

NOTICE OF MEETING

EXTRAORDINARY FULL COUNCIL WITH YOUNG PEOPLE

Monday, 12th October, 2026, 7.00 pm - Tottenham Town Hall Town Hall Approach Road London N15 4RY watch the recording [here](#))

From: The Mayor of Haringey Council – Councillor Dawn Barnes
To: Councillors of Haringey Council

In accordance with Part 4 - Section A [4.2] of the Constitution, it being an extraordinary meeting of the Council, no other business shall be considered other than those items stated on the summons. Any tabled items will relate to those shown on the summons.

Quorum: 15

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Please note there will be guidance provided due to young people attending and participating in the meeting.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

4. CSO 3.1 VI - WELCOME FROM THE MAYOR

5. CSO 3.1 VI - INTRODUCTION FROM THE LEADER

The Leader of the Council to welcome the Youth Council and open the speeches and presentations from the young people.

6. TO CONSIDER THE FOLLOWING MOTIONS IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO. 13

Motion C

Proposer Cllr Paton

Seconder Cllr Weston

In accordance with Council Standing Order 25.1, notice is provided of the intention to suspend Council Standing Orders:13.1, 15.1 at the extraordinary Full Council on the 12th of October 2026. This is to allow speeches/ presentations from the Haringey Youth Council on the key concerns of young people living in the borough. This will also allow Motion D set out below to be jointly seconded by Councillor Beverley Berrick and Councillor Fiona Orford-Williams.

Motion D – Supporting the Representation of the People Bill 2026: Extending the right to vote to 16- and 17-year-olds prior to the next UK parliamentary election and continuing to maintain and preserve the local democratic provision of the Youth Council

Proposer: Cllr Georgia Twigg

Joint Seconders: Cllr Beverley Berrick and Cllr Fiona Orford - Williams

The Council notes that

- The last census the Council undertook indicated that there were over 59,000 under 19s in the Borough- out of an overall population of 261,000. This represents a significant proportion of Haringey's population.
- Young people have more of a stake in our borough's future than any other community group. They will feel the impact of decisions made by politicians, councils and governments more than anyone else – and their opinion and liberty is as vital to democracy as residents 18 and above.
- Evidence cited by supporters of the proposed legislation on lowering the voting age suggests that enabling participation at an earlier age may help establish lifelong voting habits and strengthen democratic engagement over time.
- The Government's objective is to have the legislation in force before the next UK General Election, ensuring that newly enfranchised 16- and 17-year-olds can participate in that election.
- Since 2022, The Council's Youth Services team has undertaken work with schools, youth groups and established youth forums to recruit young people to an initial Youth Panel event. In 2024 the Youth Panel and the Elevated Youth SEND Forum was created with close ties developed between the two forums. In October 2025, the Children's Service successfully facilitated a youth council election process, leading to the formal establishment of a Youth Council. The positions elected were:
 - The Youth Leader : St Thomas More School,
 - Deputy Youth Leader: Latymer School,
 - Secretary (Admin & Governance) Park View School,
 - Secretary (Comms & Engagement) Fortismere School ,
 - Campaigns & Community Lead, Greig City Academy
- Young residents who represent their community must continue to be heard by the Council especially when it comes to decisions that directly affect them now and in the future.
- Only through genuine and meaningful consultation with young people and the Haringey Youth Council will the Council deliver policies catered to the needs and experience of young people and support them in a way they find productive.
- Closer ties must be maintained between Elected Representatives and The Youth Council.

This Council resolves to:

1. Welcome the Government's commitment to extend voting rights to 16 and 17-year-olds through the Representation of the People Bill.
2. Support the principle that young people should be encouraged to participate in democratic processes and have opportunities to engage in local and national decision-making.
3. Continue to support democratic education, civic participation and voter engagement activity for young people across the borough.
4. Recognise the valuable contribution of the Haringey Youth Council and other youth forums in representing the views and experiences of young people. With the agreement of school governors and head teachers, this includes a commitment for a cross-party group of elected councillors to work together and themselves organise visits to the borough's secondary schools and 6th forms on an annual basis to promote engagement in democracy with year 9s and upwards, ensuring that these visits are at an appropriate time in the school year. The visits would be required to comply with required Member codes and protocols set out in the Council's Constitution and with School procedures and protocols.
5. Request that officers monitor the progress of the legislation and provide advice to Members on the implications for the Council once the legislative framework and implementation arrangements are confirmed by Government.
6. Commit to supporting the Electoral Registration Officer in preparing for and implementing any changes arising from the legislation, including ensuring that appropriate resources are available to discharge any new statutory responsibilities.
7. Support engagement with schools, colleges, youth organisations, the Haringey Youth Council, civil society organisations and other relevant stakeholders to help ensure that young people are aware of their democratic rights and opportunities to participate.
8. To continue to preserve the Youth Council and ensure it continues to be the voice of young people in the borough.
9. To continue to support and facilitate future youth council elections in the borough.
10. Continue to genuinely listen to young people and the Youth Council.

11. Use the Youth Council as a valuable resource, seeking consultation in and outside of formal and Full Council meetings on issues relevant to young people where appropriate.
12. Engage with the Youth Council, ensuring that senior decision-makers, such as Cabinet Members or senior council officers, meet with the Youth Council and to discuss matters of relevance.

Notes: The Representation of the People Bill is currently at Committee stage in the House of Lords ¹.

Given the Bill is still before Parliament, we cannot be certain of the final detail of the legislation, however, below is a summary based on the most recent explanatory note published in parliament².

Votes at 16: Representation of the People Bill 2026

The Bill would:

- Lower the voting age to 16 for UK Parliamentary elections, local elections in England and Northern Ireland, Police and Crime Commissioner elections and Northern Ireland Assembly elections.
- Allow eligible individuals to register from their 14th birthday.
- Introduce provisions to enable identity verification of young people.
- Introduce safeguards to protect the information of registered persons under the age of 16.
- Prevent individuals under 16 from appearing on the open register and restrict publication of their information.
- Expand declaration of local connection provisions for looked-after children and certain other young people.
- Place a duty on local authorities in Great Britain to raise awareness of registration arrangements and assist certain young people in their care to register to vote.
- Provide for further electoral registration reforms, including registration without application, data-sharing provisions and registration pilots.
- Require additional funding for local authorities to support implementation, including registration, canvassing, election delivery and public awareness activity.
- Require further regulations and commencement provisions before many elements of the Bill can take effect.

