the part of lobbyists, developers and local authorities mistakenly depicts their homes and estates as sink estates with high levels of crime.
- The revolving door between Southwark Council and developer Lend Lease has seen a number of high profile council employees move from the council to work for Lend Lease.
- In Southwark, the confidential agreement with the developer – kept secret by the council and revealed by mistake - shows that having spent £44 million pulling down the estate, Southwark will receive only £50 million for the 22 acre estate from developer Lend Lease – far below market value, while just 79 of the 2,535 new homes will be social housing.
- In Aberdeenshire Donald Trump’s plans for a world class golf course on a specially protected site caused a political storm after the Scottish Government’s unprecedented decision to override the council’s refusal and ‘call in’ the application.
- Following the Scottish Government’s intervention and the granting of planning permission, it emerged that the revolving door between Aberdeenshire Council and the Trump camp witnessed the council working closely with Trump’s lawyers to discuss the compulsory purchase of local properties.
- Throughout local residents have been subject to extreme intimidation and harassment and politicians opposing the development have been vilified in the local media.
- In East Devon allegations of conflicts of interest between the council and local landowners have led to protest marches of thousands campaigning against ‘pre-judged’ decisions and secret meetings pertaining to controversial development schemes.
- Echoing the experience in Aberdeenshire, local residents protesting against development report that the local media has run campaigns against them.
- Allegations of dirty tricks on the part of developers and lobbyists acting for them include fake letter writing campaigns and the use of front companies to obscure the real intention behind planning applications.

The public interest is the justification for the planning system but these routine abuses, which reflect the failure of democracy, are undermining the public interest. A redefinition of the public interest in planning, which places far greater account on social value, is needed.

# I. Introduction:

## ‘Scaring the living daylight out of people’

### *“Shit them up”*

This is how lobbyists working to promote HS2, the campaign for high speed rail, described their tactic for dealing with opponents to the scheme.

Speaking at a conference of distinguished guests in 2012 the lobbyist went on to explain other lobbying strategies for winning the case for HS2: how they create compelling stories designed to change the parameters of the debate. They didn’t want the HS2 ‘narrative’ to be about shaving minutes off journey times to Birmingham and in the process cutting through swathes of countryside. The debate they sought to create was about pitting wealthy people in the Chilterns worried about their hunting rights, against working class people in the north. The strategy was “posh people standing in the way of working class people getting jobs” the lobbyist said. The lobbyist went on to explain how they enlisted support for HS2 with a bus tour of the big northern cities, working with celebrities, local radio and high status politicians with the aim of enthusing local people to tell 1,000 stories about just how good high speed rail would be. Their tactic for diffusing the very vocal, local opposition along the line was, quite simply, to “shit them up”.<sup>i</sup>

Also in the audience was an academic who was shocked by the “cold, militaristic approach” outlined and the use of

intimidation and threats promoted by the lobbyist. “This is a debate which is tricky and nuanced. But this wasn’t open at all, it was very coldly targeted and very strategic in the way that images were put forward. That’s the way PR works but it was so calculating. I came away thinking this has implications for the way democratic debate develops in this country, particularly the element about the scaring the living daylight out of people,” the academic said.<sup>ii</sup>

### ***The strategy was “posh people standing in the way of working class people getting jobs”***

The lobbying company leading the HS2 Campaign is Westbourne Communications and their employees James Bethell and Lucy James were described on the invite list as representing the Campaign for High Speed Rail. The campaign has a website which says it represents employers from across the country, listing under the section ‘Who is behind the campaign?’ a long list of business luminaries. Under the ‘Contact Us’ section is an address with a box number and a mobile phone number. Nowhere is there any mention of James Bethell, Lucy James or Westbourne Communications. Asked about Westbourne’s tactics to “shit them up” in reference to local opponents, Bethell said: “I literally can’t remember what you’re talking about.” He added: “It’s all about context – those three words could mean anything depending on the context.”

Although the Campaign for High Speed Rail is run by lobbyists, and supported by High Speed Two (HS2) Ltd, the company set up by the government, it has been set up to give the impression that it is a grassroots campaign of concerned employers, local businesses and local residents. This is an example of what is known as ‘astroturfing’ – fake grassroots campaigning – a lobbying technique which gained notoriety in the 1990s when American lobbyists for the tobacco industry set up front groups to defend smoker’s rights. A well-known example was the National Smokers Alliance created by lobbyists Burston Marsteller with funding from Philip Morris. <sup>iii</sup>

The Republican Tea Party movement in the US, described as “the biggest Astroturf operation in history” <sup>iv</sup>, has utilised similar techniques with American billionaires the Koch brothers funding an apparently grassroots group called Americans for Prosperity which mobilised opposition to Obama’s healthcare reforms and was instrumental in the organisation of Tea Party events. <sup>v</sup>

When it comes to astroturfing, Westbourne Communications has form: according to his Westbourne web profile, former employee James Frayne “pioneered the use of grassroots ‘people power’ campaigns for business and campaign groups”. <sup>vi</sup> Frayne was also behind the launch of the ‘Doctors for Reform’ campaign which claimed to represent a membership of 1000 ordinary medical practitioners in favour of a reformed health service, but which didn’t disclose its funding. It was, however, supported by the free-market think tank Reform, itself funded by private healthcare companies. <sup>vii</sup>

Bethell and James described how Westbourne created its own “mini army” to refute opposition to HS2 and focused on a two-pronged strategy of galvanising support from the business community while starting campaigns at a local level. <sup>viii</sup>

Westbourne is a bullish lobbying firm which is unusually open in advertising its aggressive approach. Speaking on Radio Four’s ‘Beyond Westminster’ Bethell continued his use of military metaphors, describing activists against development as insurgents. He told political correspondent David Grossman: “You’ve got to fight them on every street corner...You’ve got to win the ground and then hold it. You can’t just sit in your fortress and watch your opponents run around doing what they like. You’ve got to get out into the bush, using their tactics and being in their face.” <sup>ix</sup>

The language used by Bethell might sound extreme but the use of ‘astroturfing’, front companies and routine abuses of the democratic system are an everyday occurrence in local authority areas all around Britain. Today, these questionable activities are so common that they are an entrenched part of the system.

***“You’ve got to fight them on every street corner...You’ve got to get out into the bush, using their tactics and being in their face.”***

In a recent House of Commons debate on the transparency and ethics of lobbying, Labour MP Thomas Docherty, a former lobbyist, shared with Parliament some of the techniques of his former colleagues. For example, he told of lobbyists impersonating journalists and calling politicians to establish their views on supermarket provision in their area, either during or before the lodging of planning applications for a major

supermarket. He also recounted stories of lobbyists being planted in public meetings to heckle those who oppose his clients' schemes or to whip up opposition to other people's schemes, often on unfounded grounds. The same lobbyist, Docherty explained, also "has the interesting habit of putting up candidates for council elections... standing four or five people to get them the jobs of chair, secretary and planning secretary, to make sure that his clients receive favour," behaviour which Docherty described as "utterly unacceptable", although "not a crime." \*

However, such tactics remain difficult to document, being at the same time both ubiquitous and obscure with lines of accountability purposely blurred. Tax avoidance offers a good parallel because like tax avoidance – or indeed the expenses scandal - most of the activities of councils, developers and lobbyists are not actually

illegal, although instances of planning meetings packed with actors and fake letter writing campaigns from non-existent supporters of controversial schemes are undoubtedly unethical.

