STATUTORY INSTRUMENTS

2024 No. 918

URBAN DEVELOPMENT, ENGLAND

The London Legacy Development Corporation (Establishment and Planning Functions) (Amendment and Revocation) Order 2024

Made - - - -	*9th September 2024*
Laid before Parliament	*10th September 2024*
Coming into force - -	*1st December 2024*

The Mayor of London has notified the Secretary of State of a boundary alteration in accordance with section 199(3)(b) of the Localism Act 2011(**a**) ("the 2011 Act").

The Mayor of London has notified the Secretary of State in accordance with section 204(5)(b) of the 2011 Act of a decision under section 204(2) and (3) of that Act that the London Legacy Development Corporation is to cease to have the functions conferred under the London Legacy Development Corporation (Planning Functions) Order 2012(**b**).

Accordingly, the Secretary of State makes this Order in exercise of the powers conferred by sections 198(2) and 235(2) of the 2011 Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the London Legacy Development Corporation (Establishment and Planning Functions) (Amendment and Revocation) Order 2024 and comes into force on 1st December 2024.

(2) This Order extends to England and Wales.

Interpretation

2. In this Order—

"the 1990 Act" means the Town and Country Planning Act 1990(**c**);

"the 2004 Act" means the Planning and Compulsory Purchase Act 2004(**d**);

"the 2012 Establishment Order" means the London Legacy Development Corporation (Establishment) Order 2012(**e**);

(**a**) 2011 c. 20.
(**b**) S.I. 2012/2167.
(**c**) 1990 c. 8.
(**d**) 2004 c. 5.
(**e**) S.I. 2012/310.

"commencement date" means 1st December 2024;

"the Listed Buildings Act" means the Planning (Listed Buildings and Conservation Areas) Act 1990(**a**);

"the LLDC" means the body corporate known as the London Legacy Development Corporation established by article 3 of the 2012 Establishment Order;

"original development area" means the area of land defined as the Mayoral development area in article 2(1) of the 2012 Establishment Order as it was prior to the commencement date;

"planning document" means any notice, certificate, publicity document, consultation document or other document pertaining to the exercise of functions under the 1990 Act, the 2004 Act, the Listed Buildings Act or any order or regulation having effect under those Acts;

"successor authority" means in relation to land in the original development area, the council of a London borough which becomes, by virtue of section 1(2) of the 1990 Act(**b**) or section 37(4) of the 2004 Act (as the case may be), and article 4 of this Order, the local planning authority in respect of functions exercised before the commencement date by the LLDC.

Alteration of the LLDC boundary

3.—(1) Article 2 of the 2012 Establishment Order is amended as follows.

(2) In paragraph (1), after "shown" insert "shaded grey".

(3) For paragraph (2) substitute—

"(2) In paragraph (1), "the map" means the map marked "Map referred to in the London Legacy Development Corporation (Establishment) Order 2012 as amended by the London Legacy Development Corporation (Establishment and Planning Functions) (Amendment and Revocation) Order 2024" of which prints signed by a Director in the Ministry of Housing, Communities and Local Government have been deposited and are available for inspection at the offices of the Secretary of State for Housing, Communities and Local Government and at the offices of the Greater London Authority.".

Revocation of planning functions and additional functions of the LLDC

4.—(1) The London Legacy Development Corporation (Planning Functions) Order 2012 is revoked.

(2) The Schedule makes transitional provision in relation to the functions exercised by the LLDC prior to the commencement date.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
9th September 2024 Ministry of Housing, Communities and Local Government

(**a**) 1990 c. 9.
(**b**) Subsection 1(2) was amended by section 31(1) of the Greater London Authority Act 2007 (c. 24).

SCHEDULE

Article 4(2)

Transitional provision relating to functions exercised by the LLDC prior to 1st December 2024

Transitional provision in connection with functions

1.—(1) Subject to paragraphs 2 to 8, this paragraph applies to any functions in relation to which the LLDC ceases on the commencement date to be the local planning authority by virtue of this Order.