¹ [Representation of the People Bill - Parliamentary Bills - UK Parliament](#)

² Representation of the People Bill – Explanatory Note – 3 September 2026 - <https://bills.parliament.uk/bills/4080/publications>

7. TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM

CSO 11 will apply to extraordinary meetings, but deputations will only be received where its purpose is related to an item of business on the summons.

8. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 1 - 34)

- a) Standards Committee - Reform of Planning Committees – constitutional changes

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Friday, 02 October 2026

REPORT OF STANDARDS COMMITTEE No 2/2026/27

FULL COUNCIL 12 October 2026

Chair: Councillor Andrea Hodgson

1. INTRODUCTION

- 1.1.1 This report arises from the Standards Committee meetings held on the 14 September 2026 and asks Full Council to consider the following:
- 1.1.2 The proposed changes to the Constitution set out in the report, labelled as Appendix 1B, to implement the national delegations in the Regulations.

2. BACKGROUND

- 2.1 The proposed changes to the constitution are in line with changes in the national scheme of delegation from the Ministry of Housing, Communities and Local Government.
- 2.2 Following questions from the Standards Committee, the following assurances were made:
 - 2.2.1 It was explained that there would be guidance available for what might be considered significant, in terms of the Gateway Test. It was additionally noted that if there were an objection to a planning application from a statutory consultee which was not overcome, this could be considered significant. However, it was noted that what is or isn't significant would likely require testing nationally within the courts.
 - 2.2.2 It was explained that it was likely that the new system would be similar to how the Planning Sub Committee functions currently, in terms of applications presented to it for decision. It was explained that cases that might be considered for decision at Planning Sub Committee must be discussed by the Chair (or in their absence the Vice-Chair) of the Planning Sub-Committee ('Nominated Member') and the Head of Development Management and Planning Enforcement (or in their absence the Director of Built Environment & Highways or one of the team managers within the Development Management Service) ('Nominated Officer'); every effort should be made to reach agreement on which cases should be referred to Committee.
 - 2.2.3 It was noted that minor applications for works to trees would be determined by officers, whereas major schemes with impacts on trees would generally be submitted to Planning Sub Committee for consideration and decision. It was additionally stressed that

policies, including in the Local Plan, would form the basis of consideration of advertisement applications and those for minor works to trees. It was noted that the proposed new Local Plan would have a dedicated tree policy which would be comprehensive and ensure that these would be considered sufficiently.

- 2.2.4 While an application may not be reported to Planning Sub Committee for decision, Members would still be able to provide comment on an application to officers for consideration in their assessment of a proposal.
- 2.2.5 Though schedule 1 applications must be determined by officers, it was explained that there was flexibility within schedule 2 for major applications, and for council's own applications, to be reported to Planning Sub Committee, in the interest of local accountability.
- 2.2.6 It was explained that there would be a record of the meeting between the Nominated Member and the Nominated Officer which would be available publicly. It was suggested that feedback to Members regarding their request that a case be considered at the 'Gateway Test' (to decide if it should be decided by officers or Planning Sub Committee) could be done in a similar way to the Member Enquiries system. It was noted that there were concerns with the timing of reporting publication of the record of the Gateway Test meetings between the Nominated Member and the Nominated Officer, which may disadvantage anyone wishing to judicial review the decision. Officers would consider publicly publishing the information bi-weekly, while the information would additionally be published in the Planning Sub Committee agenda on a monthly basis.
- 2.2.7 It was explained that feedback from residents on quality and timeliness of the publication of the 'Gateway Test' meeting outcomes could be brought to the Strategic Planning Committee for consideration if required.

After the meeting and before full Council publication, there was a further update made to the report that was considered at Standards, and this was to section 9.1 (appendix 1) and the finance comments. Further detail was added to provide assurance that there were no financial implications arising from the report. Also, there was a revision to address a drafting error at **Appendix 1B section 15 sub paragraph 2** to ensure that the wording in the revised Constitution matches what was set out in the report and what Standards Committee agreed to. The stronger wording makes clear that applications considered at the gateway meeting include a record of the outcome of the consideration and reasons for their decision which are to be reported Planning Sub Committee.

In addition, the changes to the Constitution have been more clearly separated out to ensure that Members are clear on the changes being agreed at the Council meeting.

WE RECOMMEND FULL COUNCIL

3. Approve the proposed changes to the Constitution set out in the report, labelled as Appendix 1B, to implement the national delegations in the Regulations.

Appendices

Standards Committee Report – Appendix 1

Current Constitution and Planning Protocol - Appendix 1A

Proposed Constitution and Planning Protocol - Appendix 1B

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Report for: Standards Committee 14 September 2026

Title: Reform of Planning Committees – constitutional changes

Report authorised by: Rob Krzyszowski, Director of Built Environment & Highways

Lead Officer: Catherine Smyth, Head of Development Management & Planning Enforcement

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

A report on the Government's introduction of a national scheme of delegation prescribing which planning and related applications should be determined by an officer or committee in the legislation made on 15th July 2026 (and taking effect on 31st October 2026), The Town and Country Planning (Discharge of Local Planning Authority functions) (England) Regulations 2026 (the 'Regulations'), and the changes to the Council's Constitution required to implement those delegations.

2. Cabinet Member Introduction

N/A

3. Recommendations

To consider and agree the proposed changes to the Constitution set out Appendix 1 attached to this report, to implement the national delegations in the Regulations and to recommend adoption of these changes to Full Council on 12th October 2026.

4. Reasons for decision

To implement new legislation and ensure the council, as local planning authority, makes decisions in accordance with the new legislation.

5. Alternative options considered

The option of not amending the Constitution was considered but not pursued as the Council will be under an obligation to comply with the requirements in the Regulations on 31 October 2026.

6. Reform of Planning Committees

REFORM OF PLANNING COMMITTEES

Background to Reform of Planning Committees

6.1 Government recognises that planning committees have an integral role in providing local democratic oversight of planning decisions. As such, they

consider that it is vital that they operate as effectively as possible, focusing on those applications which require Member input and not revisiting the same decisions. In the King's Speech in 2024, the Government announced that it would *'modernise the way planning committees operate to best deliver for communities and support much needed development'*.

- 6.2 Government also recognises that local planning authorities have, until now, had their own 'in-house' processes in terms of which planning applications are decided by committee and officers, with also lots of variation in how they operate, their size, and how effective they ultimately are; with no consistency nationwide. Government considers that bringing uniformity and clarity to the process would assist those local planning authorities who need support to improve decision making, with resulting benefits, through more certainty to applicants including developers – which, they consider, should ultimately lead to growth in housing delivery and capacity.
- 6.3 Government's focus has been driven towards enabling planning committees to focus on shaping their local areas through taking decisions on planning proposals which have a significant impact on the area, ensuring that they operate as efficiently as possible. They also acknowledge and support the strong role professional planners should play in making planning decisions. Furthermore, they want to support local planning authorities in meeting national speed targets for determination of planning applications, and to ensure appropriate delivery of high quality development.