But while not illegal, there is no doubt that much of this behaviour undermines the spirit if not the letter of the law, as the public interest remains the justification for the planning system.

The question for this report is, where do these tactics by PR and lobbying companies, retained by councils and business interests, leave the democratic process?

To give a flavour of the prevalence of this activity, this report covers cases from East Devon to Aberdeenshire, large regional cities such as Liverpool and councils in London from Newham in the East to Southwark in the South.

## II. How would you like your home demolished?

### Eviction, demolition and displacement

Battles over development are often stereotyped as ‘NIMBY’ – ‘Not in My Backyard’ - protests against new development, from superstores to infrastructure such as High Speed Rail. Today, what also characterises many contemporary regeneration struggles are battles to save existing development, in particular housing, from demolition.

The Housing Market Renewal Pathfinder programme, which earmarked 850,000 homes for demolition in towns across the north of England, is one of the best known examples of struggles against demolition with many communities and individuals taking to the courts to save their homes.<sup>xi</sup> Many did not succeed and were evicted and their homes demolished, although the discredited programme has now been abandoned.

Launched in 2002 with the aim of tackling ‘areas of market failure’, the Pathfinder programme aimed to increase land values and property prices by demolishing existing homes in relatively low-income areas and building new properties which could be marketed to a wider social mix of people at higher prices, leading to widespread accusations of ‘social cleansing’.<sup>xii</sup> Although Pathfinder has been scrapped, the struggles against demolition documented here follow the same pattern: existing residents claiming that coalitions of council and developer, working with lobbyists, are motivated to demolish vibrant communities in order to realise high land values and create a higher

earning social mix on centrally located, prime development sites.

According to many residents, the planned demolition of a number of London estates, including the Heygate Estate in Southwark, the Carpenters Estate in Newham and the two estates connected to the Earls Court project follow this pattern, with large areas of social housing replaced by predominantly market housing. This report focuses on the Heygate and Carpenters Estate but very similar issues are described by Earls Court residents. In Aberdeenshire, Donald Trump’s battle with residents neighbouring his new golf course development mirrors some of the same themes, in particular the improperly close relationship between council and developer and the running down of existing properties as ‘slums’ in order to justify eviction and demolition. Also included here is a case study from the Welsh Streets in Liverpool, which has evaded demolition after years of campaigning, but continues to struggle to obtain any kind of hearing from the local authority.

#### Heygate Estate, Elephant and Castle, London Borough of Southwark

The Heygate is an estate of 1,100 homes in the heart of central London, which now lies almost entirely empty save for one resident, Adrian Glasspool, who is still holding out against the council’s plans to evict him.

Walking around the silent, deserted estate is an eerie experience with the distant rumble of traffic punctuated only by the noise of birdsong from the gardens and allotments planted by Adrian and a group of activist gardeners in an attempt to bring life back into the condemned estate.

They also found a larger than average proportion of elderly people with a significant attachment to the place: “There is a large number of residents, mainly elderly, who have resided on the estate for a number of years and have extensive links with the local Elephant & Castle area, and who have



The future of the neo-brutalist estate, which was completed in 1974 and which once housed more than 3,000 people, has long been the subject of debate since it emerged that its concrete high and low-rise blocks, built around communal gardens, are in need of some refurbishment. In 1998 Southwark Council commissioned a report into conditions on the estate from surveyors Allot & Lomax. They reported that “the crime statistics show a very low crime rate for this estate” and found the buildings to be in good condition, though in need of some maintenance.<sup>xiii</sup>

a reluctance to consider relocating elsewhere in the borough,” the report said. Consequently, it recommended some demolition of the tower blocks and refurbishment of the maisonettes as the most cost effective solution, environmentally, architecturally and socially.

***“the crime statistics show a very low crime rate for this estate”***

But by 2002 Southwark had decided to demolish the estate at a cost of £53 million, and in 2008 property developer Lend Lease were named lead developers, with housing

developers Oakmayne and First Base. Southwark's then Director of Regeneration, Fred Manson, argued: "We need to have a wider range of people living in the borough ... social housing generates people on low incomes coming in and that generates poor school performances, middle class people stay away."<sup>xiv</sup> The plan was for managed but "inclusive gentrification"<sup>xv</sup> with existing tenants rehoused in new housing association properties nearby. But the plans, described as a "vicious debacle" by residents group Southwark Notes, fell apart as barely any of the promised new homes were built by the time the majority moved out.

Adrian describes how the community was broken up and all his neighbours were forced to move out of the area. Many who, like him, owned their homes were offered what they felt was inadequate compensation from the council. "My neighbour Mrs Tilley and her family of five were living in a four-bed property. She was living with her parents who were in their 80s. They were offered £190,000 for their home. Try buying a four bed property in London for that. Every single leaseholder I know has had to move out to cheaper areas. Peckham is the nearest," he said. Others, forced to leave family, friends and social networks have become depressed and many elderly residents have died. As the estate emptied, characterised by boarded up properties, the Heygate was portrayed by the council as a dangerous and crime ridden sink estate, justifying the demolition.<sup>xvi</sup> The media ran with the story, with a BBC piece headlined 'Muggers paradise the Heygate is demolished.'<sup>xvii</sup>

Adrian believes that the commercial value of this prime central London site, just a mile away from Westminster and the City of London and down the road from the South

Bank, is the main driver behind the planned demolition and rebuild. But the deal with Lend Lease remained obscure as the council refuses to discuss the financial details as it is deemed "too commercially sensitive". Embarrassingly for Southwark, the Council recently revealed details of its confidential agreement with Lend Lease by mistake, when an edited copy of the agreement was uploaded onto the authority's website. The document, which has since been removed, had sensitive sections blacked out but an error left it possible to copy and paste the text, revealing the redacted words.

***The document revealed that, having spent £44 m pulling down the estate, Southwark will receive only £50 m for the 22 acre site***

The document revealed that, having spent £44 m pulling down the estate, Southwark will receive only £50 m for the 22 acre site, which critics point out is far below market value. For example, a neighbouring 1.5 acre development site exchanged hands on the open market in 2011 for £40 m, just £10 m below the council's deal for its 22 acre site. Meanwhile just 79 of the 2,535 new homes on the site will be available to rent as social housing.<sup>xviii</sup> While 25 per cent of homes have been earmarked as 'affordable housing', since the definition of affordable housing was changed by the Coalition to mean up to 80 per cent of market rent, London prices ensures that rules out the vast majority of those on lower incomes.<sup>xix</sup>

The lack of transparency is amplified by the 'revolving door' between council employees and elected representatives, and developers and lobbying firms involved in the regeneration of the area. For example, Tom Branton was Southwark Council's project manager for the Elephant & Castle Regeneration project until 2011, when he

left the council to work for Lend Lease. Meanwhile Kura Perkins, who was Southwark's communications manager for the Elephant & Castle project, left the council in 2007 to work as Lend Lease head of communications for the Elephant & Castle project. Last year, council leader Peter John sparked controversy after he accepted a gift from Lend Lease of two tickets to the Olympic Opening Ceremony, worth £1,600 each, but failed to declare his partner's ticket.<sup>xx</sup>

When it comes to elected members, just under 20 per cent of Southwark's 63 councillors work as lobbyists.<sup>xxi</sup> The former leader of Southwark, Jeremy Fraser, went onto found lobbying firm Four Communications, where he was joined by Steve Lancashire, a former Southwark councillor and the cabinet member for regeneration, who left the council 2002. According to the company's website, Four Local, as this side of the business is known, "has an enviable track-record in securing political and community support for planning applications for developments across London and other regions of the United Kingdom".

