

Appendix 3

LLDC/XX: Interim Delegation Scheme concerning the delegation of all LLDC planning functions from 01 December 2024.

A Introduction

The London Legacy Development Corporation (Planning Functions) Order 2012 made LLDC the local planning authority for the whole of its administrative area from 1st October 2012.

On 8th December 2022 the Mayor of London decided that for the purpose of sections 204(2) and (3) of the Localism Act 2011 and from 1 December 2024 the London Legacy Development Corporation (LLDC) shall cease to exercise the entirety of those functions. A Statutory Instrument (“the Statutory Instrument”) has been drafted to transfer the LLDC planning functions to xx

On XX A Memorandum of Understanding (MOU) was agreed between LLDC and the London Boroughs of Newham, Hackney, Tower Hamlets and Waltham Forest which recognised the need to prepare for the formal transfer of planning powers from LLDC to the Boroughs on 01 December 2024, to minimise the impact of the handover and to put in place an Interim Delegation Scheme (IDS).

The IDS has been operational from 1st September 2023 but will terminate at midnight on 30th November.

In the event that there is an unavoidable delay in finalising the Statutory Instrument transferring the LLDC planning functions to LB XX from 01 December 2024 LLDC and the London Boroughs of Newham/Hackney/ Tower Hamlets/ Waltham Forest recognise the need to ensure that there are continuing arrangements for the ongoing delegation of planning functions.

Section B of this document formally delegates certain planning powers from LLDC to the London *Boroughs of Newham/Hackney/ Tower Hamlets/Waltham Forest* from midnight on 30th November 2024 until such time as the Statutory Instrument is made and comes into force.

A Protocol covering the required processes necessary to support this delegation will be agreed between LLDC and London *Boroughs of Newham/Hackney/ Tower Hamlets/Waltham Forest* prior to that date. Section C of this document sets out the matters to be included in that protocol. These are working processes that all parties are expected to follow, but these are not legally binding and do not form part of the formal delegation of powers.

B Delegation of Functions

1. This Scheme of Delegation is made between the London Legacy Development Corporation (“LLDC”) and the London Borough of XX (LB XX),
2. This Scheme of Delegation is made under section 203 of the Localism Act 2011
3. *insert any specific power the Borough (referred to as XX in the draft) has to take the delegation and reference relevant sections of Borough constitution and/or existing scheme of delegation*
4. LLDC delegates in relation to the land shown edged red on the attached plan the following functions (“delegated planning functions”) to XX from midnight on 30th November 2024
 - a. Functions under Part 3 of the Town and Country Planning Act 1990 (“the 1990 Act)
 - b. Functions under the 1990 Act and the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) specified in Part 1 of Schedule 29 to the Local Government, Planning and Land Act 1980 (“the 1980 Act”)
 - c. Functions under Parts 2 and 3 of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”)
 - d. Functions under Schedule 8 to the Electricity Act 1989 so far as applying to applications for consent under section 37 of that Act
5. The delegation of these functions will cease and will not have any further effect once the Statutory Instrument is made and comes into force.

C Matters within the scope of the planning protocol

- 1) Publicity
- 2) Transferred Applications
- 3) Appeals
- 4) Enforcement
- 5) Planning Policy
- 6) CIL and s106
- 7) Data and Information
- 8) Transitional working arrangements