Technical Consultation

- 6.4 The Ministry of Housing, Communities and Local Government (MHCLG) carried out a technical consultation in 2025 which set out a proposed national scheme of delegation (NSD) with a two-tiered system, which would require that no cases would be automatically reported to Planning Committee, and that some types of applications would never be reported. The consultation also set out proposals to prescribe the size of planning committees and a requirement for planning committee Members to hold a valid certificate of completion of training on planning matters.
- 6.5 Haringey provided a response to the technical consultation last summer, with key points raised by the response set out below:
- Recognise and support the Government's determination to ensure planning committees have an integral role in providing local democratic oversight of planning decisions
 - Recognise that many of the proposed reforms to 'modernise planning committees' are already implemented by Haringey Council
 - Note that an independent Peer Challenge of the Planning Service undertaken in late 2023 by the Local Government Association (LGA) Planning Advisory Service (PAS) which stated that our committee 'is a very good example of how public facing planning committees are run'

- Note that the Council was updating its Constitution and Planning Protocol in 2025 to ensure it is at the forefront of best practice
- Welcome the introduction of a NSD, so that there is greater consistency and certainty for residents, applicants, and developers
- Request that there should be a mechanism for elected member requests for cases to be considered by Committee

Regulations and Explanatory Memorandum

- 6.6 MHCLG provided an updated position in March 2026 setting out submissions made to them and their response to the consultation; and in June 2026 MHCLG published its formal consultation response, draft guidance and laid the Draft Regulations to Parliament for review and scrutiny. The Draft Regulations were subject to a further, but more limited, public consultation, with The Town and Country Planning (Discharge of Local Planning Authority functions) (England) Regulations 2026 Regulations being made on 15th July 2026; which will change the way planning committees have to work.
- 6.7 Government decided to take forward the proposals broadly as set out in their technical consultation documents and as per the Draft Regulations. The aim is to ensure that there would be greater clarity and consistency about the role of planning committees in planning decision making. It is intended to enable planning committees to work more effectively by allowing them to focus on the key development proposals that matter in their area, enabling other, often more minor and technical, decisions to be made by planning officers. The measures in the Regulations are to help ensure that planning committees play their proper role in scrutinising development without obstructing it, whilst also maximising the use of experienced professional planners. The measures are intended to facilitate faster decision making on planning applications and to ensure greater standardisation over the operation of committees across all local authorities in England, in turn providing for a more efficient service and greater certainty for communities, residents, applicants, businesses and developers.
- 6.8 Key aspects of the Regulations are:
- A National Scheme of Delegation ('NSD') will be introduced
 - The presumption of the NSD is that decisions are delegated to officers and only, by exception, can cases be referred to committee
 - The Regulations set out types of planning applications which must always be delegated to planning officers (Schedule 1)
 - Other types of planning applications may instead, in some circumstances, be referred to a planning committee for consideration and decision (Schedule 2); with the default position for Schedule 2 cases being consideration and decision making by Officers and cases being reported to planning committee as an exception
 - Some current practices set out in local authority constitutions, such as the power for ward councillors to require cases to be called in for committee

consideration or having trigger points for referral to committee if a certain number of objections is reached, will not be possible. Local authorities will need to amend their constitutions to align with the NSD.

- Cases that can be considered for decision at planning committee must be discussed by the Chair (or in their absence the vice-Chair) of the Planning Sub-Committee ('Nominated Member') and the Head of Development Management and Planning Enforcement (or in their absence the Director of Built Environment & Highways or one of the team managers within the Development Management Service) ('Nominated Officer'); every effort should be made to reach agreement on which cases should be referred to committee. Only cases where agreement is reached need to be referred to Planning Sub Committee, for determination.
- Para 15 of the 'Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England' states that: 'Nominated officers and nominated members should make every effort to reach agreement on which cases should be referred to committee. However, where agreement is not possible, the case must be determined by officers.'
- When deciding whether an application should be referred to a planning committee at least one of the following statutory criteria must be met:
 - A. the application raises one or more economic, social or environmental issues of significance to the local area
 - OR
 - B. the application raises one or more significant planning matters having regard to the development plan and any other material considerations
- As a minimum, the local planning authority should keep a record of the cases the Chair of the Planning Sub-Committee and the Head of Development Management and Planning Enforcement have considered for referral to committee, the outcome of their consideration and the reasons for their decision. They should report this to planning committee on a regular basis and make it available on their website
- The number of members on a planning committee or sub-committee to be no more than 13
- The requirements for Member training were to be considered further but have not as yet been made mandatory by national legislation

6.9 The Regulations will come into force on 31 October 2026. Where local planning authorities do not comply with the Regulations from the date they come into force and their planning committees make decisions on applications which must be delegated officers, those decisions may be subject to a legal challenge by anyone aggrieved by the decision. This may lead to the quashing of the decision by the court.

6.10 The table below sets out which applications identified in the Regulations are to be determined by officers (Schedule 1) and those that may, in some circumstances, be referred to a planning committee to determine (Schedule 2 and Own-interest applications).

Category	Delegated to	Application type
Schedule 1	Officers	1. Certificates of appropriate alternative development 2. An application made under section 26H (1) of the Listed Buildings Act (certificate of lawfulness of proposed works) 3. A householder application 4. A minor commercial application (floorspace less than 1,000 sq.m. on a site less than 1 hectare) 5. A minor residential application (between one and 9 dwellings on a site less than 0.5 hectare) 6. An application for permission in principle 7. An application made under section 73(1) of Town and Country Planning Act (TCPA) 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission – i.e. material amendments 8. An application made under section 96A (4) of TCPA 1990 (non-material changes to planning permission or permission in principle) i.e. non-material amendments 9. In respect of a planning obligation that the authority considers is connected with a Schedule 1 approval— (a) a request to agree to modify or discharge that obligation under section 106A (1) (a) of TCPA 1990 (modification and discharge of planning obligations) (b) an application to modify or discharge that obligation under section 106A (3) of TCPA 1990 (modification and discharge of planning obligations) 10. An application made under section 191(1) of TCPA 1990 (certificate of lawfulness of existing use or development)

		11. An application made under section 192(1) of TCPA 1990 (certificate of lawfulness of proposed use or development) 12. The submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990 13. A reserved matters approval application in respect of an outline planning permission, other than a large outline permission 14. An application made under article 27 (1) of the Development Management Procedure Order (applications made under a planning condition) 15. An application pursuant to provision in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015(21) for— (a) prior approval, or (b) a determination as to whether prior approval is required.
Schedule 2	Officers <u>UNLESS</u> the Chair of the Planning Sub-committee and the Head of Development Management and Planning Enforcement (or their substitute(s)) decide the application should be referred to a planning committee	1. An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent). 2. An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent). 3. An application for planning permission that the authority considers is connected with an application specified in 1 or 2. 4. An application for planning permission that is not— (a) a householder application, (b) a minor commercial application, or (c) a minor residential application.

