

Debate Pack
7 June 2022
Number CDP 2022/0102

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Planning for solar farms and battery storage solutions

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A debate has been scheduled for 4.30pm on Wednesday 8 June 2022 on planning for solar farms and battery storage solutions. The debate will be opened by James Gray MP.

1 Planning for solar farms and battery storage

Solar photovoltaics (PV) panels, also known as solar power, generate electricity from the sun. Large scale solar PV installations are known as solar farms.

Battery storage is a technology that stores electricity as chemical energy (see Box 1).

Planning is a devolved matter. The main focus of this briefing is on planning in England. The joint briefing paper [Comparison of the planning systems in the four UK countries: 2016 update](#) provides information about planning and consenting regimes in the other UK countries.¹

Above a threshold (set out in [Section 15 of the Planning Act 2008](#)) of more than 50MW for onshore and more than 100 MW for offshore generation, solar farms will be treated as Nationally Significant Infrastructure Projects, for which a Development Consent Order must be sought from the Secretary of State.

Below this threshold, solar farms will require planning permission from the local planning authority (LPA); under the Town and Country Planning Act 1990, LPAs are responsible for renewable and low carbon energy development of 50 MW or less installed capacity.

[The Infrastructure Planning \(Electricity Storage Facilities\) Order 2020](#)² removed electricity storage (including batteries, but with the exception of pumped hydro storage) from the NSIP procedure. Instead electricity storage facilities are subject to planning permission from the LPA.

¹ CBP 7459

² SI 2020 No. 1218

1 What is battery storage?

Electricity storage technologies (including battery storage) allow surplus electricity to be stored as other forms of energy until it is required, when it can be re-released as electricity.

Electricity storage can be used with variable renewable generation, such as solar, to help provide a more constant supply. It can also provide flexibility services to help balance the electricity grid, as well as help reduce the power that is needed to be carried on certain parts of the network.³

Battery storage stores electricity as chemical energy.⁴ Lithium-ion batteries, used in electric cars and mobile phones, are the most widely used battery storage technology for large scale plants at present.⁵

Battery storage can be deployed at a range of scales. For example, domestic battery storage can store excess electricity from a household's rooftop solar panels, whilst large utility battery storage can store excess electricity from a power station, such as a wind farm or solar farm.

1.1

Local planning policy for solar farms and battery storage

The [National Planning Policy Framework \(NPPF\)\(PDF\)](#) provides the framework against which local planning authorities (LPAs) draw up Local Plans and determine planning applications. It was last revised in July 2021.

The NPPF encourages LPAs to promote renewable energy development and identify appropriate sites for it. It says that - in meeting the challenge of climate change, flooding and coastal change - the planning system should support the transition to a low carbon future.⁶ It goes on (amongst other things) to identify ways in which Local Plans should help increase the use and supply of renewable and low carbon energy and heat.⁷

³ [Flexible Electricity Systems](#), POST Note 587

⁴ "[What is battery storage?](#)", National Grid (accessed on 26 May 2022)

⁵ [Energy storage](#), International Energy Agency, November 2021; "[What is battery storage?](#)", National Grid (accessed on 26 May 2022)

⁶ Ministry of Housing, Communities and Local Government (MHCLG, now the Department for Levelling Up, Housing and Communities, DLUHC), [National Planning Policy Framework \(PDF\)](#), July 2021, paragraph 152

⁷ As above, Annex 3

The NPPF classifies electricity supply infrastructure, including solar farms and electricity storage, as “essential infrastructure” for the purposes of flood risk vulnerability.⁸ These developments may be allowed in areas at risk of flooding providing they pass the “exception test”. The test requires that the development’s sustainability benefits to the community outweigh the flood risk, and that the development will be safe and will not increase flood risk elsewhere.

The more detailed [Planning Practice Guidance \(PPG\) on renewable and low carbon energy](#) notes that large scale solar farms “can have a negative impact on the rural environment, particularly in undulating landscapes”, but “the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively”.⁹

1.2 Siting of smaller scale solar farms: Agricultural land

Under the Town and Country Planning Act 1990, LPAs are responsible for renewable and low carbon energy development of 50 MW or less installed capacity.

