



The
London Forum
of Amenity & Civic Societies

Planning Committee Reform: Statutory Consultation on Draft Regulations and Guidance

Response from the London Forum of Amenity and Civic Societies

Introduction

1. The London Forum represents over a hundred civic and amenity societies across London, and its members have long-standing experience in working with borough planning departments and with planning committees. The Forum objected in strong terms to the technical consultation on the reform of planning committees issued in May 2025. We pointed out that there is no evidence that planning committees needed radical reform. MHCLG's own data shows that all but three LPAs in London already delegate over 90% of applications to officers (25 of them delegate over 95% of applications); and there is no correlation between rates of delegation and the proportions of applications refused.
2. More important, we found that the proposals were based on three fundamental contradictions:
 - First, while the consultation document itself stated that *"what to build and where should be shaped by local communities and reflect the views of local residents"*, the proposals would represent a severe restriction on communities and their councillors engaging with many significant proposals amounted to a severe restriction on residents' and councillors' rights to engage with significant proposals and other planning issues that affected them and their communities.
 - Second, while the consultation also stated that planning committees have a critical role in providing local democratic oversight of planning decisions, the proposals amounted to an attack on local democracy and the roles of councillors and of planning committees in determining planning decisions.
 - Third, at the core of the proposals was what was termed a *"national scheme of delegation"*. But the proposals completely removed the power of planning committees to 'give or commit powers or duties to another' (OED sub 'delegate'). Instead, the obvious logical implication was that the Secretary of

State was proposing to arrogate to himself powers to determine all planning decisions and then to delegate those powers to local planning authorities, their officers and committees as he saw fit.

3. Further contradictions have now been laid bare in the Government's response to the technical consultation, which states (para 8) that its aim is to ensure that planning committees *"focus on those applications for complex or contentious development where local democratic oversight is required"*. But it then rejects the case made by a majority of respondents that there should be a mechanism by which Tier A applications could be brought to committee on the grounds that it would *"undermine the aims of these reforms"*, however contentious an application might be.
4. Fundamental contradictions of this kind cannot be a sound basis for policy-making, still less for statutory regulations and guidance. They continue in the current consultation document, which begins with what must be regarded as weasel words about how *"Planning committees play a critical role in maintaining public trust and ensuring local democratic oversight within the English planning system. Planning committees remain central to transparent, consistent, and high-quality decision-making."* Those two sentences are not borne out in the consultation or in the draft regulations and guidance. Instead they are directly contradicted.
5. The Government has made only minor changes to the proposals in response to last year's consultation, and it has not addressed the key points the London Forum made in its response. The Forum therefore remains strongly opposed to the proposed regulations and guidance.
6. The Forum also strongly regrets the Government's decision to delay any measures to ensure that members of planning committees are properly trained. This is of particular importance given that the forthcoming local elections will result in many new members of planning committees, who will lack any experience or training.

Question 1. Do you have any comments on the draft Regulations?

7. The Forum welcomes the minor changes that have been made to allow committees – subject to agreement, in accordance with strict criteria, between the nominated planning officer and the nominated councillor – to consider reserved matters applications for large-scale phased applications; applications relating to listed buildings; and those relating to advertisements and to tree preservation orders. The Government's refusal, however, to allow for any mechanism to allow for any application as defined in Schedule 1 to be considered by the planning committee – *even if it raises issues of economic, social or environmental significance to the local area, or significant planning issues* – robs local communities of any right to raise issues with local councillors and planning committees. This is of particular importance given the absence of any reference to conservation areas, even where they have a management plan. It is difficult to understand why they have been excluded, when conservation

areas often provide the settings for listed buildings, and when TPOs and advertisements have been included in Schedule 2.

Question 2. Do you agree with our proposed approach to phased reserved matters applications? If not, do you think we should return to the original position of reserved matters on phased development being delegated in all circumstances or should we instead consider delegating certain types of phased reserved matters applications?

8. The London Forum has long experience of applications in London's 47 Opportunity Areas (OAs). None of the OAs has been subject to scrutiny through a plan-making process, but they are all included as site allocations in local plans. Developments in these areas typically extend over several years, with successive highly-significant reserved matters applications. It is essential that such applications should be considered by planning committees; but we believe that there is a conflict with the guidance to which we shall return in answer to Q3.

Question 3. Do you have any comments on the draft guidance?

9. Paragraph 20 states that it is unlikely that a Schedule 2 application will need to be considered by a planning committee "where the application for development broadly complies with a detailed site allocation and other relevant policies". As we note above, in London, the proposals would prevent planning committees from considering major schemes in Opportunity Areas, which under current arrangements have not been scrutinised at examinations of either the London Plan or the relevant local plans. Such schemes, however large and controversial, would simply be determined by officers, with no democratic scrutiny. It is important that this issue is resolved before the guidance is finalised.
10. The guidance makes clear the Government's overall aim to reduce very significantly the already-small proportion of applications that are considered by planning committees. All Schedule 1 applications will be determined by officers, and the "overriding assumption" (para 13) is that Schedule 2 applications will be delegated to officers.
11. The guidance also makes clear that councillors will henceforth have no role at all in the democratic oversight of decision-making on planning applications. They will be unable to represent their constituents in objecting to or even commenting on the great majority of applications; and members of the local community will be unable to seek any effective support from their councillors in addressing their concerns about individual applications.

12. Worse still, the nominated officer and the nominated member (in most cases, the chair of the Planning Committee) must agree, in accordance with strict criteria, before any application can be considered by the planning committee. And if they cannot agree, the nominated officer, who has no democratic mandate, must overrule the elected chair of the committee, so that the application will be determined by officers rather than the committee. This will place the officer in a position of unprecedented power; and both the officer and the chair of the committee in positions fraught with conflict. In this provision in particular, set out in paragraph 17, the guidance is profoundly dangerous and undemocratic.

Conclusion

13. There is no evidence that planning committees need radical reform, nor that the draft regulations and guidance will make the planning regime more efficient or effective. Rather, the proposed reforms are based on fundamental flaws and internal contradictions. Every word of the opening paragraph of the consultation document is contradicted by what follows. The draft regulations and guidance will undermine the “critical role” of planning committees, will exacerbate public mistrust, will remove democratic oversight, and will destroy much of what transparency there is in the current system. And there is no evidence to suggest that the changes will lead to more consistent and high-quality decision-making. It is shocking that a Labour Government should seek to impose such authoritarian and anti-democratic changes to the planning regime. Even at this late stage, the London Forum strongly urges it to think again.

*Dr Michael Jubb MBE
Chair, London Forum*