		5. An application made under section 73 (1) of TCPA 1990 i.e. material amendment application (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission. 6. An application made under section 73A (1) of TCPA 1990 i.e. material amendment application (planning permission for development already carried out) 7. In respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval— (a) a request to agree to modify or discharge that obligation under section 106A (1) (a) of TCPA 1990 (modification and discharge of planning obligations); (b) an application to modify or discharge that obligation under section 106A (3) of TCPA 1990 (modification and discharge of planning obligations). 8. A reserved matters approval application in respect of a large outline permission (at least 500 homes and/or 50,000m² floorspace created) 9. An application made under regulation 9 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement) 10. An application made under regulation 16 (1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order)
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Applications made by or on behalf of the Council, a member or officer/the Council, a member or an officer has an interest in such application ('own-interest applications')	Officers. UNLESS the Chair of the Planning Sub-committee and the Head of Development Management and Planning Enforcement (or their substitute(s)) decide the application should be referred to a planning committee	Schedule1 and/or Schedule 2
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- 6.11 The Regulations require that the local planning authority must make arrangements so that any Schedule 1 application made to that authority is determined by an Officer of that authority.
- 6.12 Also, where an application listed in Schedule 1 is connected with an application for listed building consent/variation or discharge of conditions imposed on such consent the Nominated Member and Nominated Officer shall consider whether the application should be referred to a planning committee.
- 6.13 Additionally, where an application listed in Schedule 1 is an 'own-interest application' the Nominated Member and Nominated Officer shall consider whether the application should be referred to a planning committee.
- 6.14 Schedule 2 applications will be decided by Officers unless the Chair of the Planning Sub-committee and the Head of Development Management and Planning Enforcement (or their substitute(s)) agree that the application should be reported to planning committee.

The Gateway Test

- 6.15 Schedule 2 applications are delegated to Officers to determine unless the Nominated Member and Nominated Officer agree to refer an application to a planning committee. The criteria that the Nominated Member and Nominated Officer need to consider when deciding whether to refer a schedule 2 application to a Planning Committee is referred to in the statutory guidance issued by the Secretary of State that regard must be had to the 'Gateway Test'. The local planning authority needs to nominate a Member and an Officer of the authority to act as the nominated people for the purposes of the Gateway Test. There can also be Substitute Nominated Members and Officers appointed.

- 6.16 The Gateway Test involves a meeting between the Nominated Member and the Nominated Officer to discuss if the schedule 2 planning application should be referred to a Planning Committee for decision. It is recommended that the Chair of the Council's Planning Sub Committee would be the Nominated Member, with the Vice-Chair of Planning Sub Committee being the Nominated Substitute. It is intended that the Head of Development Management and Planning Enforcement would be the Nominated Officer, with the Director of Built Environment & Highways or one of the Team Managers within the Development Management Service being Nominated Substitutes.
- 6.17 The Regulations set out that the Nominated Member and Nominated Officer may agree to refer a Schedule 2 application to a Planning Committee if the application in their view raises:
- (a) one or more issues of economic, social or environmental significance to the local area, OR
 - (b) one or more significant planning matters having regard to the development plan and any other material considerations.
- 6.18 Schedule 2 includes applications for planning permission which would otherwise fall within Schedule 1 but are connected to an application for listed building consent or the variation or discharge of a condition attached to listed building consent.
- 6.19 'Significant' is not defined in the Regulations. What is deemed to be significant, or have a significant impact is stated in the statutory guidance '[Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England](#)' published by the Secretary of State on 1 June 2026 ('Statutory Guidance'), will vary from place to place and over time. In considering whether to make a referral to planning committee the Nominated Member and the Nominated Officer must have regard to the Statutory Guidance.
- 6.20 The Statutory Guidance provides that the following circumstances are unlikely to raise a significant planning matter:
- 1. where the application for development broadly complies with a detailed site allocation and other relevant policies set out in a local or neighbourhood plan and national decision-making policies set out in the National Planning Policy Framework. Significant planning matters may arise if new material considerations are raised by the application;
 - 2. where a specific planning matter (e.g. highways or flood risk) was initially raised by a statutory consultee as a concern, but the development proposal has been modified to make it acceptable in the view of the statutory consultee (unless the Nominated Officer has compelling reasons to consider otherwise).
- 6.21 Some applications may need to be considered more than once in a Gateway Test discussion, if circumstances of the case change.

Own – Interest Applications

- 6.22 The Regulations state that the Council's own applications and those made by Members or Officers of the authority/the Council, a member or an officer has an interest in such application must be determined by Officers if not referred to a planning committee by the Nominated Member and Nominated Officer.

How we currently make decisions

- 6.23 Haringey's current process, as set out in the Constitution, governing how decisions are made on planning applications will need to be amended to ensure that they aligned with the system the Government is introducing. However, Haringey does already have a robust and effective scheme of delegation for planning decisions, which enables the vast majority of planning decisions to be made by Officers, with a small number of planning applications, mainly the most strategically important ones, required to be reported to Planning Sub Committee for Members' consideration and decision.
- 6.24 Haringey's current process also already includes a mechanism whereby certain applications need to be discussed by the Chair of Planning Sub Committee and Head of Development Management and Planning Enforcement to decide whether they should be reported to Planning Sub Committee or whether Officers can determine them under delegated powers. Those processes will require amending to ensure the Council complies with the requirements of the Regulations. Our current arrangements result in a very strong performance in terms of speed of decision making – with last financial year's performance at 100% of major applications being determined within time, 90% of minor applications and 93% of other applications; including where extensions of time have been agreed with applicants.
- 6.25 Members considered and determined 16 applications at Planning Sub Committee across 2025; all of which were major schemes for housing (four of which were Council's own schemes) - and/or commercial/industrial use; with one application relating to infrastructure provision. Our Planning Sub Committee also play a very important role in considering briefings on major proposals at pre-application stage, which takes considerable dedicated time, and helps shape and improve schemes to meet the requirements of planning policy and delivery for the community.
- 6.26 The Planning Sub Committee's current responsibility for functions is set out in Section B of Part 3 of the Constitution as set out in Appendix 1 attached to this report together with the proposed amendments to the same.

