

Sir Chris Wormald KCB

Cabinet Secretary and Head of the Civil Service

Cabinet Office

70 Whitehall.

10 June 2025

Dear Sir Chris,

CHINESE EMBASSY, PRE-DETERMINATION AND JUDICIAL REVIEW

I am writing to express my concerns about the conduct of Government Ministers in relation to the handling of the proposed Chinese Embassy at the site of the former Royal Mint in London.

This engages the *Ministerial Code* and the *Guidance on planning propriety: planning casework decisions*. Of course, the interpretation of the Ministerial Code is ultimately a matter for the Prime Minister, advised by the Independent Adviser on Ministerial Standards. But the procedural irregularities by the Government have opened the door to a potential judicial review of the Government's actions.

Information that should have been disclosed to the planning inquiry has been kept secret. I believe that the Government is sufficiently fettered and pre-determined that the planning process should be halted, and the process started again afresh with an open mind by all decision-makers across government.

Timetable

- The original planning application for the Chinese Embassy was refused, under the last Conservative Government, by the London Borough of Tower Hamlets in December 2022.
- Following the election of the Labour Government, on 15 July 2024, the same planning application was re-submitted without substantive amendment. It is possible for a local authority to reject such a repeated planning application.¹ The Chinese Government would have been aware of this fact.
- As reported in 2023², the Chinese Government would not have submitted this repeated application unless they had been given prior reassurances that the planning decision

¹ *Hansard*, 16 December 2024, PQ17129, ([link](#)).

² "Chinese officials appear to have decided that rather than appeal through the local Tower Hamlets planning process, where they have relatively little chance of success, they want central government to intervene and give assurances that it will back a resubmitted application" (*The Guardian*, "China's new London embassy on hold pending Westminster intervention", 11 August 2023, [link](#)).

would be taken by Government Ministers rather than the council, and then pushed through.

- In November 2024, at the G20, the Prime Minister was caught on video admitting that he had discussed the new Chinese Embassy planning application call-in with the Chinese President Xi in person, and had also discussed it with him on a telephone call on 23 August 2024.³ The published Downing Street readout of the August call failed to mention this discussion.⁴
- On 26 September 2024, the Foreign Secretary wrote to the Secretary of State requesting that the new planning application be called in.⁵
- The planning application was then called-in by the Secretary of State for Housing, Communities and Local Government and Deputy Prime Minister (Angela Rayner) on 14 October 2024, and taken away from the local authority.⁶
- On 14 January 2025, the Foreign Secretary and Home Secretary wrote to the Planning Inspectorate's planning inquiry supporting the planning application.⁷ The case will then go to Angela Rayner in due course for final determination. But it is clear that the die is cast.

Downing Street involvement

Ministers have refused to give any information about the nature of the Downing Street internal government conversations, and discussions with the Chinese Government. None of the information has been disclosed to the planning inquiry. This is evident from (evasive) answers to Parliamentary Questions.

“Kevin Hollinrake: To ask the Secretary of State for Housing, Communities and Local Government, if she will publish all correspondence, including electronic communications, between 10 Downing Street and her Department on the planning application for the proposed Chinese Embassy.

³ At the G20, Keir Starmer was recorded saying: “I’m very pleased that my Foreign Secretary and Foreign Minister Wang met recently and discussed respective concerns, including human rights and parliamentary sanctions, Taiwan, South China Sea and our shared interest in Hong Kong. And we are concerned by reports of Jemmy Lai’s deterioration health in prison. You raised the Chinese embassy building in London when we spoke on the telephone, and we have since taken action by calling in that application.” (cited by *Architects Journal*, “Chipperfield’s China embassy plans raised at Starmer-Xi Jinping meeting”, 20 November 2024, [link](#));

⁴ *No10 press release*, “PM call with President Xi Jinping of China”, 23 August 2024, [link](#).

