

Committee:	Date:
Planning and Transportation Committee	1 November 2022
Subject: Planning Protocol Update (to reflect arrangements for Planning Applications Sub-committee).	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4, 10
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, Executive Director of Environment and Comptroller and City Solicitor	For Decision

Summary

This report proposes minor updates to the Planning Protocol, largely to address the constitution of the new Planning Applications Sub-committee. The report also proposes that the applications delegated to the Sub-committee include advertisement consents, for consistency.

Recommendation

That :

1. Planning and Transportation Committee delegate to Planning Applications Sub-committee determination of applications for advertisement consent (where the determination is outside authority delegated to officers)
2. **Planning and Transportation Committee adopt the amended Planning Protocol in Appendix 1**

Main Report

Background

1. At its meeting on 19 July 2022 your Committee resolved to constitute a Planning Applications Subcommittee to determine planning applications and applications for listed building consent. This was subsequently agreed by Policy and Resources Committee and then by Court of Common Council on 13 October
2. The current version of the Planning Protocol is drafted on the basis of planning application decisions being made by your Committee and therefore requires updating to reflect these decisions being delegated to the new Planning Applications Subcommittee

Proposed Next Steps

3. Proposed amendments to the Planning Protocol have been prepared as set out at Appendix 1.
4. The amendments are largely minimal changes to address the fact that planning application decisions are to be made by Planning Applications Subcommittee after today's meeting. For consistency it is recommended that advertisement consent applications are treated in the same way, and this is provided for at Recommendation 1 and amendments to the Planning Protocol.
5. Other minor and non-substantive updates are as follows: (i) The Chief Planning Officer and Development Director's title is updated; (ii) the separation of function provisions at paragraph 8e are amended to be expressed as "should" rather than "must" to reflect the fact that the restrictions are not express statutory ones, but are based on interpretation and judicial guidance giving effect to a statutory prohibition applicable in some cases;
6. No **substantive** updates are proposed to the Planning Protocol. A wider review of substantive arrangements is outside the scope of this report and would risk delaying the adoption of the current proposed amendments (which, for clarity, should be adopted before the new Planning Application Subcommittee arrangements are brought into effect).
7. Should the updated Planning Protocol not be adopted at your 1 November Committee meeting, it will be necessary to establish a separate Subcommittee at your 1 November meeting to consider the Museum of London planning application in advance of it being presented on 22 November 2022.

Financial implications – none

Resource implications – none

Legal implications - Included in the report and Appendix

Conclusion

8. It is recommended that the updated Planning Protocol at Appendix 1 be adopted to reflect new arrangements for planning applications to be determined by the Planning Applications Subcommittee.

Appendices

Appendix 1 – Updated Planning Protocol

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