Proposed Triage

- 6.27 The Statutory Guidance provides that Nominated Officers and Nominated Members are not required to consider whether all Schedule 2 applications should be referred to Planning Sub Committee for decision, and through their Constitution a local planning authority may decide which Schedule 2 applications are not required to be considered against the Gateway Test.

6.28 The Statutory Guidance states that 'Where local planning authorities anticipate that there may be a significant number of Schedule 2 or own-interest applications which may need to be considered for referral to committee they may wish to put in place a triage system to ensure that the Nominated Officer and Nominated Member of the committee are not overwhelmed and to avoid any unnecessary delays in planning decision making' (Paragraph 14).

6.29 The Regulations require that decisions on Schedule 2 applications will be made by Officers unless the Nominated Member and Nominated Officers, as part of the Gateway Test, agree that an application should be reported to Planning Sub Committee for Members' consideration and decision because either of the criteria in paragraph (a) or (b) in paragraph 6.17 above is met. Government expect Committees to focus on those applications which would raise issues of economic, social or environmental significance to the local area, or significant planning matter, and that Officers would decide the vast majority of planning applications. The Government has, however, also stated in the Statutory Guidance that all Schedule 2 applications do not need to be considered against the Gateway Test. The statutory guidance acknowledges that listed building, advertisement consent and consents for works to trees with a Tree Preservation order are included in Schedule 2, but in most cases do not raise issues which would merit committee scrutiny and that the presumption is that they should only be exceptionally referred to committee. Similarly, applications which seek to vary or discharge conditions of Listed Building Consent should, if it is considered, be dealt with by Officers, based on specialist advice. This approach is considered proportionate and consistent with Government guidance because these application types rarely raise strategic planning issues capable of meeting the Gateway Test.

6.30 It is recommended that responses to consultations by other boroughs would be determined by Officers, as per current practice.

Proposed Gateway Request

6.31 Members currently have 'call in' powers for planning applications, subject to certain criteria and timeframe. This is not an automatic right to have an application considered and determined by Planning Sub Committee. It is a right to ask the Director of Built Environment & Highways, or Head of Development Management, to discuss the planning application with the Chair of the Planning Sub Committee, and for the Chair to decide if the case should be referred to Planning Sub Committee or not. In reaching their decision the Chair of Planning Sub Committee must currently have regard to the criteria set out in Part 5 Section E (Planning Protocol) of the Constitution i.e. whether the:

- Proposal is a significant development which has caused substantial local interest;

- Officer recommendation is for approval contrary to policy in the Development Plan or other adopted guidance; and
- Application is recommended for approval [Applications that are to be refused by Officers under delegated authority will not normally be determined at Planning Committee]

- 6.32 The Government has made it clear that an automatic right to call-in cases to Planning Committee for decision will not be available to Members in the future. It is recommended, however, that we introduce a 'Gateway Request' process which would allow Members to request that Schedule 2 applications (with the exception of those for Advertisement Consent, works to TPO trees and other protected trees, Listed Building Consent, plus applications to vary or discharge conditions of listed building consent) be considered under the Gateway Test, as set out in para 6.17 above. This would be similar to our existing arrangements in this regard.
- 6.33 The Gateway Request would require a councillor of the ward within which the application site is situated, to submit a written request setting out the planning reasons why it is considered that the matter should be referred to the Planning Sub Committee before the expiry of the statutory consultation period for the application. That case would then be considered by the Nominated Officer and the Nominated Member, to decide if the case should be referred to Planning Sub Committee for determination.
- 6.34 A Gateway Request would not constitute a member call-in and would not create any entitlement for an application to be determined by Planning Sub Committee. Rather, it would provide a mechanism for ward councillors to request that a Schedule 2 application be assessed by the Nominated Member and Nominated Officer against the Gateway Test, who would determine whether referral to Planning Sub Committee is justified.

Proposed decision route for Council's Own applications

- 6.35 The Regulations provide that Council's own-interest applications and those made by Members or Officers of the authority that are not referred to a planning committee following agreement by the Nominated Member and Nominated Officer or their nominated substitute(s) shall be determined by Officers; however the Nominated Member and the Nominated Officer; or their Nominated Substitute(s) may agree to refer an own-interest application. This would be similar to the process currently operating.

The Size of Planning Committee

- 6.36 The Regulations also set the maximum number of members which may sit on a planning committee of a local authority in England; which is 13. This measure is intended to allow planning committees to operate more efficiently and improve the quality of decision making. The council's existing Planning Protocol, 2025, within its Constitution, states that there are 11 Members of the Sub Committee; which accords with the requirements of the new Regulations.

What needs to change to ensure lawful decisions are made

6.37 Part 3, Section B, of the Constitution ‘Responsibility for Functions’ and Part 5, Section E, ‘Planning Protocol’ will need to be amended to implement the new arrangements from 31 October 2026. The proposed changes are set out in Appendix 1 attached to this report.

6.38 Part 5, Section E, of the Constitution sets out the Planning Protocol. The Protocol sets out expected behaviour in relation to applicants, residents and other third parties, to ensure probity of planning transactions and the highest standards expected in public office. It also sets out how planning applications will be determined, including how applications can be referred to Planning Sub Committee for consideration and decision, and how the Planning Sub Committee will exercise functions delegated to it. This will need to be amended to reflect the new arrangements, as set out in Appendix 1.

Engagement

6.39 Officers presented the Government’s technical consultation in connection with the proposed reform of planning committees to Strategic Planning Committee on 7 July 2025; and also provided an update to the Strategic Planning Committee on 13 July 2026 on the draft Regulations. Comments made by Members were responded to at the meetings and have also been considered in drafting this report. As referred to above the council submitted a formal response to MHCLG in response to the technical consultation.

6.40 These matters have been considered by the Constitutional Working Group, whose comments have been taken into account and, on which basis, have agreed that the report should be reported to Standards Committee for their consideration.

Monitoring and Review

6.41 The Regulations require that by 31st October 2028 the Secretary of State must carry out a review of the Regulations and publish a report setting out the conclusion of the review, having regard to the objectives intended to be achieved by the Regulations.