⁵ Letter released under the Environmental Information Regulations regime by MHCLG, reference EIR2024/31081 on 3 March 2025. The Government refused to release this letter to Parliament (*Hansard*, 9 December 2024, PQ16572, [link](#)).

⁶ London Borough of Tower Hamlets, 10 December 2024, [link](#).

⁷ *Lords Hansard*, 28 January 2025, Col. 261, [link](#).

Matthew Pennycook: As is longstanding practice, we do not normally disclose internal communications.”⁸

“Kevin Hollinrake To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the answer of 18 December 2024, to Question 18953, on Chinese Embassy: Planning Permission, whether 10 Downing Street asked the Deputy Prime Minister to call in the planning application, further to the Prime Minister’s conversation with President Xi on the matter.

Matthew Pennycook: I refer the hon. Member to the answer given to Question UIN 17009 on 6 December 2024.”⁹

“Kevin Hollinrake: To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the Answer of 6 December 2024 to Question 17009 on Chinese Embassy: Planning Permission, whether (a) the Prime Minister and (b) 10 Downing Street had discussions with (i) her and (ii) her Department on the proposed Chinese Embassy before her decision to call in the planning application.

Matthew Pennycook: I refer the hon Member to the answer given to Question UIN 17009 on 6 December 2024.”¹⁰

“David Simmonds: To ask the Secretary of State for Housing, Communities and Local Government, with reference to the Prime Minister’s Oral Statement of 21 November 2024 on G20 and COP29 Summits, Official Report, columns 371-373 and pursuant to the Answer of 27 November 2024, to Question 14996, on Chinese Embassy: Planning Permission, whether the Prime Minister has had discussions with her on the planning application for the proposed Chinese Embassy between 23 August and 18 October 2024.

Matthew Pennycook: The decision to call in the planning application for the proposed Chinese Embassy was made by the Deputy Prime Minister, in line with current policy on call-in.”¹¹

Ministers effectively admit that the Embassy was discussed between the Prime Minister and President Xi, but then refuse to provide any details, and in a Kafkaesque move, refer to the readout of the November discussion – which in turn, does not mention the Embassy (just as they failed to do so in the readout on the August phone call).

⁸ *Hansard*, 7 February 2025, PQ27156, ([link](#)). This also implies there are such communications.

⁹ *Hansard*, 5 February 2025, PQ26850, ([link](#)).

¹⁰ *Hansard*, 18 December 2024, PQ18953, ([link](#)).

¹¹ *Hansard*, 6 December 2024, PQ17009, ([link](#)). Again, this evades answering the key question about the role of the Prime Minister.

“Paul Holmes: To ask the Minister for the Cabinet Office, whether the Prime Minister has had discussions with the Chinese government on the planning application for the Chinese Embassy in London.

Abena Oppong-Asare: The Prime Minister raised a range of domestic and foreign issues in his meeting with President Xi at the G20 on 18 November. A read-out of this meeting is available on the GOV.UK website.”¹²

“Kevin Hollinrake: To ask the Minister for the Cabinet Office, pursuant to the Answer of 4 December 2024 to Question 14994 on Chinese Embassy: Planning Permission, if he will provide a readout of the Prime Minister’s discussions with President Xi on the planning application for the Chinese Embassy.

Abena Oppong-Asare: I refer the Hon Member to my answer of 4 December, Official Report, 14994. The official read-out is a summary of the issues discussed at their meeting.”¹³

“Kevin Hollinrake: To ask the Minister for the Cabinet Office, pursuant to the Answer of 19 December 2024 to Question 20229 on Chinese Embassy: Planning Permission, for what reason the readout does not include reference to discussions on the Chinese Embassy.

