Classification Open / Closed	Item No.

Meeting:	Planning Control Committee Full Council
Meeting date:	20th October 2026 – Planning Control Committee 11th November 2026 – Full Council
Title of report:	National Scheme of Delegation
Report by:	Head of Development Management
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary

1. This report further informs Planning Control Committee of significant national changes to the way planning applications must be determined by local planning authorities in England. These changes were detailed in the report considered by Committee at its meeting on 1st September 2026 wherein the Committee resolved to note the report and to request that Full Council amend the Council's Constitution in line with the requirements of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. These Regulations were made on 15th July 2026 and come into force on 31st October 2026.

2. The matter was considered at the meeting of Full Council on 16th September 2026 when members resolved to approve the amendments proposed but with an update being provided to members at the November meeting of Full Council.

3. The purpose of this report is to appraise members of the matter and to request that they formally recommend to Full Council the changes to the Council's Constitution necessary to give effect to the requirements of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ahead of members being appraised of them at the November meeting of Full Council.

4. In light of the significant changes being made to the way in which the Council determines planning applications a training session for members has been

arranged for 2nd November 2026 where officers will brief members on these changes.

Available Options

1. Following the introduction of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 the Council is required to amend the Place Directorate Scheme of Delegation within its Constitution to ensure planning applications are determined in accordance with the requirements of the Regulations.
2. Failure by the Council to amend the Place Directorate Scheme of Delegation in the manner detailed in Appendix A to this report would render the Council potentially liable to legal challenge in relation to decisions issued in relation to planning applications.

Recommendations

3. Members are recommended to:

i) Recommend to Full Council the proposed amendment to the Place Directorate Scheme of Delegation as set out Appendix A of this report.

Key considerations

ii) The key messages for Members remain:

-The National Scheme of Delegation is a national legal requirement, not a local policy choice;
-It comes into force on 31 October 2026;
-Some applications that may currently be capable of being referred to committee will, in future, have to be decided by officers;
-Schedule 1 applications must be delegated to officers;
-Schedule 2 applications are presumed to be delegated to officers unless the statutory gateway test is met and the nominated officer and nominated member agree to committee referral.
-Ward Member call-in arrangements and objection number triggers will not be able to override the National Scheme of Delegation.
-Planning Control Committee will remain important, but its role will be more focussed on significant applications that meet the statutory tests.
-The Council's Constitution and associated procedures will need to be reviewed and updated before 31 October 2026.
-The formal decision to amend the Constitution will need to be taken through the Council's constitutional governance arrangements.
-Members and residents will need clear communication and guidance so that they understand how to engage effectively under the new arrangements.

Reasons for Recommendation(s)

iii) As previously advised in the report presented to September's Planning Control Committee the Regulations introduced a new National Scheme of Delegation for planning functions. Essentially, this meant that the government has now set national rules about which planning applications must be decided by officers and which applications may (only in defined circumstances) go to Planning Control Committee.

iv) The Council was therefore required to review and update its Constitution, including the Planning Scheme of Delegation and associated Planning Control Committee Procedures to ensure compliance with the National Scheme of Delegation by 31st October 2026.

v) Planning Control Committee is not being asked to decide whether these national changes should be implemented as there is a requirement for the Council to implement them. The intention of this report is to update and inform Members that whilst the formal decision to amend the Constitution was made by Full Council in its September meeting an updated report was to be taken to the November meeting of Full Council detailing those changes more specifically and in the interests of transparency and accountable decision-making Planning Control Committee is asked to formally recommend this report to Full Council for its meeting in November.

Equality Impact and considerations:

vi) No implications arise from the Place Directorate Scheme of Delegation being amended.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	**Mitigation**
Failure to amend Council's Constitution in line with the 2026 Regulations	Ensuring Council's Constitution is amended to enable lawful decisions to be issued by the Council

Consultation:

vii) The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 were introduced by the Government over the summer and come into effect on 31st October 2026. Whilst the Council has been unable to consult on the changes required to the Place

Directorate Scheme of Delegation the Council is arranging for training to be provided to members to appraise them of these changes in order that members are fully appraised of matters.

Legal Implications:

viii) The National Scheme of Delegation is a national legal requirement and the associated amendments required to the Place Directorate Scheme of Delegation will ensure that the Council's determination of planning applications will be lawful and in line with the National Scheme of Delegation.

ix) Failure to amend the Place Directorate Scheme of Delegation would potentially render decisions on planning applications made by the Council unlawful and liable to legal challenge.

Financial Implications:

x) Amending the Place Directorate Scheme of Delegation will ensure that decisions issued by the Council in relation to planning applications are lawful and not liable to legal challenge with the associated consequences for the Council of potential costs liability to third parties challenging such decisions.

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Background papers:

Consultation outcome - Reform of planning committees: technical consultation
Planning Committees and the National Scheme of Delegation of Planning Functions: Draft guidance for local planning authorities in England
Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England

The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026