6.42 The Regulations do not specifically require local planning authorities to keep a record of the applications considered under the Gateway Test, however the explanatory memorandum to the Regulations is clear, that in order for the Secretary of State to carry out their review (and also in the interest of transparency for residents and all stakeholders), LPAs will be required, as a minimum, to keep a record of the cases the Nominated Officer and Nominated Member have considered for referral to committee, the outcome of their consideration and the reasons for their decision. It will be required for Officers to report this information to the Planning Sub Committee on a regular basis, and make it available on our website. They will also monitor it through routine

engagement with local planning authorities, developers and other key stakeholders.

- 6.43 The detail for how the record keeping would best work is currently being worked up by Officers.
- 6.44 The Government will also collect data on appeals where decisions have been made by committees.

Member training

- 6.45 The Government reports that the consultation showed that there was strong support for mandatory training of planning committee members to improve their understanding of planning, with a range of views expressed. The matter is still under final consideration by the Government and mandatory training is likely to be introduced, in the future. In the meantime Haringey will proceed on the basis of the current Constitution, which requires Planning Sub Committee and substitutes to be trained before making decisions on planning applications at Planning Sub Committee, and to undertake training hours during the municipal cycle.

7. Contribution to strategic outcomes

- 7.1 The Development Management and Planning Enforcement services contribute to the Corporate Delivery Plan's focus on tackling inequality, climate justice and health across all of the various themes.

8. Carbon and Climate Change

- 8.1 The recommendations will change council procedures but will not impact on carbon and climate change. The policies relating to carbon and climate change used to determine planning applications are set out in the council's Local Plan, and the London Plan, which is not the subject of this report. All planning decisions must have the appropriate regard to the Development Plan, regardless of whether the decision is delegated to Officers or decided by Planning Sub Committee.

9. Statutory Officers comments Finance, Procurement, Legal and Equalities

Finance

- 9.1 This report seeks approval from the Standards Committee for the proposed changes to the Constitution, as set out in Appendix 1 of this report. The changes were introduced on 15 July 2026 and will take effect from 31 October 2026. The Standards Committee is also required to approve the implementation of the national delegations contained within the Regulations. The changes arising from the new legislation are necessary to ensure that the Council, in its role as Local Planning Authority, makes decisions in accordance with the new legislative requirements and to facilitate the associated amendments to the Planning Protocol. There are no additional financial implications arising from the proposed constitutional amendments or the implementation of the national delegations

contained within the Regulations. As such, there is no impact on the Council's Medium Term Financial Strategy.

Director of Legal and Governance

- 9.2 Sections 319ZZC to 319ZZF of the Town and Country Planning Act 1990 (introduced through section 54 of the Planning and Infrastructure Act 2025) and the Regulations introduce a national scheme of delegation for planning functions and require the Council to make arrangements that are consistent with those Regulations before they come into force on 31 October 2026. The proposed amendments to the Constitution are intended to give effect to those statutory requirements.
- 9.3 The Statutory Guidance notes that where a local planning authority does not comply with the Regulations and a planning committee determines an application that should have been delegated to an officer, the resulting decision may be challenged by way of judicial review and could be quashed by the Court.
- 9.4 In accordance with the Constitution, changes to the Constitution may only be approved by Full Council following recommendation by the Standards Committee and advice from the Monitoring Officer. It is therefore appropriate that proposed amendments set out in this report are first considered by Standards Committee before being referred to Full Council for determination.

Equality

- 9.3 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010)
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not
- 9.4 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 9.5 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 9.6 The decision to amend the Constitution is likely to positively impact all users, including those that may find the process complex by making it easier and clearer regarding how residents can engage with planning processes and whether a planning application will be determined by officers or planning committee. This decision does not change how people and communities are

consulted on planning applications and this will continue as per existing procedures.

Procurement

9.7 There are no procurement issues arising.

10. Local Government (Access to Information) Act 1985

10.1 None

11 Appendices

Appendix 1 B: Constitution and Planning Protocol current versions

Appendix 1C Constitution and Planning Protocol - updated

12 Background Papers

None.

Appendix 1A

Current Constitution and Planning Protocol

Section E of Part Five of the Constitution - Planning Protocol

2. PLANNING FUNCTIONS

Administration of Planning Functions in Haringey

- 2.04. The performance of the Council's planning function is largely delegated to the Planning Sub-Committee, and to officers of the Council pursuant to arrangements made under Section 101 of the Local Government Act 1972. Approximately 9 out of 10 planning decisions in Haringey are made by officers, through authority delegated to them by the Council. This level of delegated decision making is consistent with other Councils across the Country and allows the majority of planning decisions to be determined promptly, allowing Members of the Committee to focus on the most significant and controversial proposals.

Referring applications to the Planning Sub-committee

- 2.09 All Members of the Council receives copies of the weekly list detailing the applications that have been received.
- 2.10 Any Member and/or a local community body and/or a local residents association may request that an application is determined by the Planning Sub-Committee instead of officers under delegated authority by notifying in writing, within the statutory consultation period for the application, the Director of Planning & Building Standards/Head of Service stating the planning reasons for such request.
- 2.11 The Director of Planning & Building Standards or the Head of Service shall, in consultation with the Chair of the Planning Sub-Committee, determine whether the request should be granted and the application referred to the Planning Sub-Committee to determine. In determining whether to grant a request, officers and the Chair of the Planning Sub-Committee shall have regard to whether the:
- proposal is a significant development which has caused substantial local interest;
 - officer recommendation is for approval contrary to policy in the Development Plan or other adopted guidance; and
 - application is recommended for approval

- 2.12 The Director/Head of Service may also exercise their judgement, in consultation with the Chair of the Planning Sub Committee, to refer a matter to the Planning Sub Committee rather than be determined through officer delegation, even if a Member has not requested this, pursuant to paragraph 2.07 of Section E (Scheme of Delegation) of Part Three of the Council's Constitution.

Sections 2 and 3 of Section B of Part Three of the Constitution - Responsibility for Functions: Full Council & Non-Executive Bodies.

SECTION 2 – COMMITTEES

8. The Strategic Planning Committee

There is a Protocol outside this Constitution setting out how the Strategic Planning Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

There is also a Protocol setting out how members of the Planning Sub-Committee will exercise any functions delegated to the Sub-Committee, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office, which will also be followed by members of Strategic Planning Committee when exercising the same functions as the Sub-Committee. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Strategic Planning Committee has all the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1, Paragraph A (Town and Country Planning) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations. This includes Planning related Regulatory matters.

