

Subject: Membership of the Planning Decisions Committee
Agenda item: 8
Report No: 6
Meeting date: 17 July 2012
Report to: Board
Report of: Jonathan Dutton, Executive Director of Finance and Corporate Services

FOR DECISION

This report will be considered in public

1. SUMMARY

- 1.1. This report seeks approval of the structure and membership of London Legacy Development Corporation's (LLDC) Planning Decisions Committee, and to the Chairman seeking nominees to the proposed Committee from the Olympic Park boroughs.

2. RECOMMENDATIONS

- 2.1. The Board is invited to **APPROVE** the Planning Decisions Committee structure and membership set out in Section 4.
- 2.2. The Board is asked to **AGREE** to the Chairman writing to the Olympic Park boroughs to seek nominations for co-opted members.
- 2.3. The Board is invited to **NOTE** that they will receive a further paper on formal appointments to the Committee, plus planning terms of reference, delegations and code of conduct, in September.

3. BACKGROUND

- 3.1. Following his consultation on the establishment of the London Legacy Development Corporation, the Mayor of London asked the Secretary of State to transfer full planning powers to the Corporation, with effect from 1 October 2012. A statutory instrument transferring planning powers will be introduced into Parliament to put this into effect.
- 3.2. The Mayor's consultation proposals set out an expectation that the "planning committee should include nominees from the affected borough councils appointed in a proportion which broadly reflects the area of each borough contained within the Corporation's boundary." The Mayor's further statement following consultation¹ summarised and responded to the Olympic Park boroughs' comments on committee representation as follows:

¹ Olympic Park Legacy Corporation - *Further statement by the Mayor of London following public consultation*, Greater London Authority, January 2012

“All the affected authorities express a strong interest in the precise composition of the Corporation’s planning committee, and in particular in the balance between borough and non-borough representatives, and the balance between representatives of each borough. The London Borough of Newham specifically states its expectation that the planning committee should be chaired by a Newham representative. The Mayor notes the degree of interest in this issue, but is also keen to stress (as he did in the October statement) that the composition of the planning committee is a decision for the Corporation itself (subject to the requirement in Schedule 21 of the Localism Act to obtain the Mayor’s agreement to the inclusion on a committee of any person who is not a member of the Corporation board). It is therefore not necessary, nor the Mayor believes appropriate, for him to state any requirements or expectations on this matter beyond those already stated in his consultation document i.e. that the planning committee should include representation from the affected authorities in a way which broadly reflects the extent of the area of each borough contained within the Corporation’s boundary.”

- 3.3. When Planning Powers are transferred to the Corporation, staff currently supporting the planning function at the Olympic Delivery Authority, and those working on planning matters that will fall within the Corporation’s remit at London Thames Gateway Development Corporation, will be transferred to the Corporation in line with the Transfer of Undertakings (Protection of Employment) Regulations 2006, together with relevant records, contracts etc. Vivienne Ramsey, who is currently Director of Planning Decisions at ODA and will transfer to the position of Director of Planning Policy and Decisions, has been closely involved in developing these proposals.

4. PROPOSALS

- 4.1. It is proposed that the Planning Decisions Committee will be responsible for determining major planning applications, with others delegated to planning officers, while the development, agreement and adoption of planning policy will be reserved to the Board. Detailed terms of reference and schemes of delegations are being developed, and discussions are taking place on joint working with the Olympic Park boroughs to ensure efficient and effective handling of applications.
- 4.2. The membership of the proposed Planning Decisions Committee seeks to balance the following factors:
- A commitment to delivering a fully integrated planning decisions service to developers and other planning applicants, through corporate involvement by members of the LLDC Board;
 - A reflection of local accountability, through representation of all four Olympic Park boroughs, without strict proportionality (which would result in minimal involvement of some boroughs), but with the London Borough of Newham having an additional seat to reflect the fact that the majority of the LLDC area falls within its boundaries; and
 - A manageable size of committee, with a small majority of LLDC Board members.
- 4.3. The proposed Planning Decisions Committee therefore numbers 11 members, including the Chairman: five members appointed on nomination by the Olympic Park boroughs, and six appointed from the Development Corporation’s Board. This will provide a manageable size of committee, while balancing borough-nominated members with Board members of the Corporation.
- 4.4. To enable the Board to co-opt these nominees, it is proposed that the Chairman of the Corporation will write to the Olympic Park borough chief executives requesting one nominee each from the London boroughs of Hackney, Tower Hamlets and Waltham Forest, and two from the London Borough of Newham.

- 4.5. Given the important decision-making role of the Committee, substitution by other named Corporation board members or borough elected members will be permitted.
- 4.6. The Chairman will make recommendations on the full membership and chair of the Committee in a report to the Board in September, which will also address terms of reference, delegations and any necessary amendments to standing orders and codes of conduct.

5. TIMING

- 5.1. The approval of the committee structure, membership and terms of reference is **URGENT** as a decision-making structure needs to be in place from 1 October 2012.

6. FINANCIAL IMPLICATIONS

- 6.1. The direct financial implications of the establishment of the new Committee will be the payment of a chair's allowance to the chair, which will result in an additional cost of £14,000 per annum, on the basis of current remuneration arrangements. Additional costs of operating the committee will be funded through the budget allocated for this function.

7. LEGAL IMPLICATIONS

- 7.1. The Localism Act, pursuant to section 198 and Schedule 21, allows a mayoral development corporation (MDC) to establish committees, and to delegate powers to them. Schedule 21, Paragraph 6 of the Act stipulates that Mayoral agreement is required for the co-option of any people who are not MDC board members on to a committee.

List of Background Papers

- LLDC Standing Orders

Report originator(s): Richard Brown
Telephone: 020 3288 1830
Email: richardbrown@londonlegacy.co.uk