Abena Oppong-Asare: There is nothing further to add to my answer of 19 December, Official Report, PQ 20229.”¹⁴

A Cabinet Office response to a Freedom of Information request by myself has also revealed that discussions were had between No10 and other Government departments:¹⁵

- *“You have asked to be provided with communications between No10, MHCLG, FCDO and the Home Office relating to the planning application for the Chinese embassy... I can confirm the Cabinet Office holds information of relevance to your request”.*
Cabinet Office omitted to use a ‘Neither Confirm Nor Deny’ response, nor a “not held” response. The fact that information is ‘held’ effectively confirms that No10 did indeed lobby MHCLG on the planning application.
- A Section 27 exemption was applied, stating disclosure *“would, or would be likely to prejudice relations between the United Kingdom and any other State... International diplomacy necessarily needs to be conducted in a discrete manner. These considerations extend to the discussions pertaining to planning applications for other*

¹² Hansard, 4 December 2024, PQ14994, ([link](#))

¹³ Hansard, 19 December 2024, PQ20229, ([link](#)).

¹⁴ Hansard, 15 January 2025, PQ22335, ([link](#)); the readout is at: *No10 press release*, “PM meeting with President Xi Jinping of China”, 18 November 2024, ([link](#)).

¹⁵ Cabinet Office, *Response to FOI 2025/01385*, 30 March 2025.

Nation's embassies... The effective conduct of such relations depends upon maintaining trust and confidence between the Prime Minister, Ministers and other world leaders.”.

This effectively confirms that Downing Street had discussions with the Chinese Government on the mega-embassy, and they are seeking to carry favour with them.

Foreign Office and Cabinet Office discussions

Similarly, Government Ministers from FCDO and Cabinet Office (which includes Downing Street) have refused to disclose what engagement was had with the Chinese Government, other than confirming that “officials speak regularly with the Chinese Government.”

“Lord Jamieson: To ask His Majesty’s Government, further to the Written Answer by Baroness Taylor of Stevenage on 20 March (HL5602), what representations the government of China or its representatives have made to the Cabinet Office relating to the latest planning application for the Chinese Embassy, prior to and after the Secretary of State’s call-in decision, and on what dates.

Baroness Anderson of Stoke-on-Trent: The planning application has been called in by the Secretary of State for Housing, Communities and Local Government and she will make this decision independent from the rest of Government corresponding to her quasi-judicial role. Cabinet Office officials speak regularly with the Chinese Government about a range of issues.”¹⁶

“Lord Jamieson: To ask His Majesty’s Government, further to the Written Answer by Baroness Taylor of Stevenage on 20 March (HL5602), what representations the government of China or its representatives have made to the Foreign, Commonwealth and Development Office relating to the latest planning application for the Chinese Embassy, prior to and after the Secretary of State’s call-in decision, and on what dates.

Baroness Chapman of Darlington: The planning application has been called in by the Secretary of State for the Ministry of Housing, Communities and Local Government and she will make this decision independent from the rest of Government corresponding to her quasi-judicial role. Foreign, Commonwealth and Development Office officials speak regularly with the Chinese Government about a range of issues.”¹⁷

Taken together, this shows Downing Street has been interfering in the planning process, pressuring Planning Ministers to give special favours to the Chinese Communist Party.

Green light to the Chinese Government

The Chinese ‘news’ website, *Baidu Baijiahao*, routinely reflects state-aligned but non-official propaganda issued by the Chinese state and Chinese Communist Party. They amplify Chinese

¹⁶ *Lords Hansard*, 10 April 2025, PQ HL6119, ([link](#)).

¹⁷ *Lords Hansard*, 4 April 2025, PQ HL6121, ([link](#)).

Government positions and seek to shape the wide national and international narrative. On 18 January, *Baidu Baijiahao* noted:

“The diplomatic impasse after six years has taken a major turn in just 48 hours: for the first time, the British government has made clear its support for the construction of a new Chinese embassy in London. What prompted the sudden shift in British attitudes? What are the economic and political considerations behind it?

...

