

APPENDIX 3 – PROPOSED AMENDMENTS TO OFFICER SCHEME OF DELEGATION

D. PLANNING AND DEVELOPMENT D1.

Development Management

167. To determine Schedule 1 applications (as defined in the Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026 which must pursuant to those regulations be determined by an officer..

168. To determine Schedule 2 applications (as defined in Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026, save where:

- (a) the nominated member and nominated officer have agreed to refer the Schedule 2 application to a Committee or Sub-committee pursuant to Regulation 5; or
- (b) the application is an “own interest” application as defined in the 2026 Regulations and the nominated member and nominated officer have agreed to refer the proposal a committee or Sub-committee.

169. To advise the Secretary of State for Communities and Local Government of what decision the City of London Corporation would have made on its own applications for listed building consent if it had been able to determine them subject to the same criteria as above.

170. To determine submissions in relation to clauses set out in approved Section 106 Agreements. To determine technical details consent pursuant to a Permission in Principle under the Town and Country Planning (Permission in Principle) Order 2017.

171. To make minor changes to conditions and planning obligations in respect of planning permissions, listed building consents and which have been conditionally approved by a Committee or Sub-committee, including to avoid duplication between s106 planning obligations and conditions.

172. To take steps in respect of applications for Advertisement Consent pursuant to Regulations 12, 13 and 16 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

173. To make observations in respect of planning and related applications submitted to other Boroughs, where the City of London Corporation’s views have been sought and which do not raise wider City issues.

174. To serve notices under Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015.

175. To determine the particulars and evidence to be supplied by an applicant for planning permission pursuant to section 62 of the Town and Country Planning Act 1990.

176. To serve Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990.

177. To issue and serve Enforcement Notices under Section 172 of the Town and Country Planning Act 1990 and Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

178. To issue a letter of assurance under Section 172A of the Town and Country Planning Act 1990.

179. To serve notices under Section 215 of the Town and Country Planning Act 1990.

180. To serve Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990.

182. To decline to determine a retrospective application for planning permission under Section 70C of the Town and Country Planning Act 1990.

183. To seek information as to interests in land under Section 330 of the Town and Country Planning Act 1990, and as applied by Section 89 of the Planning (Listed Buildings and Conservation Areas Act) 1990, and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

184. To institute proceedings pursuant to Section 224 of the Town and Country Planning Act 1990.

185. To serve Notice of Intention to remove or obliterate placards and posters pursuant to Section 225 of the Town and Country Planning Act 1990.

186. To advertise and serve the notice of intention to make a stopping up order under section 247 of the Town and Country Planning Act 1990.

187. To negotiate and agree the final terms of section 106 covenants where it has been resolved that planning permission be granted subject to a section 106 agreement and to authorise section 106 covenants in respect of planning applications (where the planning application is such that it may be determined by the Chief Officer (or other appropriate officer authorised by them) under this Scheme of Delegation).

188. To agree minor variations to agreements pursuant to section 278 of the Highways Act 1980.

189. To make payments to other parties where required by the terms of an agreement made under section 106 of the Town and Country Planning Act 1990 or section 278 of the Highways Act 1980.

190. To determine City Community Infrastructure Levy contributions pursuant to the Community Infrastructure Levy Regulations 2010 (as amended).

192. To pass Community Infrastructure Levy contributions to other parties pursuant to section 216A of the Planning Act 2008 and regulations made thereunder.

193. To determine applications to discharge requirements and approve details pursuant to the Thames Tideway Development Consent Order and other similar Development Consent Orders, and to discharge conditions and approve details pursuant to deemed planning permission granted by Transport and Works Act Orders and statutes in respect of infrastructure projects subject to the applications being in accordance with policy, not being of broad interest, and there being no more than 4 planning objections.

194. To carry out public consultation in respect of applications in accordance with the Statement of Community Involvement and the duty to cooperate in Section 33A of the Planning and Compulsory Purchase Act 2004.

195. To authorise the entering into of Planning Performance Agreements and Memoranda of Understanding under S111 of the Local Government Act 1972 and Part 1 of the Localism Act 2011 and making charges for discretionary planning services under S93 of the Local Government Act 2003.