SECTION 3 - SUB-COMMITTEES AND PANELS

Section 4.2 Planning Sub-Committee

There is a Protocol setting out how members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has all the functions which are set out below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1):

(a) paragraph A - Town Planning Functions

(A) planning applications for the erection of 10 or more dwellings and where the officer recommendation is for approval;

(B) planning applications for changes of use of 1000 sq. metres or more of gross internal floor space and where the officer recommendation is for approval;

(C) planning applications for the erection, or extension of non-residential buildings where the new build is 1000 sq metres or more of gross internal floor space and where the officer recommendation is for approval;

(D) unless otherwise agreed with the Chair of the Planning Sub-Committee, planning applications either:

(i) for major development as defined by the Town and Country Planning (Development) Management Procedure (England) Order 2015 (or any replacement legislation) and where the officer recommendation is for approval; or

(ii) where a legal agreement relating to that development is required; or

(iii) where the recommended decision would be contrary to the development plan;

(E) unless otherwise agreed with the Chair of the Planning Sub-Committee, applications submitted by, or on behalf of the Council;

(F) planning applications on Council owned land, where the Council is not the applicant, where significant material planning objections are received during the consultation process and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, determines should be subject to members' consideration;

(G) planning applications submitted by or on behalf of members; or employees within the Planning Service or senior employees elsewhere in the Council; or their spouses, parents or children;

(H) any planning application to amend an application or vary conditions or a legal agreement previously decided/imposed by Planning Sub-Committee and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, considers to constitute a major or significant change;

(I) any planning application where there have been objections from a single councillor of the Ward within which the application site is situated and/or a local community body and/or a local residents' association, and a written request setting

out the planning reasons for the matter to be referred to the Planning Sub-Committee has been made before the expiry of the consultation period, and which the Assistant Director or Head of Development Management in consultation with the Chair of the Planning Sub-Committee considers should be referred to the Planning Sub-Committee for determination;

(b) paragraph B - Power to amend; For the avoidance of doubt, the Assistant Director or Head of Development Management is authorised after a Planning Sub-Committee determination to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions (and to authorise any such changes requested by the GLA or government body) (and to further sub-delegate this power) provided this authority shall be exercised after consultation with the Chair (or in their absence the vice-Chair) of the Sub-Committee.

Appendix 1B

Proposed Constitution and Planning Protocol

Section E of Part Five of the Constitution - Planning Protocol

2. PLANNING FUNCTIONS

Administration of Planning Functions in Haringey

2.04. The performance of the Council's planning function is largely delegated to officers of the Council pursuant to arrangements made under Section 101 of the Local Government Act 1972 and the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (See table below). Approximately 9 out of 10 planning decisions in Haringey are made by officers, through authority delegated to them by the Council. This level of delegated decision making is consistent with other Councils across the Country and allows the majority of planning decisions to be determined promptly, allowing Members of the Committee to focus on the most significant proposals.

Schedule 1 and Schedule 2 and Own-Interest Applications

2.09 All Members of the Council receive copies of the weekly list detailing which applications have been received. The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 requires applications identified in Schedule 1 to the Regulations summarised in the table below to be determined by officers and Schedule 2 also summarised below, unless the Nominated Member (Chair or in their absence the Vice-Chair of the Planning Sub-Committee) and the Nominated Officer (Head of Development Management and Planning Enforcement or in their absence the Director of Built Environment & Highways or one of the team managers within the Development Management Service) agree that the application should be referred to Planning Sub Committee.

Category	Delegated to	Application type
Schedule 1	Officers	1. Certificates of appropriate alternative development 2. An application made under section 26H (1) of the Listed Buildings Act (certificate of lawfulness of proposed works) 3. A householder application

		4. A minor commercial application (floorspace less than 1,000 sq,m. on a site less than 1 hectare) 5. A minor residential application (between one and 9 dwellings on a site less than 0.5 hectare) 6. An application for permission in principle 7. An application made under section 73(1) of Town and Country Planning Act (TCPA) 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission – i.e. material amendments 8. An application made under section 96A (4) of TCPA 1990 (non-material changes to planning permission or permission in principle) i.e. non-material amendments 9. In respect of a planning obligation that the authority considers is connected with a Schedule 1 approval— (a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations) (b) an application to modify or discharge that obligation under section 106A (3) of TCPA 1990 (modification and discharge of planning obligations) 10. An application made under section 191(1) of TCPA 1990 (certificate of lawfulness of existing use or development) 11. An application made under section 192(1) of TCPA 1990 (certificate of lawfulness of proposed use or development) 12. The submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990 13. A reserved matters approval application in respect of an outline planning
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		permission, other than a large outline permission 14. An application made under article 27 (1) of the Development Management Procedure Order (applications made under a planning condition) 15. An application pursuant to provision in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015(21) for— (a) prior approval, or (b) a determination as to whether prior approval is required.
Schedule 2	Officers UNLESS the Chair of the Planning Sub-committee and the Director of Built Environment & Highways (or their substitute(s)) decide the application should be referred to a planning committee'	1. An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent).* 2. An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent).* 3. An application for planning permission that the authority considers is connected with an application specified in 1 or 2. 4. An application for planning permission that is not— (a) a householder application, (b) a minor commercial application, or (c) a minor residential application. 5. An application made under section 73(1) of TCPA 1990 i.e. material amendment application (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission. 6. An application made under section 73A (1) of TCPA 1990 i.e. material amendment application (planning permission for development already carried out)

		7. In respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval— (a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations); (b) an application to modify or discharge that obligation under section 106A (3) of TCPA 1990 (modification and discharge of planning obligations). 8. A reserved matters approval application in respect of a large outline permission (at least 500 homes and/or 50,000m² floorspace created) 9. An application made under regulation 9 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement)* 10. An application made under regulation 16 (1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order)*
Own-interest applications	Officers. UNLESS the Chair of the Planning Sub-committee and the Director of Built Environment & Highways (or their substitute(s)) decide the application should be referred to a planning committee	Schedule 1 and/or Schedule 2

Gateway Test

- 2.10 Deciding which Schedule 2 or Own-Interest applications are to be referred to Planning Sub Committee is referred to in the statutory guidance issued by the

Secretary of State, which states that regard must be had to the 'Gateway Test'.