(2) Anything which was in the process of being done by, to or in relation to the LLDC in connection with any of the functions mentioned in sub-paragraph (1) before the commencement date may be continued after that date by, to or in relation to the successor authority and, if continued must be treated as having been done by, to or in relation to the successor authority.

(3) Nothing in sub-paragraph (2) requires the successor authority to continue with any step mentioned in that sub-paragraph.

Transitional provision: planning applications

2.—(1) This paragraph applies to any application for planning permission, permission in principle, consent, agreement, approval or determination under the 1990 Act, or the Listed Buildings Act, or under any order or regulation made or having effect under those Acts which —

(a) relates in whole or in part to the land in the original development area,

(b) was made to the LLDC before the commencement date, and

(c) has not been determined by that date.

(2) The LLDC must transmit any application referred to in sub-paragraph (1) to the successor authority for determination.

(3) Where an application to which this paragraph applies is the subject of a direction made (whether before or after the commencement date) by the Secretary of State under section 77 of the 1990 Act(**a**) or section 12 of the Listed Buildings Act(**b**) requiring that the application be referred to the Secretary of State, the successor authority will be the local planning authority in respect of the application —

(a) for the purposes of section 77 of the 1990 Act or section 12 of the Listed Buildings Act (as the case may be), and

(b) for the purposes of any Planning Inquiry Commission constituted by the Secretary of State under section 101 of the 1990 Act to inquire into the application.

(4) Where sub-paragraph (3) applies, the LLDC must notify the successor authority of a direction it receives.

(**a**) Section 77 was amended by paragraph 18 of Schedule 7 to the Planning and Compensation Act 1991 (c. 34), by paragraph 10 of Schedule 12 to the Localism Act 2011, by paragraph 11 of Schedule 4 to the Infrastructure Act 2015 (c. 7) (for certain purposes), by paragraph 20 of Schedule 12 to the Housing and Planning Act 2016 (c. 22), and by S.I. 2014/2773. It is prospectively amended by paragraph 2 of Schedule 10 to the Planning Act 2008 (c. 29), by paragraph 11 of Schedule 4 to the Infrastructure Act 2015 for remaining purposes and by paragraph 1(11) of Schedule 9 to the Levelling-up and Regeneration Act 2023 (c. 55) from a date and time to be appointed.

(**b**) Section 12 was amended by section 17 of the Transport and Works Act 1992 (c. 42), paragraph 105 of Schedule 13 to the Historic Environment (Wales) Act 2023 (asc 3) and S.I. 2014/2773. It is prospectively amended by paragraph 16 of Schedule 10 to the Planning Act 2008 from a date and time to be appointed.

(5) Where the LLDC transmits an application to the successor authority for determination —

(a) the LLDC must notify the applicant that the successor authority is to become the local planning authority for the application,

(b) the application must be accompanied by a copy of any representations received by the LLDC concerning the application, and

(c) the application must be treated as if received by the successor authority from the applicant on the day on which it is transmitted to the successor authority.

(6) Where any planning document has been, or is in the process of being, issued by the LLDC in relation to an application before the day on which it is transmitted to the successor authority, no further planning document is required to be issued by the successor authority solely because the application has been transmitted.

Transitional provision: planning appeals

3.—(1) This paragraph applies where an appeal is made to the Secretary of State under—

(a) section 78, 174 or 208(1) of the 1990 Act(**a**), or

(b) section 20 of the Listed Buildings Act(**b**),

in respect of a decision of notice, or failure to make a decision or give notice by a previous authority in relation to any land in the development area before the commencement date.

(2) The successor authority is the local planning authority for the purposes of the appeal.

(3) The LLDC must transmit to the successor authority any documentation received in relation to the appeal.