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The website, which boasts that ten of Four's consultants are also current or past local councillors,<sup>xxii</sup> states that it "works with some of the country's largest developers to develop long-term contact and engagement strategies to position them as partners for

local authorities".<sup>xxiii</sup> Among the case studies featured is a communications strategy to help secure planning permission for Kings Reach Tower, which is also part of the Elephant & Castle Regeneration project.

The 'revolving door', in this case between officers and councillors and private sector developers involved in the regeneration of Elephant & Castle, raises concerns as it creates the potential for officials and elected members to make decisions coloured by the prospect of future employment with developers. At the same time there are no rules – such as a 'cooling off period' – to prevent officials and elected members from taking knowledge and contacts gained in the public sector straight into the private sector

As for consultation with local people, which is central to the rhetoric of any regeneration project and a statutory obligation, Lend Lease appointed independent consultants 'Soundings', with a brief to "ensure the full involvement of the community". Soundings set up 'The Hub' in a vacant shop in the area where residents were encouraged to drop in and share their concerns. According to a damning report on the consultation process by Southwark Notes entitled 'Soundings: Listening to No End', "simplistic and reductive" questionnaires avoided engagement with complex and nuanced issues, while "active participation techniques" included post-it notes and coloured pens laid out in a mock 'play area'. The report concluded that the consultation offered only a "consumerist approach to consultation" that was about assenting to a limited and pre-determined set of choices.

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## The Carpenters Estate, London Borough of Newham

I first heard of the Carpenters Estate when I saw a grandmother in her eighties break down in tears as she talked about how she was being forced out of her home. The 84-year old who owns her own home, has lived on the estate for more than 40 years and has no desire to leave.

The Carpenters Estate, on the edge of the Olympic Park in East London, is the subject of a battle between local residents and Newham Council, which plans to demolish the estate where hundreds of residents still live. Newham, which is in discussions with University College London, hopes to replace the estate with a new campus for UCL.<sup>xxv</sup>

A coalition of articulate residents and students and academics from UCL are protesting against the plans, highlighting the

irony of demolishing homes at a time of national housing crisis. Newham, which faces a particularly acute housing shortage, hit the headlines earlier this year after it emerged that the council had asked a housing association in Stoke on Trent to house hundreds of tenants on its housing waiting list. The housing association responded angrily with its chief executive telling the BBC: “I think there is a real issue of social cleansing going on.”<sup>xxvi</sup>

The parallels with the Heygate are familiar. Both estates are in need of some upgrading, but the majority are vehemently opposed to demolition and claim the consultation process is a sham. The wider context is that of a local authority keen to capitalise on a prime site, while changing the social mix in the area in the process. For the academics involved in the battle there is a further irony, which is that the sociologist Ruth Glass was



Photograph by Leah Borromeo

at UCL when she effectively established urban sociology as a discipline and first coined the term ‘gentrification’.<sup>xxvii</sup>

Describing the consultation process resident Joe Alexander, vice chair of residents group CARP, said: “You turn up, they tell you what they want to do and you go and they call that consultation.” This disillusionment with consultation is not limited to residents whose homes face demolition. The consultation for the Olympic Park, adjacent to the Carpenters Estate, was equally met with widespread derision. A director with the group London Citizens described the consultation carried out by the Olympic Park Legacy Company as “a roadshow” approach. “The reason they do these consultation sessions is so that they can present their current thinking. But it’s very much done and dusted. There’s no real check on progress, no option to recall. There are no answers to questions people put, such as ‘what do you mean by affordable housing?’” he told me.<sup>xxviii</sup>

***“You turn up, they tell you what they want to do and you go and they call that consultation.”***

The context for the ‘regeneration’ of the Carpenters Estate is the aspiration Newham has for spearheading a ‘regeneration supernova’ throughout the borough. According to an investment prospectus and film by the council shown at the Shanghai Expo in 2010, ‘a regeneration supernova is currently exploding across Newham, London’. The film sells Newham to international investors as a place with an abundance of land for development, from where you can fly to New York, shop in

Europe’s largest urban shopping centre and be on the doorstep of the world’s premier financial centre. A world-class university with the standing of UCL clearly fits very well within this ‘Arc of Opportunity’.<sup>xxix</sup>

These proposals all sit within the wider context of the financial crisis, which has put paid to regeneration schemes up and down the country, as the private sector is unable to borrow the very large amounts required. The £5.7 billion taxpayer bail-out of the Olympic developments resulted from the inability of selected developer Lend Lease to raise the financing required to build the Olympic village.<sup>xxx</sup> At the Elephant & Castle, while the council’s two part deal with Lend Lease includes the preparation of a masterplan for 2,800 new homes to be built by 2026, only ten per cent of those are actually planned for completion by 2015.<sup>xxxi</sup>

As for UCL, critics claim that the university accounts reveal that UCL does not have the £1 billion necessary to build a new campus on the Carpenters Estate, although a mixture of borrowing, private sector partnerships and grants would no doubt be considered. But, as with the Heygate, residents are not privy to the financial details as the information is considered too commercially sensitive. In the meantime, in the hope of the swift return to ‘business as usual’ that continues to characterise politicians in central and local government, Newham is vigorously pursuing the plans. Regardless of the financial context and irrespective of the social cost, the situation for residents on the Carpenters Estate is that they have no say in their destiny.

## Trump International Golf Links, Menie Estate, Aberdeenshire

At the end of November 2007 Aberdeenshire Council rejected a planning application from American property billionaire Donald Trump to build a championship golf course on the 2,000 acre Menie Estate and sand dunes, which involved altering the legally protected dunes, a protected site of Special Scientific Interest.  
xxxii



The Menie Estate and sand dunes. Still from You've Been Trumped

The following week, after a meeting between Scottish First Minister, Alex Salmond, who is also the constituency MSP for the Menie Estate, and representatives from Trump's organisation, an unprecedented decision was taken to 'call in' the application, which meant Aberdeenshire Council was no longer the responsible planning authority.