The NPPF directs LPAs to “consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development”.¹⁰ The [PPG on renewable and low carbon energy](#) gives further direction about how this should be done.¹¹

The [PPG on renewable and low carbon energy](#) also sets out the factors to be considered when deciding a planning application for a solar farm and says that large scale solar farms should be focussed on previously developed and non-agricultural land, provided that it is not of high environmental value. For greenfield sites, the PPG says that the LPA should consider whether the proposed use of agricultural land has been shown to be necessary and the proposal allows for continued agricultural use and/or encourages biodiversity improvements:

Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;

⁸ As above, paragraphs 163-165

⁹ MHCLG, [Guidance: Renewable and low carbon energy](#), 18 June 2015, paragraph 013

¹⁰ MHCLG, [National Planning Policy Framework \(PDF\)](#), July 2021, paragraph 155

¹¹ MHCLG, [Guidance: Renewable and low carbon energy](#), 18 June 2015, paragraph 005

- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a [speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013](#) and [written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015](#).
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see [guidance on landscape assessment](#)) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the [impact of wind turbines](#). However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.¹²

1.3 Solar farms in the Green Belt

In England, it is the responsibility of LPAs to define and maintain Green Belt land in their areas, and deal with planning applications for solar farms.

¹² MHCLG, [Guidance: Renewable and low carbon energy](#), 18 June 2015, paragraph 013

In relation to Green Belt land, the NPPF states that elements of many renewable energy projects are likely to be classed as “inappropriate development”, to proceed only in “very special circumstances”.

151. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.¹³

For more background, see the Commons Library briefing [Green Belt](#).¹⁴

¹³ MHCLG, [National Planning Policy Framework \(PDF\)](#), July 2021, paragraph 151

¹⁴ SN 934

2

Planning for Nationally Significant Infrastructure Projects (NSIPs)

For England, the introduction of the development consent framework for NSIPs through the [Planning Act 2008](#) (the 2008 Act, as amended by the [Localism Act 2011](#)) was intended to speed up the approval process.¹⁵

The [Commons Library briefing on planning for NSIPs](#) sets out the policy background.¹⁶ As it explains, the 2008 Act introduced a new development consent process for NSIPs. NSIPs are usually large-scale developments (relating to energy, transport, water, waste water or waste) which require a type of consent known as “development consent”. Part 3 of the 2008 Act sets out the thresholds which these projects have to meet, to be considered as nationally significant and require development consent.

A Development Consent Order (DCO) automatically removes the need to obtain several consents that would otherwise be required for development, including planning permission and compulsory purchase orders. The idea of this regime is that it is a quicker process for large scale development projects to get the necessary planning permission and other related consents that they would require, rather than having to apply separately for each consent.

Responsibility for decisions on these projects rests with the relevant Secretary of State. In practice the planning inspectors (known as the “examining authority” in the legislation) from [National Infrastructure Planning](#) at the Planning Inspectorate will make recommendations to help inform the Secretary of State’s decision.

National Infrastructure Planning has published a [series of advice notes](#), including an [overview of the NSIP planning process for members of the public](#) and others (PDF) which covers (amongst other things) the decision and after the decision.¹⁷

2.1

Generation stations (power stations) as NSIPs

Power stations, which include solar farms, are described as “generating stations” in 2008 Act.

¹⁵ The joint Library briefing paper [Comparison of the planning systems in the four UK countries: 2016 update](#) (CBP 7459) provides information about consenting regimes in the other UK countries.

¹⁶ SN 6881

¹⁷ Planning Inspectorate, [Advice Note 8: Overview of the nationally significant infrastructure planning process for members of the public and others \(PDF\)](#), December 2016

Certain generating stations may meet the threshold to be considered as nationally significant and require development consent. For England, the threshold set out in [Section 15 of the 2008 Act](#) is more than 50MW for onshore and more than 100 MW for offshore generation.

Electricity storage facilities including batteries, but with the exception of pumped hydro storage, are not covered by NSIP procedure. For more information see section 2.2.

National Policy Statements

National Policy Statements (NPS) comprise the government's objectives for the development of nationally significant infrastructure in a particular sector and state.

