

Committee:	Date: 17 May 2022
Planning and Transportation	
Subject: Establishment of a Special Sub-committee	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	10, 12
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Town Clerk	For Decision
Report author: Jessica Robinson	

Summary

This report is required due to a forthcoming planning application in respect of London Wall Car Park. Your Committee's Terms of Reference include responsibility for all functions of the Common Council as parking authority. As such, your Committee is responsible for the management of London Wall Car Park.

The application therefore engages the restrictions in Regulation 10 of the Town and Country Planning General Regulations 1992 (prohibiting a committee from determining planning applications if that committee is responsible for the management of any land to which the application relates).

In order to address the restriction, the establishment of a special sub-committee to determine the application is recommended.

The application is not submitted by the City of London Corporation and the restrictions Section 8e of the Planning Protocol (requirement to adopt a Handling Note to secure separation of functions) are not engaged.

Recommendations

That Planning and Transportation Committee: -

1. Establish a Special Sub-committee with the following Terms of Reference: to determine planning application reference: 21/00419/FULL.
2. That the Special Sub-committee sits at the rising of the Planning and Transportation on 7th June 2022.
3. That the Special Sub-committee be constituted of all Members of Planning and Transportation Committee.

Main Report

Background

4. An application for a last mile delivery hub has been submitted by Amazon Ltd to occupy the western most part of the London Wall carpark. Planning permission is sought for the change of use of 41 car parking spaces to provide space for the last mile delivery hub and the use of an existing layby for the reception of deliveries by HGVs. The committee resolved to grant a lease for the use of this part of the car park for a last mile logistics hub in December 2020 to further the aims of the City of London 25-year Transport Strategy.
5. As this committee is responsible for the management of the London Wall carpark it is considered that a subcommittee is required to make a decision on the current planning application (REF: 21/00419/FULL).

Issue

6. Regulation 10 of the Town and Country Planning General Regulations 1992 prohibits a committee from determining planning applications if that committee is responsible for the management of any land to which the application relates. Your Committee has within its Terms of Reference “All functions of the Court of Common Council as parking authority”. It is reasonable to regard this Committee as being responsible for the management the London Wall Car Park, which is the land to which the planning application relates and therefore unable, while constituted as the committee responsible for parking functions, to determine such a planning application. The planning application in this case engages this restriction

Proposal

7. Standing Order 27 provides that Committees may at any time constitute or dissolve Sub-committees.
8. A Sub-committee that did not have within its Terms of Reference any responsibility for highways would not be prevented, under Regulation 10, from determining the application.
9. It is therefore proposed that your Committee constitute a Sub-committee with the following Term of Reference: “to determine planning application reference: 21/00419/FULL”. This would be on the basis that the Sub-committee be dissolved once its Terms of Reference have been carried out.
10. As regards the membership of the special sub-committee it is proposed that it be constituted of all Members of Planning and Transportation Committee (other

than any Members who may consider themselves involved in promoting the proposals. No such involvement is known to officers¹).

11. In order to determine the application, it is proposed that a meeting of the special sub-committee be held following the Planning and Transportation Grand committee on 7th June 2022. If this was agreed the agenda of the Grand Committee would be managed to allow the special sub-committee's meeting to start as soon as possible after the main meeting and allow a reasonable period for the sub-committee to consider and deliberate.

Conclusion

12. The establishment of a special sub-committee is recommended as set out in this report and recommendations

¹ Member involvement in the resolution of Planning and Transportation Committee on 20 December is not considered to amount to a "promotion of the proposals" such as to engage separation of functions issues and paragraph 8e of the Planning Protocol . The proposal submitted pursuant to planning application (REF: 21/00419/FULL) is a proposal of Amazon, not the City Corporation..