Transitional provision: compensation in connection with planning functions

4.—(1) Where a right to compensation arises under section 107, 108, 115, 186, 203 or 204 of the 1990 Act(**c**), section 28 or 29 of the Listed Buildings Act or regulation 24 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012(**d**) in consequence of action

(**a**) Section 78 was amended by section 17(2) of the Planning and Compensation Act 1991 (c. 34) ("the 1991 Act"), section 43(2) of the Planning and Compulsory Purchase Act 2004, paragraph 3 of Schedule 10 and paragraph 2 of Schedule 11 to the Planning Act 2008 ("the 2008 Act"), section 123, and paragraph 11 of Schedule 12 to, the Localism Act 2011, paragraph 8 of Schedule 1 to the Growth and Infrastructure Act 2013 (c. 27), paragraph 12 of Schedule 4 to the Infrastructure Act 2015, sections 45 and 47(1) of, and paragraph 7 of Schedule 7 to, the Planning (Wales) Act 2015 (anaw 4) ("the 2015 Act"), paragraph 21 of Schedule 12 to the House and Planning Act 2016, section 113(5) of the Levelling-up and Regeneration Act 2023 ("the 2023 Act") and by S.I. 2014/2773. It is prospectively amended by paragraph 1(12) of Schedule 9 to the 2023 Act and by S.I. 2024/49 from a date and time to be appointed. Section 174 was amended by section 6(1) of, and paragraph 22 of Schedule 7 to, the 1991 Act, paragraph 5 of Schedule 17 to the Enterprise and Regulatory Reform Act 2012, section 46 of the 2015 Act, section 113 of the 2023 Act and S.I. 2003/956. Section 208 was amended by section 23(2) to (4) of the 1991 Act, paragraph 4 of Schedule 11 to the 2008 Act, paragraph 11 of Schedule 5 and paragraph 4(4) of Schedule 7 to the 2015 Act and by S.I. 2014/2773. It is prospectively amended by paragraph 9 of Schedule 10 to the 2008 Act from a date and time to be appointed.

(**b**) Section 20 was amended by section 43(4) of the Planning and Compulsory Purchase Act 2004 and by paragraph 107(b) of Schedule 13 to the Historic Environment (Wales) Act 2023 and S.I. 2014/2773. It is prospectively amended by paragraph 17 of Schedule 10 to the Planning Act 2008 from a date and time to be appointed.

(**c**) Section 107 was amended by paragraph 8 of Schedule 1 and paragraph 13 of Schedule 6 to the Planning and Compensation Act 1991 and by paragraph 28 of Schedule 12 to the Housing and Planning Act 2016. Section 108 was amended by section 13(3) of that Act, by section 40(2)(h) of the Planning and Compulsory Purchase Act 2004, by section 189 of the Planning Act 2008, by paragraph 15 of Schedule 12 to the Localism Act 2011, by paragraph 3 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24), by paragraph 15 of Schedule 4 to the Infrastructure Act 2015, by paragraph 29 of Schedule 12 to the Housing and Planning Act 2016, by paragraph 3 of Schedule 10 to the Levelling-up and Regeneration Act 2023, by paragraph 73 of Schedule 13 to the Historic Environment (Wales) Act 2023 and by S.I. 2006/1281. Section 108 is prospectively amended by paragraph 6 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 and by paragraph 1(16) of Schedule 9 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed. Section 186 was amended by section 9(3) of, and paragraph 29 of Schedule 7 to, the Planning and Compulsory Purchase Act 1991 and by S.I. 2009/1307. Sections 203 and 204 were repealed by section 192(6) of the Planning Act 2008. Regulation 26 of S.I. 2012/605 makes transitional provision in respect of these sections.

(**d**) S.I. 2012/605, to which there are amendments not relevant to this Order.

taken by the LLDC in relation to any land in the original development area, the liability to pay compensation lies with the LLDC.

(2) Where—

(a) the Secretary of State makes a determination —

(i) of an appeal against action taken by the LLDC as is mentioned in sub-paragraph (1), or

(ii) on a reference made to the Secretary of State by the LLDC, and

(b) that determination gives rise to a right to compensation,

the LLDC is liable to pay the compensation.

(3) Where, on or after the commencement date, the Secretary of State makes an order or serves a notice, as the case may be, under section 100, 104, 185 or 202 of, or paragraph 11 of Schedule 9 to, the 1990 Act(**a**) in respect of a matter arising before that date, which relates to land within the original development area, the LLDC is liable to pay any compensation arising from the order or notice.