The matters for consideration at the Gateway Test are whether the application raises:

- (a) one or more issues of economic, social or environmental significance to the local area, OR
- (b) one or more significant planning matters having regard to the development plan and any other material consideration

The statutory guidance provides that the following circumstances are unlikely to raise a significant planning matter:

1. where the application for development broadly complies with a detailed site allocation and other relevant policies set out in a local or neighbourhood plan and national decision-making policies set out in the National Planning Policy Framework. Significant planning matters may arise if new material considerations are raised by the application;
2. where a specific planning matter (e.g. highways or flood risk) was initially raised by a statutory consultee as a concern, but the development proposal has been modified to make it acceptable in the view of the statutory consultee (unless the Nominated Officer has compelling reasons to consider otherwise).

Gateway Request

- 2.11 For Schedule 2 applications (* with the exception of applications for Advertisement Consent, Listed Building Consent, applications to vary/modify applications to discharge conditions for a listed building consent, works to a tree protected under a TPO and works to a tree located within a conservation area) any Member of the ward within which the application site is situated may make a 'Gateway Request', asking that the application be considered by the Nominated Member and Nominated Officer against the Gateway Test. The request must be in writing within the statutory consultation period for the application, and set out the planning reasons why it is considered that the matter should be referred to the Planning Sub Committee for decision. A Gateway Request does not confer any entitlement for the application to be referred to Planning Sub Committee and does not constitute a member call-in. The Nominated Member and Nominated Officer shall determine whether referral is justified having regard to the Gateway Test.

Own-Interest Applications

- 2.12 The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 do not require that the Nominated Member and Nominated Officer consider the Gateway Test when deciding whether a Schedule 1 or 2 application made by or on behalf of the Council, a member or officer of the Council, a member or an officer has an interest in should be referred to the Planning Sub-committee, but the statutory guidance provides that such applications may be referred in the interests of transparency and public accountability.

Sections 2 and 3 of Section B of Part Three of the Constitution - Responsibility for Functions: Full Council & Non-Executive Bodies.

SECTION 2 – COMMITTEES

8. The Strategic Planning Committee

There is a Protocol outside this Constitution setting out how the Strategic Planning Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

There is also a Protocol setting out how members of the Planning Sub-Committee will exercise any functions delegated to the Sub-Committee, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office, which will also be followed by members of Strategic Planning Committee when exercising the same functions as the Sub-Committee. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Planning Sub Committee has power to determine those applications identified in paragraph (a) (Schedule 2 Applications) and (b) (Own-Interest Applications) of section 4.2 (Planning Sub-committee) of this Part of the Constitution that the nominated member and the nominated officer agree requires reporting to and determination by the Strategic Planning Committee, because it raises (a) one or more issues of economic, social or environmental significance to the local area, or (b) one or more significant planning matters having regard to the development plan and any other material considerations; and for own-interest applications, is in the interests of transparency and public accountability.

SECTION 3 - SUB-COMMITTEES AND PANELS

Section 4.2 Planning Sub-Committee

There is a Protocol setting out how members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has power to determine:

(a) Schedule 2 Applications

Those applications in Schedule 2 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 listed below that the Nominated Member and the Nominated Officer agree requires reporting to and determination by the Planning Sub-Committee, because it raises (a) one or more issues of economic, social or environmental significance to the local area, or (b) one or more significant planning matters having regard to the development plan and any other material considerations:

1. An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent)
2. An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent)
3. An application for planning permission that the authority concerned considers is connected with an application of a kind specified in paragraph 1 or 2
4. An application for planning permission that is not (i) a householder application, (ii) a minor commercial application, or (iii) a minor residential application
5. An application made under section 73(1) of the Town and Country Planning Act 1990 ("TCPA 1990") (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission
6. An application made under section 73A(1) of TCPA 1990 (planning permission for development already carried out)
7. In respect of a planning obligation that is considered is connected with a Schedule 2 approval, a request to agree to modify or remove that obligation under section 106A(1)(a) or section 106A(3) of TCPA 1990
8. A reserved matters approval application in respect of a large outline permission [at least 500 homes and/or 50,000m² floorspace created]
9. An application made under regulation 9(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement)

10. An application made under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order)

(b) Own-Interest Applications

An application listed in paragraph (a) above or in Schedule 1 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 listed below, made by or on behalf of the Council, a member or officer/the Council, a member or an officer has an interest in, that the Nominated Member and the Nominated Officer agree requires reporting to and determination by the Planning Sub-Committee [in the interests of transparency and public accountability].

1. An application made under section 17(1) of the Land Compensation Act 1961 (certificates of appropriate alternative development)
2. An application made under section 26H (1) of the Listed Buildings Act (certificate of lawfulness of proposed works)
3. A householder application
4. A minor commercial application
5. A minor residential application
6. An application for permission in principle
7. An application made under section 73 (1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission
8. An application made under section 96A (4) of TCPA 1990 (non-material changes to planning permission or permission in principle)
9. In respect of a planning obligation that is considered is connected with a Schedule 1 approval, a request to agree to modify or discharge that obligation under section 106A(1)(a) or section 106A (3) of TCPA
10. An application made under section 191(1) of TCPA 1990 (certificate of lawfulness of existing use or development)
11. An application made under section 192(1) of TCPA 1990 (certificate of lawfulness of proposed use or development)
12. The submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990
13. A reserved matters approval application in respect of an outline planning permission other than a large outline permission
14. An application made under article 27(1) of DMPO (applications made under a planning condition)
15. An application pursuant to provision in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order

2015(d) for prior approval, or a determination as to whether prior approval is required

The Nominated Member is the Chair (or in their absence the vice-Chair) of the Planning Sub Committee and the Nominated Officer is the Head of Development Management and Planning Enforcement (or in their absence the Director of Built Environment & Highways or one of the team managers within the Development Management Service).

The Nominated Officer shall keep a record of the applications that the Nominated Officer and Nominated Member have considered for referral to Planning Sub Committee, the outcome of their consideration and the reasons for their decision regarding such applications, which shall be reported to the Planning Sub Committee on a regular basis and made available on the Council's website.

For the purposes of clarity:

1. Planning obligations connected with major planning applications will, if the Nominated Member and Nominated Officer agree that such application should be referred to the Planning Sub Committee, be considered by the Planning Sub Committee when determining the application.
2. The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 provides that the applications identified in Schedule 1 of the Regulations must be determined by officers unless made by or on behalf of the Council, a member or officer/the Council, a member or an officer has an interest in the application; in which case the Gateway Test is engaged.
3. The Nominated Officer and the Nominated Member should make every effort to reach agreement on which cases should be referred to committee. However, where agreement is not possible, the case must be determined by officers.
4. Responses on planning consultations from other boroughs are to be determined by Officers.

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