“On January 14, just 48 hours after Reeves concluded his [sic] visit to China, British Foreign Secretary James Lamy [sic] and Home Secretary Yvette Cooper sent a joint letter to the Building Planning Inspectorate, explicitly supporting the construction of a new Chinese embassy in London. The letter pointed out that the two countries have a functioning diplomatic premises in each other’s capitals, which is an important prerequisite for maintaining normal diplomatic relations... the British government’s statement gave the green light to the new embassy.”¹⁸

Implications for the planning process

One can infer the following from the above:

- 1) The UK Government has told the Chinese Government that the planning application would be called in and then granted by the UK Government.
- 2) None of these discussions and internal representations have been released into the public domain, nor provided to the public inquiry.¹⁹
- 3) Ministers are pre-determined that the application should be approved.
- 4) The planning process has been fettered, and decision-makers have not had an open-mind. This is unlawful.

Codes and Guidance

I would note that the Ministerial Code states:

“The Ministerial Code should be read against the background of the overarching duty on ministers to comply with the law” (para 1.6).²⁰

¹⁸ *Baidu*, “Forty-eight hours after the finance minister’s visit to China, the UK gave the ‘green light’ to solve the Chinese embassy issue for the first time in six years”, 18 January 2025, ([link](#)); translated via Google.

¹⁹ Other than the Foreign Secretary call-in letter obtained using EIR laws, and the Home/Foreign Secretary letter to the Planning Inspector. But this is the tip of the iceberg of the discussions.

²⁰ Cabinet Office, *Ministerial Code*, November 2024, ([link](#)).

The MHCLG *Guidance on planning propriety: planning casework decisions*, which was redrafted in 2021 after a successful judicial review of a Ministerial planning decision, is very clear about the risk of pre-determination, and then need for transparency.²¹

“13. Decisions must not be fettered by pre-determined views and cases should not be judged before decision-makers have considered the evidence.

...

14. Planning Ministers must therefore approach (and be seen to approach) each decision with an open mind and must not have a predetermined view on a proposal. They are entitled to have and express opinions about general planning issues not related to particular cases before them. They must not, however, prejudge decisions, and it is important that they do not make any public or private comments which could give rise to the impression that they have already made their mind up about the planning merits of a proposal.

...

17. Making planning casework decisions is a quasi-judicial process, and **planning ministers must ensure that they decide cases fairly, are impartial between the parties, and are seen to be fair and impartial in order to avoid any appearance of bias. Apparent bias occurs when a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the planning minister was biased.**

...

20. **Planning ministers must not invite, encourage or accept private representations** (whether oral or written).

...

54. In other cases, particular care needs to be taken by planning ministers when dealing with planning applications made by other government departments (or supported or opposed by them), given the potential for perception of assisting government colleagues. Unless the decision is a joint one, planning casework decisions are for planning ministers alone. **It will be important to ensure that there is no appearance of impropriety in such decisions.”**

Conclusion

I believe that there is a clear case that the Government codes and guidance have been breached, and Government Ministers have acted unlawfully. In turn, that opens the Government up to a judicial review. This will be expensive and reputationally damaging to the UK Government.

I would therefore ask that the planning process is halted and started afresh from scratch (i.e. the starting point is the planning application submitted to the council).

²¹ MHCLG, *Guidance on planning propriety: planning casework decisions*, December 2021, ([link](#)); emphasis added.

In considering this letter, you should be mindful of your own obligations under the Civil Service Code, and that any internal communications relating to this letter may be subsequently disclosed to a court of law.²²

I am placing this letter in the public domain. I am also copying this letter to Lord Hermer, the Attorney General.

Yours sincerely,

A handwritten signature in black ink that reads "Kevin Hollinrake". The signature is written in a cursive, flowing style.

Kevin Hollinrake MP

Shadow Secretary of State for Levelling Up, Housing and Communities

By email:

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²² “You must: ... keep accurate official records and handle information as openly as possible within the legal framework ... comply with the law and uphold the administration of justice” (Cabinet Office, *Civil Service Code*, March 2015, [link](#)).