Transitional provision: section 106 planning obligations

5. Where before the commencement date a planning obligation entered into by agreement or otherwise under section 106 of the 1990 Act(**b**)—

(a) relates to any land in the original development area, and

(b) identifies the LLDC as the local planning authority by whom that obligation is enforceable,

that obligation is enforceable by the successor authority for the area to which it relates.

Transitional provision: development plan documents and supplementary planning documents

6.—(1) Any development plan document or supplementary planning document adopted by the LLDC under section 23 of the 2004 Act(**c**) before the commencement date has effect on and after that date as if it had been adopted by the successor authority for the area to which it relates.

(2) Nothing in sub-paragraph (1) affects any power of a successor authority to request that a development plan document to which paragraph (1) related is revoked.

(3) Sub-paragraph (4) applies where, before the commencement date, the LLDC has taken or started to take any step in relation to the preparation of a development plan document or supplementary planning document ("the draft document") pursuant to section 19, 20 or 26 of the 2004 Act(**d**) or under any order or regulation made or having effect under that Act.

(**a**) Section 100 was amended by paragraph 5 of Schedule 1 to the Planning and Compensation Act 1991 and S.I. 2017/276. Section 202 was amended by section 192 of, and paragraph 10 of Schedule 8 to, the Planning Act 2008.

(**b**) Section 106 was substituted by section 12 of the Planning and Compensation Act 1991, and was amended by section 33 of the Greater London Authority Act 2007, by section 174 of the Planning Act 2008, by paragraph 3 of Schedule 2 to the Growth and Infrastructure Act 2013 and by paragraph 3(13) of Schedule 14 to the Environment Act 2021 (c. 30). It is prospectively amended by section 158(3) of the Housing and Planning Act 2016 and by section 98(2) of the Infrastructure (Wales) Act 2024 (asc 3) from a date and time to be appointed.

(**c**) Section 23 was amended by section 112 of the Localism Act 2011. It is prospectively substituted by Schedule 7 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed.

(**d**) Section 19 was amended by section 7 of the Sustainable Communities Act 2007 (c. 23), by sections 180 and 182 of the Planning Act 2008, by paragraph 14 of Schedule 5 to the Local Democracy Economic Development and Construction Act 2009 (c. 20), by paragraph 24 of Schedule 2 to the Planning (Wales) Act 2015, by section 100(2)(b) of the Deregulation Act 2015 (c. 20), and by section 8(1) of the Neighbourhood Planning Act 2017. It is prospectively amended by paragraph 9 of Schedule 8 to the Localism Act 2011, and prospectively repealed by Schedule 7 to the Levelling-up and Regeneration Act 2023, from a date and time to be appointed. Section 20 has been amended by sections 110 and 112 of the Localism Act 2011 and by section 144 of the Housing and Planning Act 2016. It is prospectively repealed by Schedule 7 to the Levelling-up and Regeneration Act 2023. Section 26 is prospectively substituted by Schedule 7 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed.

(4) Any step mentioned in sub-paragraph (3) is treated on or after the commencement date as a step taken or started by the successor authority for that area.

(5) Where sub-paragraph (4) applies to a draft document the LLDC must send a copy of any representations received concerning the draft document to the successor authority.

(6) Where any planning document has been issued by the LLDC in relation to a draft document referred to in sub-paragraph (3) before the commencement date, no further planning document is required to be issued by the successor authority solely as a result of the transfer of functions to the successor authority by this Order.

(7) Where a draft document referred to in sub-paragraph (3) which is a development plan document has been submitted for examination under section 20 of the 2004 Act before the commencement date and the person appointed to carry out that examination has not at that date made their recommendations —

(a) nothing in this Order prevents that person from deciding that the document complies with the matters set out in section 20(5) of that Act, and

(b) that person must send their recommendations when made to the successor authority.

(8) In this paragraph—

"development plan document" has the same meaning as in section 37(3) of the 2004 Act(**a**);

"supplementary planning document" has the same meaning as regulation 2(1) of the Town and Country Planning (Local Planning) Regulations 2012(**b**).