One of the most controversial planning decisions in Scottish history, the rejection of the application and the subsequent decision by the Scottish Government to call it in

dominated Scottish news and created a political storm. Aberdeenshire councillor Martin Ford, who was chair of the committee which originally rejected the application, described the 'general astonishment' at the call-in decision with very experienced planners unable to recall any previous instance of an application being called in after the local authority had decided to refuse planning permission. "Putting that into plain language, no other planning application had been 'rescued' by

ministerial intervention in the way Mr Trump's was," Ford said.<sup>xxxiii</sup>

In the ensuing furore a number of MSP's questioned whether Salmond had breached the ministerial code, a claim which he denied, and voiced fears that the application 'is now a shoe-in' which would be 'rubber-stamped by the Scottish ministers, irrespective of what was decided locally.'<sup>xxxiv</sup> In 2008 the golf course was granted planning permission, provoking widespread local anger.<sup>xxxv</sup>

Since then Trump has been involved in a bitter and long-running battle with local residents living in properties near the course, which Trump wished to acquire and demolish. The bullying, intimidation and harassment faced by residents have been documented in the acclaimed film ‘You’ve Been Trumped’<sup>xxxvi</sup>, which reveals how residents’ water and electricity was cut off and tonnes of earth piled up next to their homes.

Following disputed claims by Trump that he actually already owned sections of these local properties, residents had fences erected on their land by Trump, which they were then billed for. After trying to obtain an interview with a Trump representative, film maker Anthony Baxter was arrested and held in a cell, amidst allegations that Grampian Police were acting as a private security force for Trump. Echoing the response of councils which denigrate the estates they wish to demolish, Trump’s repeated response to opponents has been to condemn the home of one local resident as “a slum” and “a pigsty”.<sup>xxxvii</sup>

***‘Trump’s repeated response to opponents has been to condemn the home of one local resident as “a slum” and “a pigsty”’***

In terms of the public interest, the role played by the Scottish Government in calling in the application was widely questioned at the time, but the subsequent role of Aberdeenshire Council also gives serious cause for concern. Documents obtained by Spinwatch under Freedom of Information reveal that the council’s senior planning officer Dr Christine Gore had discussed plans for the compulsory purchase of the properties with Trump’s lawyers, as

well as the need for ‘close liaison’ and a ‘managed approach’ to media relations.<sup>xxxviii</sup>

In July 2009 it emerged that Trump had requested that Aberdeenshire Council use its compulsory purchase powers to remove local residents. The council then issued a statement which declared that “the Trump Organisation has never asked the Council to consider any matters regarding compulsory purchase in private.” However, documents reveal that Trump first raised the issue as early as February 2009, and that Trump’s lawyers drafted reasons for council officials to recommend the use of compulsory purchase orders to elected members.<sup>xxxix</sup>

Trump International Golf Links Scotland (TIGS) was at the time represented by Scottish law firm Dundas & Wilson, the firm which had initially suggested to the Trump organisation that the Scottish Government call in the application, a suggestion which Trump’s representatives then put to the Scottish Government’s chief planner at a private meeting, and which duly occurred.<sup>xl</sup> Dundas & Wilson’s head of planning, Ann Faulds, who was involved in those discussions, was also a member of the former Scottish Executive’s research team on compulsory purchase.<sup>xli</sup> On 17<sup>th</sup> February 2009 Faulds sent Christine Gore an email entitled ‘The Aberdeenshire Council (Menie Estate) Compulsory Purchase Order 200–; Statement of Reasons.’

In the email Faulds writes: “I understand that George and Neil [Trump people] have already raised the possibility of a compulsory purchase order in support of the Menie Estate development. In advance of our meeting on Friday to discuss this, I thought it would be helpful to set out the legal and land use justification for the order.

I have done this in the form of a draft Statement of Reasons, which is attached. I have drafted the Statement on the basis of a report from you to Members, although I understand that, if you decide to proceed with the order, you may not use this approach.”<sup>xlii</sup>

In a follow up letter from Christine Gore to Faulds on April 7<sup>th</sup>, Gore discusses the need for ‘close liaison’ and ‘a managed approach’ to media relations. Summarising the meeting, Gore says: “In terms of public relations and management of the inevitable media interest, I would request that we be given at least a week’s notice of your intended submission date [for the revised planning applications]. Thereafter, close liaison will be required between TIGLS and the Council’s Corporate Communications Team on all media relations, in order that we can have a managed approach to what is inevitably going to be a difficult and emotive reaction...” This was followed by a further meeting to discuss the ‘media strategy update’.<sup>xliii</sup>

On July 21<sup>st</sup>, Gore sent Fauld an email entitled ‘URGENT AND CONFIDENTIAL’ in which she explained how the press had heard about Trump’s CPO request to the Council, which was as a result of a reply she gave an MSP on the subject.

The email said: “You will understand that I was not going to tell an MSP anything other than the truth, when asked. Similarly, now that the BBC has got hold of this, we are of the view that we should simply be upfront about matters – as we have previously discussed, we would have to release the information should we get an FOI request. I think it is probably, on balance, not a bad thing that this is out in the open...”<sup>xliv</sup>

The concern is that these documents clearly raise questions of probity and governance with regard to the relationship between Trump’s legal representatives and Aberdeenshire Council, as the council is supposed to protect the public interest rather than the private interests of the Trump Organisation.

## The Welsh Streets, Liverpool

Nina Edge is an artist who lives with her son in a handsome, three storey Victorian townhouse in a part of Liverpool known as the Welsh Streets, after the Welsh workers who built much of the city. Since 2004 she has been fighting the council’s plans to demolish the area and replace it with new homes as part of the Pathfinder programme.

According to Edge, the council was claiming that there was no market demand for housing in the area in order to justify demolition. She wanted to prove this wasn’t the case so she put an advert in local property magazine *You Move* advertising an 1880s home on her street with five bedrooms and two reception rooms, complete with a picture of her home. More than 100 people replied. “They were really angry,” she said, referring to the council and the Pathfinder agency, New Heartlands.<sup>xlv</sup> She is certain that it is because the area is attractive and well-located, round the corner from the main boulevard into the city and close to two parks, that it was targeted for development for its potentially very high land values.

With the collapse of the Pathfinder programme in 2010 and high profile support from Ringo Starr, who was born in the Welsh Streets, it appeared that Nina and the Welsh Streets Home Group had won their

struggle against demolition. But in many ways she feels it is a pyrrhic victory as the community around her has been all but destroyed as families bowed to council pressure to move and gave up and left. “It is now scheduled for refurbishment but of the 18 houses in the street there are only three families left,” she said.<sup>xlvi</sup>

holidays when many residents are away, which she views as a deliberate ploy to subvert the democratic process and undermine the ability of local people to make decisions. “I would fully expect them to put in a planning application to demolish on December 17<sup>th</sup> – they do a lot of their work at that time of year,” she told me.



Nina Edge at her home in the Welsh Streets Photograph by Nina Edge

And although the struggle against the demolition of her own home appears to be over, she continues to battle the council over access to information for future plans for the area, which includes some limited demolition alongside refurbishment. “People think it’s personal [for them] now. The council needs to show they can win on this site which catapulted them into the media,” she said. And she highlights her frustration with the council’s consultation process over its plans, which repeatedly sees the council put out consultations during the

When I spoke to Nina again a few weeks later, she said that her prediction had proved entirely correct, with the latest consultation due to be published just before Christmas 2012. Her response to her dealings with local government has been to train in the use of mediation and conflict resolution techniques in order to assist her in obtaining a hearing with the council.

# III. 'The local mafia'

## Conflicts of interest in East Devon

*"The further out of London you get, the more like the Wild West it is. If you do rock the boat, the clique make your life a bloody misery."*

So says Charlie Hopkins, a solicitor acting for objectors to a development in East Devon. East Devon District Council has been the subject of on-going controversy over contentious planning decisions and allegations of conflicts of interest which date back more than 20 years.