The [overarching NPS EN-1 for energy](#) (PDF) argues for more renewable energy.¹⁸

The current [NPS EN-3 for renewable energy infrastructure](#) (PDF) covers (within certain criteria) energy from biomass and/or waste, offshore and onshore wind but does not mention solar energy or electricity storage.¹⁹

As the [Commons Library briefing on planning for NSIPs](#) explains on page 8, Section 105 of the 2008 Act gives the Secretary of State the power to take the decision on a DCO in the absence of a National Policy Statement (NPS).²⁰ In the absence of an NPS for a particular project, decisions will be taken in accordance with the NPPF and any relevant Local Plan for the area where the development would be located.

Revised draft overarching NPS

A [revised draft Overarching National Policy Statement for Energy \(EN-1\)](#)(PDF) was published in September 2021. The accompanying [consultation document](#) (PDF) offered background and context.²¹

Revised draft NPS on renewable energy infrastructure

A [revised draft NPS EN-3 for renewable energy infrastructure](#) (PDF) was also published in September 2021. Section 2.2 of the revised draft NPS covered

¹⁸ Department for Energy and Climate Change (DECC), [Overarching National Policy Statement for Energy \(EN-1\) \(PDF\)](#), July 2011, paragraphs 3.3.11-2

¹⁹ DECC, [National Policy Statement for Renewable Energy Infrastructure \(EN-3\) \(PDF\)](#), July 2011, page 79 onwards

²⁰ SN 6881

²¹ BEIS, [Planning for New Energy Infrastructure: Draft National Policy Statements for energy infrastructure](#) (PDF), September 2021, page 16. This document also covered draft EN-2 (on natural gas generating infrastructure), draft EN-4 (on gas supply infrastructure and oil and gas pipelines) and draft EN-5 (on electricity network infrastructure).

the relationship with English and Welsh renewables policies and section 2.3 covered climate change adaptation.²²

The revised draft NPS's section on solar photovoltaic generation covered (amongst other things) irradiance and site topography, proximity to dwellings and technical considerations for the Secretary of State.²³ The accompanying [consultation document \(PDF\)](#) summed up the draft NPS' provisions on solar generation.²⁴

The consultation closed on 29 November 2021.

An article on the PV Tech website, [UK government eyeing changes to its planning regime for 50MW+ solar sites](#), says that the proposed new section on solar PV in the revised NPS EN-3 will mean that, for future projects, the inverter capacity (which converts the Direct Current or DC generated by solar panels to Alternating Current or AC) should determine the capacity threshold under Section 15 of the 2008 Act. According to the [Energy Saving Trust](#):

Many solar PV systems in the UK have an inverter with a power rating that is smaller than the array. For a 3kWp array, this equates to an inverter size of between 2.4kW and 3.3kW (often expressed in watts: 2400W to 3300W). This is because the panels are not likely to be generating at their rated efficiency for long periods of time, and to ensure that the initial input voltage and maximum power point voltage range are reached as often as possible.²⁵

So, for future projects, this may have the effect of removing some applications from the NSIP procedure.

A [blog post by the law firm Pinsent Masons](#) suggested that the new NPS might "spur a greater number of 'utility scale' projects in the years ahead".²⁶

The House of Commons Business, Energy and Industrial Strategy Committee recently held an [Inquiry](#) on the draft revised statements and [published its report \(HC1151\)](#) on 25 February 2022.²⁷

²² BEIS, [Draft National Policy Statement for renewable energy infrastructure \(EN-3\) \(PDF\)](#), September 2021, paragraph 2.3.4

²³ As above, page 79 onwards

²⁴ BEIS, [Planning for New Energy Infrastructure: Draft National Policy Statements for energy infrastructure \(PDF\)](#), September 2021, page 19

²⁵ Energy Saving Trust: [Solar Inverters](#) [pdf]

²⁶ Pinsent Masons, ['Utility scale' solar backed in revised UK planning regime](#), September 2021

²⁷ House of Commons Business, Energy and Industrial Strategy Committee [Revised \(Draft\) National Policy Statement for Energy](#), HC1151 2021-22

Siting of large scale solar developments: Agricultural land

The [revised draft NPS EN-3 for renewable energy infrastructure \(PDF\)](#) also included guidance on land type, guiding development away from the “best and most versatile agricultural land”.²⁸

For more information about agricultural land, see Natural England, [Guide to assessing development proposals on agricultural land](#).²⁹

2.2

Electricity storage facilities and NSIP procedure

The [Infrastructure Planning \(Electricity Storage Facilities\) Order 2020](#)³⁰ removes electricity storage from the NSIP procedure.