Transitional provision: local development orders

7.—(1) Any local development order adopted by the LLDC under section 61A of the 1990 Act(**c**) before the commencement date has effect on or after that date as if it had been made by the successor authority for the area to which it relates.

(2) Nothing in sub-paragraph (1) affects any power of the Secretary of State or the successor authority to revoke a document to which paragraph (1) relates.

(3) Sub-paragraph (4) applies where, before the commencement date, the LLDC has taken or started any step in relation to the preparation of a local development order ("the draft order") pursuant to the Town and Country Planning (Development Management Procedure) (England) Order 2015(**d**).

(4) Any step mentioned in sub-paragraph (3) is treated on and after the commencement date as a step taken by the successor authority for that area.

(5) Where sub-paragraph (4) applies to a draft order the LLDC must send a copy of any representations received concerning that draft order to the successor authority.

(6) Where any planning document has been issued by the LLDC in relation to the draft order referred in sub-paragraph (3) before the commencement date, no further planning document is required to be issued by the successor authority solely as a result of the transfer of functions to the successor authority by this Order.

(7) In this paragraph "local development order" means a local development order within the meaning of Part 3 of the 1990 Act.

(**a**) Section 37(3) was substituted by section 180(6)(b) of the Planning Act 2008. Section 37 is prospectively substituted by Schedule 7 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed.
(**b**) S.I. 2012/767, to which there are amendments not relevant to this Order.
(**c**) Section 61A was inserted by section 40 of the Planning and Compulsory Purchase Act 2004, and amended by section 188 of the Planning Act 2008.
(**d**) S.I. 2015/595.

Transitional provision: neighbourhood planning

8.—(1) This paragraph applies as respects any area application, neighbourhood forum application, neighbourhood development plan proposal or order proposal which —

(a) relates in whole or in part to the land in the original development area,

(b) was made before the commencement date to the LLDC, and

(c) has not been determined by that date.

(2) The application or proposal referred to in sub-paragraph (1) is treated on or after the commencement date as if it had been made to the successor authority for the area.

(3) The LLDC must transmit any application or proposal referred to in sub-paragraph (1) to the successor authority for determination.

(4) Any step taken or started before the commencement date by the LLDC in relation to an area application, neighbourhood forum application, neighbourhood development plan proposal or order proposal to which this paragraph applies is treated on and after the commencement date as a step taken or started by the successor authority for the area to which it relates.

(5) Where the LLDC transmits an area application, neighbourhood forum application, neighbourhood development plan proposal or order proposal to the successor authority for determination under sub-paragraph (3), the LLDC must also send a copy of any representations received by the LLDC concerning the application or proposal.

(6) Where any planning document has been issued by the LLDC in relation to an area application, neighbourhood forum application, neighbourhood development plan proposal or order proposal before the commencement date, no further planning document is required to be issued by the successor authority solely as a result of the transfer of functions to the successor authority by this Order.

(7) Where a neighbourhood development plan proposal or order proposal to which paragraph 9 applies has been submitted for examination under paragraph 7 of Schedule 4B to the 1990 Act(**a**) (as applied, with modifications, by section 38A of the 2004 Act(**b**)) before the commencement date and the person appointed to carry out that examination has not at that date made their recommendations —

(a) nothing in this Order prevents that person from deciding that the document meets the requirement set out in paragraph 8 of that Schedule(**c**), and

(b) that person must send their recommendations to the successor authority.

(8) In this paragraph—

"area application" means an application for the designation of a neighbourhood development area made under section 61G of the 1990 Act(**d**);

(**a**) Schedule 4B was inserted by section 116(2) of, and Schedule 10 to, the Localism Act 2011.

(**b**) Section 38A was inserted by paragraph 7 of Part 2 of Schedule 9 to the Localism Act 2011 and amended by section 140(3) of the Housing and Planning Act 2016, by sections 4(5) and 5(6) of the Neighbourhood Planning Act 2017 and by S.I. 2018/1232 and 2023/1424. It is prospectively amended by paragraph 20 of Schedule 8 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed.