The current controversy centres around a group called the East Devon Business Forum (EDBF), which is perceived to have significant influence over how much land is developed in the area.<sup>xlvii</sup> The members of the Forum are largely landowner/developers in the district who are actively pursuing major development, either to their industrial estates or applications for large-scale housing schemes.

The Forum is chaired by Graham Brown, who runs his own planning consultancy, Grey Green Planning Ltd, and a building company, Brown's Builders. Brown was a local councillor until he was suspended by the Conservative Party following a recent undercover investigation by the Daily Telegraph during which he boasted: "If I can't get planning nobody will."<sup>xlviii</sup> Brown also held other positions with influence over planning matters as chair of East Devon District Council's (EDDC) Local Development Framework, which is the development plan for the borough. The Forum's Vice Chair is Roy Stuart, who is a local landowner.

Stuart and Brown have a history. In 1990 Stuart, then Conservative Vice Chairman of the Council's planning committee, was forced to resign as a councillor after planning permission was given for development on his own land. Fellow councillor Brown resigned in sympathy, forcing a by-election. Both stood again as Conservative candidates, but only Brown was re-elected, narrowly.<sup>xlix</sup>

Such is the anger of residents and independent councillors at EDBF<sup>1</sup> and the influence it has had on development in East Devon, that in November 2012 a protest march at Sidmouth, on the Local Plan's development proposals, drew over 4,000 people. Many people there were carrying placards with slogans relating to EDBF.

***'We thought it was a pre-judged decision because they asked for the application to be brought forward.'***

One of these contentious planning applications centres on proposals to build 450 homes and a retail centre on a site owned by Roy Stuart at West Clyst, Pinhoe, east of Exeter. The site is Grade 1 agricultural land which, according to council policy, should be protected from development. But despite this and despite the huge number of objections the Conservative-led council approved the application to build on it.<sup>li</sup>

Objector Paul Newman said local residents felt it was a pre-judged decision. "East Devon District Council claimed they wanted to protect Grade 1 agricultural land, but this

development was approved ahead of the Local Development Framework [borough plan]. We thought it was a pre-judged decision because they asked for the application to be brought forward.” Local residents allege that secret (minuted) discussions with developers were heard while the plan was being drawn up, with at least two developers encouraged to bring forward early major planning applications on sites. This raised concerns over whether the planning decisions were effectively ‘pre-

“Major consultations are always started over the holiday period. You don’t get long enough to construct a reasoned response – it’s a matter of days. It’s standard practice to release any consultation over Christmas or in August,” he said.

A planning row at Axminster, also in East Devon, has followed a similar trajectory with barrister Charlie Hopkins alleging that land has been allocated for housing contrary to East Devon’s own planning policies.



judged’, and raised questions over whether there were conflicts of interest present. <sup>lii</sup>

Newman also echoed Nina Edge’s observation that consultations by the council were often timetabled for the holiday period in order to purposely undermine residents’ objections.

“When the Local Development Framework was in its very early stages, the panel was effectively inviting developers to present proposals to them way ahead of allocations for the site. That was the case with Axminster. Local Development Framework meetings at that time were held behind closed doors and did not release any minutes, but it emerged later from the

minutes (which were initially withheld under the FOI Act, but eventually obtained under the Environmental Regulations Act), that East Devon was encouraging the application. Even though the site was contrary to development plan the council recommended approval,” Hopkins explained,<sup>liii</sup> echoing the experience in West Clyst.

Hopkins is the solicitor acting for the Axminster objectors who have decided to take the decision to the Court of Appeal. But he says that even if the decision is quashed, East Devon will be able to contest it. “Now it is in the new local plan. East Devon decided post facto to allocate land for housing. They have effectively undermined their own policies,” he said.

***‘decisions like this are driven by the enormous land values for sites with planning permission’***

Hopkins, like Adrian Glasspool at the Heygate, believes decisions like this are driven by the enormous land values for sites with planning permission, explaining that agricultural land is worth between £5-6,000 per acre but, with planning permission, its value rockets to half a million pounds per acre. “Local planning authorities encourage pre-planning application conversations with developers. The further out of London you get the more like the Wild West it is. It’s

groups of local landowners, local gentry and local farmers. If they’re not local politicians their sons are. It’s not unique – it’s how it works at the local level. In urban, metropolitan areas there are a different set of actors at play. In rural areas it’s very much to do with ties to the land and connections with local politicians,” he said.

The struggles at Axminster and West Clyst are just two of the development battles that communities claim reflect real failures in local democracy in East Devon. In another case, which was reported to the Local Government Ombudsman, Liberal Democrat councillor Geoff Chamberlain, with colleagues, Derek Button and Steve Wragg, resigned in protest at what was perceived to be underhand pressure on councillors to influence decisions. A planning application was refused after it was felt that a councillor had a vested interest and was trying to influence the decision. The application was put in again, and at that meeting another councillor was overheard saying: “I wish to god I was an independent because I wouldn’t be told how to vote.”<sup>liv</sup> Summarising his views on the council’s democratic processes, a councillor who did not want to be named said: “We have a cabal. Half a dozen names come to mind. They work together on these things. I regard them as the local mafia.”<sup>lv</sup>

## IV. 'It looked like local news.'

### Superstores, PR and 'front companies'

Local objectors to development claim they face a cocktail of intimidation, unsympathetic press coverage and underhand tactics. Solicitor Charlie Hopkins highlighted the extent of intimidation individuals are subjected to, pointing to the experience of Sandra Semple, the former independent Mayor of Seaton, a seaside town in East Devon.

In 2007 Semple was elected Mayor of Seaton on a platform of opposition to a planned Tesco development, including a superstore and hundreds of homes. Despite the overwhelming opposition of local people to the plans, East Devon District Council approved the application and gave Tesco the go-ahead.<sup>lvi</sup> "The town has always been against this, but the Tory-run district council completely refused to hear our arguments and said Tesco is the only company capable of regenerating our town. This will be an entire place. It's about 20 hectares – an enormous piece of land. This town has been sold to Tesco," she claimed at the time, pointing out that there are already 15 Tescos within 25 miles of Seaton.

When Semple continued to challenge the council over its decision she describes how she was outmanoeuvred and forced to resign as Mayor in 2010. "A regeneration board was set up and I was one of the members, but I was told that my presence was no longer desired because I had the wrong attitude. I was asked to resign," she recalled.

Meanwhile the local press ran what she feels amounted to a campaign against her stance, with local paper *This is Devon* writing 'A Mayor has been accused of trying to

sabotage her town's chances.'<sup>lvii</sup> At the same time letters in favour of the development, which criticised the objectors, started to appear in the local press. A typical letter in the *Midweek Herald* was headlined: 'Why so much negativity in Seaton?'<sup>lviii</sup>, while anonymous comments praising the development began to appear on anti-supermarket websites. "There were individuals who wrote very supportive letters and we think there's a strong possibility they didn't exist. But we couldn't find out because no addresses were shown," she said. She also echoed the experience of consultation reported at the Heygate and Carpenters estates, recalling that "we were given exhibitions with heavily managed results."