The [Explanatory Memorandum to the Regulations \(PDF\)](#) explains that electricity storage will now be subject to planning permission from the LPA:

2.1 The instrument removes electricity storage, except pumped hydro storage, from the need to seek planning consent in accordance with the national planning regime (Nationally Significant Infrastructure Projects (NSIP) regime) under the Planning Act 2008 in England and Wales. Instead, planning consent for these types of development may be sought from the relevant Local Planning Authority under the Town and Country Planning Act 1990 (TCPA).³¹

It says that the storage component of any development incorporating generation and storage would no longer count towards the MW capacity triggering the NSIP process:

7.7 Where storage is co-located alongside another form of generation, the storage element of such a project will no longer trigger the MW capacity thresholds set out in the NSIP regime (currently 50MW in England and 350MW in Wales). However, developers may be able to include storage within a Development Consent Order as associated development if, in a composite scenario, the other form of generation has fallen into the NSIP regime.³²

²⁸ BEIS, [Draft National Policy Statement for Renewable Energy Infrastructure \(EN-3\)](#), September 2021, page 82

²⁹ Updated 5 February 2021

³⁰ SI 2020 No. 1218

³¹ [Explanatory Memorandum to the Infrastructure Planning \(Electricity Storage Facilities\) Order 2020](#)

³² As above

3 Parliamentary material

3.1 Debate

Westminster Hall debate: Large solar farms

HC Deb 9 March 2022 | Vol 710 c104WH-

3.2 PQs

Land Use

Asked by: Crosbie, Virginia

To ask the Secretary of State for Levelling Up, Housing and Communities, whether he plans to take steps to protect Grade 1 land from housing and solar developments to preserve land for the production of food; and what discussions he has had with relevant stakeholders on that matter.

Answering member: Stuart Andrew | Department: Department for Levelling Up, Housing and Communities

The National Planning Policy Framework makes clear that planning policies and decisions should recognise the benefits of the best and most versatile agricultural land and that where significant development is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. This requirement would apply to both housing and solar developments. The Framework is also clear that local authorities should encourage efficient use of land and acknowledges the importance of undeveloped land for food production.

In the case of solar, guidance sets an expectation that large-scale solar farms are sites on previously developed and non-agricultural land, provided it is not of high environmental value. Where projects are proposed on greenfield sites, our guidance seeks to minimise the impacts and requires developers to justify the use of any such land. Our guidance also requires that projects are designed to avoid, mitigate and, where necessary, compensate for impacts on the best and most versatile agricultural land.

These aspects of planning policy are devolved in Wales.

HC Deb 17 March 2022 | PQ 139629

Solar Power: Biodiversity

Asked by: Kearns, Alicia

To ask the Secretary of State for Business, Energy and Industrial Strategy, what assessment he has made of the impact of (a) the proposed solar plant at Mallard Pass in Rutland and (b) other large scale solar plants on biodiversity.

Answering member: Greg Hands | Department: Department for Business, Energy and Industrial Strategy

Due to its proposed size (over 50MW), the Mallard Pass Solar Farm will be a Nationally Significant Infrastructure Project. My Rt. Hon. Friend the Secretary of State will therefore be the decision-maker for the application for development consent for the Mallard Pass Solar Project.

The Government recognises that solar projects can affect the local environment. The developers of all large solar projects must complete an Environmental Impact Assessment Statement as part of their planning application, which will include an assessment of the impacts on biodiversity. Well-designed solar farms have been shown to enhance biodiversity.

HC Deb 15 March 2022 | PQ 135686

Food Supply

Asked by: Davies, Gareth

To ask the Secretary of State for Environment, Food and Rural Affairs, when he plans to publish the National Food Strategy white paper; and whether that white paper will assess the impact of solar farm developments on agricultural land.