(**c**) Paragraph 8 of Schedule 4B was amended paragraph 92 of Schedule 13 to the Historic Environment (Wales) Act 2023 and by S.I. 2018/1232 and 2023/1424. It is prospectively amended by sections 99(1) and 102(2) of, and paragraph 12(b) of Schedule 6 to, the Levelling-up and Regeneration Act 2023 from a date and time to be appointed.

(**d**) Section 61G was inserted by paragraph 2 of Part 1 of Schedule 9 to the Localism Act 2011 and amended by section 5(3) of the Neighbourhood Planning Act 2017 (c. 20) and section 139 of the Housing and Planning Act 2016.

"neighbourhood development plan proposal" means a proposal for a neighbourhood development plan(**a**) submitted by a qualifying body(**b**) under paragraph 1 of Schedule 4B to the 1990 Act (as applied, with modifications, by section 38A of the 2004 Act);

"neighbourhood forum application" means an application for designation as a neighbourhood forum made by an organisation or body under section 61F of the 1990 Act(**c**);

"order proposal" means a proposal for a neighbourhood development order(**d**) submitted by a qualifying body(**e**) under paragraph 1 of Schedule 4B to the 1990 Act or a community right to build order submitted by a community organisation(**f**) under paragraph 1 of Schedule 4B to the 1990 Act, as read with paragraph 2 of Schedule 4C to the 1990 Act(**g**).

EXPLANATORY NOTE

(This note is not part of the Order)

The London Legacy Development Corporation (Establishment) Order 2012 (S.I. 2012/310) established a Mayoral development corporation, the London Legacy Development Corporation ("LLDC"), in relation to an area, designated as a Mayoral development area, which encompassed the site of the Olympic Park and the surrounding area.

This Order removes land from the Mayoral development area of the LLDC. The revised Mayoral development area is shown bounded externally by the inner edge of a black line on the map referred to in article 3(3), of which prints signed by a Director in the Ministry of Housing, Communities and Local Government have been deposited and are available for inspection at the offices of the Secretary of State for Housing, Communities and Local Government and at the offices of the Greater London Authority.

The London Legacy Development Corporation (Planning Functions) Order 2012 (S.I. 2012/2167) ("the 2012 Planning Functions Order") conferred certain planning functions from four constituent borough authorities (the London Boroughs of Hackney, Newham, Tower Hamlets and Waltham Forest) on the LLDC. This Order returns the planning functions and certain other associated functions to these authorities by revoking the 2012 Planning Functions Order.

The Schedule to this Order makes transitional provision in relation to functions conferred by the 2012 Planning Functions Order which will revert to the borough authorities.

A full impact assessment has not been prepared for this Order as there will be no significant impacts on business, local residents or the voluntary sector

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(**a**) See section 38A(2) of the Planning and Compulsory Purchase Act 2004 for the meaning of 'neighbourhood development plan'.
(**b**) For the purposes of neighbourhood development plans, the definition of "qualifying body" is in section 38A(12) of the Planning and Compulsory Purchase Act 2004.
(**c**) Section 61F was inserted by paragraph 2 of Part 1 of Schedule 9 to the Localism Act 2011.
(**d**) See section 61E(2) of the Town and Country Planning Act 1990 for the meaning of 'neighbourhood development order'.
(**e**) For the purposes of neighbourhood development orders, the definition of "qualifying body" is in section 61E(6) of the Town and Country Planning Act 1990. A "community organisation" is to be regarded as a qualifying body for the purposes of section 61E (see paragraph 4(2) of Schedule 4C to the Town and Country Planning Act 1990).
(**f**) The definition of "community organisation" is in paragraph 3 of Schedule 4C to the Town and Country Planning Act 1990.
(**g**) Schedule 4C was inserted by section 116(3) of, and Schedule 11 to, the Localism Act 2011.

ISBN 978-0-34-826336-7

£8.14

http://www.legislation.gov.uk/id/uksi/2024/918

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