***'Tesco paid for a wraparound supplement, done in the style of the paper. It looked like local news'***

The changing role of local papers, which also mounted aggressive campaigns against Donald Trump's opponents, will be discussed later in this report. Semple's own view is that the local press was not supportive because it is so financially reliant on supermarket advertising and official council notices. "Supermarkets and the council are a heavy part of the revenue for local papers. Tesco paid for a wraparound supplement, done in the style of the paper. It looked like local news," she said. 'Advertorial', or paid for sponsored features in the press are also part of the arsenal of tactics used by PR and lobbying companies trying to change perceptions of contentious developments. This is an issue which exploded in the national press in 2007 when

the *Guardian* ran a supplement commissioned by the Housing Market Renewal Pathfinder Programme packed with articles supportive of Pathfinder. Subsequently, *Guardian* columnist Simon Jenkins condemned the paper's actions in a high profile column, denouncing the *Guardian* for taking government money to portray "public relations as journalism".<sup>lix</sup> For local residents in Seaton, lacking an advocate such as Jenkins, the onslaught of public relations in the local media – backing a very unpopular development – went largely unchallenged, as it does in the vast majority of development struggles.

## Front companies

The use of 'front companies' to deliberately obscure planning applications is another common tactic employed by developers and retailers, which opponents of development believe highlights the democratic deficit in local government. A former lobbyist for the big superstores, speaking on condition of anonymity, said that like astroturfing the use of front companies "goes on all the time". "Front companies are used by every part of the property industry, but this government and the previous government haven't done anything about it," he said.

Tesco have hit the headlines a number of times for using front companies in Linwood in Glasgow and in Stokescroft in Bristol. Linwood town centre, in Renfrewshire, was bought by Balmore Properties in 2001 in a £1.7 million deal and fell into decline over the next six years before Tesco stepped in and snapped up the site. It later emerged that Balmore had been acting as an agent for the superstore all along, with critics claiming they purposely allowed the centre to fall into decline, enabling Tesco to step in as the local saviour of the area.<sup>lx</sup>

A recent example in Stokescroft in Bristol saw an old comedy club put in an uncontroversial application for a new premises, which was not opposed by the local community. When planning permission was granted for the site it emerged that Tesco had bought the lease of the club, which had gone into administration.<sup>lxi</sup> The store opened to protests by hundreds of local people, which culminated in a night of rioting.<sup>lxii</sup>

## The media

The last twenty years have witnessed profound changes in the nature of the local press that have seriously undermined the capacity of local newspapers for investigative journalism. The consequence is that many battles over development are not reported and when they are coverage is often heavily influenced by the PR and lobbying strategies of local councils and developers, as was the case in Seaton. In Aberdeenshire, local papers the *Press and Journal* and its sister paper, *The Evening Express*, took an aggressively pro-Trump stance in covering the plans for the controversial golf course. The seven councillors who had refused the golf course application were pictured on the front page under the headline 'You traitors' and the paper's editorial, 'Betrayed by stupidity of seven', described the councillors as 'misfits', 'small-minded numpties', buffoons in woolly jumpers and 'traitors to the north east'.<sup>lxiii</sup>

The route into journalism used to be the local press, where young reporters served a poorly paid and competitive apprenticeship, covering mainly council business and crime. The most successful would break stories which would be noticed by Fleet Street and would move onto the national press. Without being too nostalgic about the poor pay and conditions on local and regional papers, they provided journalists with an apprenticeship and helped expose scandals like the fall of former Newcastle leader T. Dan Smith on charges of corruption linked to payments received by his PR company.<sup>lxiv</sup>

Today very few journalists start out in local papers, which have been enormously weakened as a result of changes in ownership, commercial pressures and the rise of lobbying and PR. According to media

analysts Mintel, in 1992 around 200 companies owned local papers, but by 2005 three quarters of local papers were owned by just ten corporations.<sup>lxv</sup> For example, Newsquest, which is a subsidiary of the American group, Gannet Co Inc, owns more than 200 local papers around Britain. Gannet is America's largest newspaper group with 90 daily newspapers and 23 television stations in the US.<sup>lxvi</sup>

The main impact of corporate ownership has been to slash staff costs and resources with figures from the National Union of Journalists revealing that more than half of their provincial journalists lost their jobs between 1986 – 2000.<sup>lxvii</sup> As jobs for journalists were cut, the role PR and lobbying plays in every journalist's life, whether in the local or national media, came to the forefront, partly because of the huge resources ploughed into PR by large corporations and partly because the cuts meant journalists no longer had the time and resources to research stories properly. According to the Public Relations Consultants Association, Britain has about 60,000 press officers, compared to 10,000 journalists working on local and regional papers and around 4,000 editors and reporters working for the national press.<sup>lxviii</sup>

***Britain has about 60,000 press officers, compared to 10,000 journalists working on local and regional.***

Backing up this shift of emphasis in the media from journalism to PR, research carried out by Cardiff University's journalism department revealed that 41 per cent of stories in the five quality national dailies over a given period were initiated by PR while a further 13 per cent carried clear signs of PR activity although the researchers

were unable to prove the point as the trail was too well hidden, usually through off the record briefings.<sup>lxix</sup>

As journalism began to decline, a new type of lobbying and PR firm, pioneered in the culture of financial journalism which emerged during the 1980s, became increasingly influential. The rise of London as global finance centre, following the deregulation of finance, saw the rise of large corporate players with 'key messages' they needed to communicate and the resources to ensure that they were successful.<sup>lxx</sup> Over the next 20 years a raft of City PR firms, working in close contact with expanding business and city desks developed tactics to get their message across to financial journalists.

This approach, of PR executives briefing, lunching and enjoying corporate jollies with journalists, provided ample opportunities to get messages across and became integral to working life for business journalists and PRs, who enjoy an increasingly symbiotic relationship as most financial PR companies

employ large numbers of former journalists.

Today, daily contacts between journalists and PR companies and the leaking of information in return for positive coverage of the companies they represent is a staple of journalistic practice and has spread far beyond financial journalism, equally characterising coverage of politics and entertainment.

***daily contacts between journalists and PR companies..,is a staple of journalistic practice***

Despite the changes of the last 25 years, the ill-defined public interest has remained the justification for journalism, as it has for planning. The Press Complaints Commission did define the public interest, but it is clear that this definition has failed to prevent not only the corruption and abuse investigated by Leveson, but the rise of a wider culture in which the press fails to hold power to account on behalf of the public interest, whether in local communities or at a national level.

# V. Conclusion:

## Redefining the public interest

The case studies detailed in this report are by no means an exhaustive list of the struggles against the demolition of homes and communities, opposition to housing developments, superstores and the allegations of sham consultations that are too numerous to mention in a study of this size. Similar battles are raging at Earls Court in West London<sup>lxxi</sup> and at Wards Corner in Tottenham<sup>lxxii</sup>. In Stoke Newington in Hackney local anger erupted after it emerged that a consultation on a controversial superstore was to be carried out by lobbyist Four Communications, which includes on its payroll the deputy mayor of Hackney Council and the former cabinet member for neighbourhoods and regeneration.<sup>lxxiii</sup> In Brent and in Barnet local residents and activists are desperately trying to save their local libraries from redevelopment by the council.