Answering member: Victoria Prentis | Department: Department for Environment, Food and Rural Affairs

We expect to publish the Government Food Strategy shortly. The Strategy will set out the Government's ambition and priorities for the food system, considering the evidence set out in Henry Dimbleby's independent review last year. The white paper will not include an assessment of the impacts of solar farm developments on agricultural land.

HC Deb 04 March 2022 | PQ 129272

Agriculture: Land

Asked by: Pritchard, Mark

To ask the Secretary of State for Business, Energy and Industrial Strategy, if he will issue guidance to local councils on the potential impact of the change of use of agricultural land for solar farms on sustainable, local food production in those areas.

Answering member: Greg Hands | Department: Department for Business, Energy and Industrial Strategy

The Government recognises the importance of preserving greenfield land. Planning policy encourages the effective use of land by recommending the siting of large-scale solar farms on previously developed and non-agricultural land, provided it is not of high environmental value. Where projects are proposed on greenfield sites, guidance seeks to minimise the impacts on the best and most versatile agricultural land and requires developers to justify the use of any such land and ensure projects are designed to avoid, mitigate and where necessary compensate for impacts.

Solar farms and agricultural practice can co-exist. Many solar farms are constructed with raised panels that enable continued grazing of livestock. Solar energy can also help farmers raise their revenue streams from land less suited to higher value crop production.

HC Deb 02 March 2022 | PQ 127353

Solar Power: Environment Protection

Asked by: Clarke-Smith, Brendan

To ask the Secretary of State for Business, Energy and Industrial Strategy, what assessment he has made of the impact of (a) the solar plant proposed by West Burton Solar between the villages of Gringley on the Hill and Clayworth in Bassetlaw and (b) other large solar farms on connecting small rural villages.

Answering member: Greg Hands | Department: Department for Business, Energy and Industrial Strategy

Due to its proposed size (over 50MW), West Burton Solar will be a Nationally Significant Infrastructure Project. It is currently at the pre-application stage. When the application is ready, it will be submitted to the Planning Inspectorate. The Inspectorate will evaluate whether the application meets the necessary legal requirements. If it does, the Inspectorate will undertake a formal examination of the project in which the public will be able to participate and then provide a report to the Secretary of State to inform his decision-making.

The Government recognises that solar farms can affect the local environment. Applicants must complete an Environmental Statement as part of their planning application as well as a public consultation allowing for local concerns to be considered.

HC Deb 01 March 2022 | PQ 126822

[Solar Power: Environment Protection](#)

Asked by: Clarke-Smith, Brendan

To ask the Secretary of State for Business, Energy and Industrial Strategy, what steps he is taking to minimise the impact on the countryside and environment of the development of (a) large solar farm sites, including the one proposed by West Burton Solar between the villages of Gringley on the Hill and Clayworth in Bassetlaw and (b) other Nationally Significant Infrastructure Projects.

Answering member: Greg Hands | Department: Department for Business, Energy and Industrial Strategy

Given this Department's statutory responsibility for determining individual planning applications for energy projects, Ministers are unable to comment on the specifics of individual applications. Energy National Policy Statements set out the justification for certain types of nationally significant energy infrastructure developments and clear criteria which developers are required to address when preparing their applications, and these cover the impacts on the countryside and wider environment.

Although solar farms are not covered in the existing suite of National Policy Statements, the draft National Policy Statement for renewable energy infrastructure covers solar farms at the scale of nationally significant infrastructure. The draft National Policy Statements are currently undergoing Parliamentary scrutiny.

HC Deb 01 March 2022 | PQ 126821

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News and blogs

Guardian

24 May 2022

[Limits on renewables 'will keep UK energy bills higher this winter'](#)

Farmers' Weekly

11 May 2022

[Wales to clamp down on solar farms on most productive land](#)

FT

4 April 2022

[Clean power groups call for slicker process on UK planning and permits](#)

Times

14 March 2022

[Boris Johnson pushes for solar and nuclear energy to cut reliance on foreign oil](#)

Farmers' Weekly

10 March 2022

[Large-scale solar farms a threat to food security, MPs warn](#)

Solar Power Portal

10 January 2022

[Meteoric growth in new solar farm planning in UK sees pipeline reach a staggering 37GW](#)

The Planner

11 August 2021

A giant leap for solar energy requires a small – but important – step for UK planning

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