Despite the financial crisis, which has all but halted development outside London, the eagerness of local authorities around Britain to return to business as usual has meant that many contentious demolish and rebuild schemes remain in the pipeline, despite huge local opposition. In the absence of the necessary financing, the upshot is that communities remain in a state of struggle and uncertainty, as is the case on the Carpenters Estate. It appears that conflict between communities pitted against the combined interests of local government and developers is now the standard template for development in the UK. Lobbyists themselves are well versed in the language of military metaphors and intimidation while objectors to development have even began

to train in the use of conflict resolution techniques in order to communicate with local authorities.

The riot in Stokes Croft was an exception as the battles between communities and local government and developers are usually non-violent. But invariably they involve communities, with limited resources, pitched against the might of multi-national developers and lobbying firms with millions to spend in the courts and on communications. There are instances where communities can overturn decisions, but rarely through the democratic process as councils routinely fail to inform communities of key meetings and decisions, and issue vital consultations during holiday periods, while the consultations themselves are often seen as a sham. It is indeed a war for local communities, and one which requires an exhausting round the clock commitment, over years, which is draining on personal resources, work and family life. It is a system which is subverting the public interest rather than defending it.

***conflict between communities pitted against the combined interests of local government and developers is now the standard template for development in the UK***

A spokesperson with Friends of Earth, which campaigns with many community groups opposing what they see as unsustainable development, agrees that in her experience it is standard practice for local authorities to disregard the public interest. "Every single time a local authority

provides misleading information we have to sue our weight as an organisation to make sure they do what they're meant to do. At appeal they're always folding. The never discuss the public interest, just technical issues. It's a technocratic exercise and a way of not consulting while community groups have to prepare for an appeal inquiry in two days. The public are just seen as getting in the way," she said.<sup>lxxiv</sup>

Dr Malcom Tait, senior lecturer in planning at the University of Sheffield, added: "The Local Authority view is that they have to get on with landowners and the public are kept out of it. When you get to director level in a local authority you're a deal maker, so you're in bed with developers."<sup>lxxv</sup>

### ***'The public are just seen as getting in the way'***

All of this is a far cry from the radical reform of the planning system laid out by the Conservatives while still in opposition. Inspired partly by what they saw as the top down failures of the previous government's approach, the Conservatives 'Open Source Planning' Green Paper promised to restore democratic and local control over the planning system. Taking its name from the IT concept which allows users to develop and modify software, the idea was to reinvigorate local democracy, allowing individuals and communities to have more of a say in planning.<sup>lxxvi</sup> Building on this Conservative thinking about localism and "open source planning", the coalition agreement pledged to instigate "a fundamental shift of power from Westminster to people" in order to promote "democratic engagement".<sup>lxxvii</sup>

But Conservative thinking on planning was riven by contradiction from the outset, with the Conservative manifesto emphasising at

the time that the planning system was a barrier to economic development, an approach which has since been vigorously pursued by Chancellor George Osborne who has repeatedly advocated the loosening of planning regulations to restore economic growth. In this, Osborne is pursuing the line followed since at least 2004 when planning legislation conflated the public interest with economic benefit.<sup>lxxviii</sup>

A similar change, shifting the definition of public benefit to equate with economic benefit, occurred in the US in 2005 following a Supreme Court judgement which changed the definition of the 'public interest' to emphasise economic growth over community benefit. That highly controversial decision was front page news which sparked a national outcry with protestors camping on the White House lawn. Former US President George W Bush intervened personally and subsequently many US states revoked the legislation. But in the UK, the changes brought about by the Planning and Compulsory Act 2004 were barely noticed because they were mainly reflected in obscure guidance and statutory instruments, which significantly shifted the definition of 'public benefit' by placing greater importance on the economic impacts of new schemes.<sup>lxxix</sup>

The introduction of the National Planning Policy Framework (NPPF) in 2012 by the Coalition has done little to separate the public interest from economic benefit, with the ambiguous term 'sustainable development' now used interchangeably with the public interest. As sustainable development is loosely defined as development which takes economic, social and environmental needs into account, most developments can make some claim to sustainability.

The breakdown in democracy at a local level cannot be put down simply to the rise of lobbying and PR, but is part of a wider crisis in democracy, in which lobbying plays a part. While still in opposition David Cameron warned that lobbying “is the next big scandal waiting to happen” and the Coalition agreement included a pledge to establish a statutory register of lobbyists. This would bring a degree of public scrutiny to who is lobbying whom, and about what.

***The breakdown in democracy at a local level...is part of a wider crisis in democracy***

That pledge, which is not popular with many Conservatives and is clearly not a priority for Cameron in government, remains on the back burner. Putative plans for legislation also do not include transparency regulations for lobbyists at local government level. In Canada and the US many states have passed legislation on lobbying and local government. Although in many ways the democratic deficit the US suffers with regard to lobbying, and the related problem of campaign contributions is much greater than the UK’s, they are also further down the road in terms of finding solutions. The UK should pay close attention to the North American and Canadian experience and consider the introduction of transparency rules for lobbyists operating at a local level.

The aim of such registers would be to ensure that the activities of developers and lobbyists are transparent, revealing who is lobbying whom and about what. As a result, councils would be made more accountable for their decisions. Transparency rules could also require the disclosure of information on the forms of communication used. For example, grassroots campaigning techniques could point to the use of astroturfing, while

a robust code of conduct for lobbyists could shine a light on practices such as the use of front companies and questionable behaviour against communities and individuals, which while not in the main actually illegal should no longer be tolerated as acceptable aspects of the system.

In the recent House of Commons debate on the transparency and ethics of lobbying, Labour MP Thomas Docherty, a former lobbyist, told Parliament that he believed that some of the techniques of his former colleagues, such as planting employees to pose as residents heckling objectors in planning meetings, would be weeded out by a code of conduct. “Such behaviour is utterly unacceptable”, says Docherty, but “it is not a crime.”<sup>lxxx</sup> Tax avoidance, which is similarly not illegal, is now facing a growing backlash. It is time that the failures of local democracy are subjected to similar scrutiny.

However, it is important not to overstate the value of a transparency register or code of conduct. It would go some way to taking questionable activities out of the shadows but to be effective measures need to take place within the wider context of a redefinition of the public interest in planning, which places far greater account on social value. The role of the public good has subtly shifted in legislative terms although few people noticed these arcane changes, which remain mired in obscurity. The role of the public interest in journalism catapulted to the top of the political agenda as a result of the phone hacking scandal and subsequent Leveson inquiry. A debate on the role of the public interest in planning is no less urgent.<sup>lxxxi</sup> Unless the public interest is statutorily redefined in a manner which takes account of more than economic benefit, local authorities will feel justified in continuing to carry out the routine abuses

which characterise the planning system, regardless of the impact on democracy.

<sup>i</sup> University of Pennsylvania, School of Design, Dept of City & Regional Planning, held a London workshop in March 2012. The case study ‘HS2 Marketing Campaign’, discussed at the workshop, was written up in Early Actions for High Speed Rail, Penn Studio’s Spring 2012 final report.

<http://issuu.com/pennstudio/docs/highspeedrail2012>. The direct quotes are from the notes of an academic present at the workshop.

<sup>ii</sup> Interview with academic present at the March 2012 Penn Studio London workshop.

<sup>iii</sup> Paul, Helena et al. Hungry Corporations: Transnational biotech companies colonise the food chain. Zed Books 2004

<sup>iv</sup> Monbiot, George. The Tea Party movement: deluded and inspired by billionaires. The Guardian. 25.10.10

<sup>v</sup> Mayer, Jane. Covert Operations: The billionaire brothers who are waging a war against Obama. The New Yorker. 30.8.10

<sup>vi</sup> Biographies of former employees, formerly on Westbourne Communications website

<sup>vii</sup> Ibid

<sup>viii</sup> Early Actions for High Speed Rail. University of Pennsylvania School of Design. Department of City and Regional Planning. Studio Final Report. Spring 2012

<sup>ix</sup> Beyond Westminster. BBC Radio Four. 30.7.11

<sup>ix</sup> Commercial Lobbyists (Registration and Code of Conduct) Bill. House of Commons 1 Feb 2013: Column 1155.

<sup>x</sup> Hansard.

<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm130201/debtext/130201-0001.htm>

<sup>xi</sup> Minton, Anna. Ground Control: Fear and Happiness in the 21<sup>st</sup> Century City. Penguin. 2009. 2<sup>nd</sup> edition 2012

<sup>xii</sup> Ibid

<sup>xiii</sup> London Borough of Southwark Briefing Document: Heygate Estate Option Appraisal. Carried out by Allot & Lomax Consulting

<sup>xiv</sup> De Phillippis, James and North, Peter. The emancipatory community? Place, politics and collective action in cities in eds Lees, Loretta. The emancipatory city: Paradoxes and possibilities. Sage 2004

<sup>xv</sup> Ibid

<sup>xvi</sup> Home’ & ‘Community’ 2005. Southwark Council funded two books of photographic commissions by students at the London College of Communications which residents described as ‘regeneration propaganda’ reinforcing prejudices towards social housing. More detail of the project is available at:

<http://heygate.herokuapp.com/after-the-heygate/is-this-our-home-community.html>

<sup>xvii</sup> Moore, Keith. ‘Muggers ‘paradise’ the Heygate Estate is demolished.’ BBC News London. 15.4.11

<sup>xviii</sup> Council leaks Southwark/Lend Lease confidential regeneration agreement. 4.2.13. Southwark Notes. <http://southwarknotes.wordpress.com/>

<sup>xix</sup> Recent Communities and Local Government analysis relating to its planned 80 percent market, ‘affordable rent’ tenancies suggests that average household income required to meet the cost of such housing is £44,000 in London. London Tenants Federation briefings on Housing Benefit changes and the impact in London. <http://www.londontenants.org/publications/briefings/LTF%20HB%20&%20social%20housing%20tenure%20reform.pdf>

<sup>xx</sup> Pugh, Oliver. Investigation into donation declaration. Southwark News. 29.11.12

<sup>xxi</sup> According to Southwark Council’s register of member’s interests, out of Southwark’s 63 councillors 12 work as lobbyists.

<sup>xxii</sup> This is screen grab from the Four Politics website:

<http://www.fourcommunications.com/maillers/electionresults/index.html>

<sup>xxiii</sup> This is a screen grab from the Four Local website:

Four Local has an enviable track-record in securing political and community support for planning applications for developments across London and other regions of the United Kingdom.

<sup>xxiv</sup> Soundings: Listening to No End. The Consultation Industry as Played out in the Elephant & Castle. SNAG. Unpublished. 2012

<sup>xxv</sup> London Borough of Newham. Agenda and minutes. Cabinet Thursday 25<sup>th</sup> October 2012.

<http://mgov.newham.gov.uk/ielistDocuments.aspx?CId=294&MId=9163>

<sup>xxvi</sup> BBC Radio Four Today Programme. 24.4.12

<sup>xxvii</sup> Glass, Ruth. Aspects of Change in eds MacGibbon & Kee London: Aspects of Change. Centre for Urban Studies. 1964

<sup>xxviii</sup> Minton, Anna. Ground Control: Fear and Happiness in the 21<sup>st</sup> Century City. Penguin 2012 2<sup>nd</sup> edition

<sup>xxx</sup> Brochure published by Newham Council. Available at <http://www.newham.gov.uk/NR/rdonlyres/8AF0D6BC-7A8E-4625-85D1-2083502CB3D5/0/InvestmentProspectus.pdf>. The accompanying film shown at the Shanghai Expo is not publicly available but was obtained by artist Alberto Duman under FOI

<sup>xxx</sup> Ground Control, 2<sup>nd</sup> edition. In new chapter on true legacy of the Olympics

<sup>xxxii</sup> [www.elephantandcastle.org](http://www.elephantandcastle.org) Lend Lease website. ‘Planning application progresses for Phase One of the Heygate regeneration.’ [www.elephantandcastle.org.uk/pages/news\\_events/192/elephant\\_castle.html](http://www.elephantandcastle.org.uk/pages/news_events/192/elephant_castle.html)

<sup>xxxiii</sup> Ford, Martin. Deciding the fate of a magical, wild place. Journal of Irish and Scottish Studies. Vol 4 (2) Spring 2011

<sup>xxxiii</sup> Ibid

<sup>xxxiv</sup> Ibid

<sup>xxxv</sup> Ibid

<sup>xxxvi</sup> You’ve been Trumped. Dir Anthony Baxter. BBC2 23.10.12. Available from [www.youvebeentrapped.com](http://www.youvebeentrapped.com)

<sup>xxxvii</sup> Ibid

<sup>xxxviii</sup> FOI documents detailed on Powebase profile of law firm Dundas & Wilson. [www.powerbase.info/index.php/Dundas\\_%26Wilson](http://www.powerbase.info/index.php/Dundas_%26Wilson)

<sup>xxxix</sup> Ibid

<sup>xl</sup> Ford, Martin. [Deciding the fate of a magical, wild place. Journal of Irish and Scottish Studies. Vol 4 \(2\) Spring 2011](http://www.journalofirishandscottishstudies.com)

<sup>xli</sup> Spinwatch briefing document

<sup>xlii</sup> Powerbase profile of law firm Dundas & Wilson. [www.powerbase.info/index.php/Dundas\\_%26Wilson](http://www.powerbase.info/index.php/Dundas_%26Wilson)

<sup>xliii</sup> Ibid

<sup>xliii</sup> Ibid

<sup>xliii</sup> Minton, Anna. Ground Control

<sup>xliii</sup> Conversation with Nina Edge. November 2012

<sup>xliii</sup> Blog and website of Claire Wright, Independent East Devon District Councillor. ‘Business Forum scrutiny committee is gagged.’ [http://www.clairewright.org/index.php/post/business\\_forum\\_scrutiny\\_committee\\_is\\_gagged/](http://www.clairewright.org/index.php/post/business_forum_scrutiny_committee_is_gagged/)

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<sup>xlvi</sup> Planning investigation: Councillor faces police investigation. The Daily Telegraph. 14.3.13

<sup>xlix</sup> Hayball, Colin. 'Election Row Boils to Finish.' Express & Echo. 5.10.90

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