

National Scheme of Delegation

By Gavin Chinniah, Head of Planning and Building Control
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OVERVIEW

- **What is a National Scheme of Delegation?**
- **Why has the Government introduced it?**
- **What are the regulations?**
- **What are the timescales for adoption / implementation?**

What is a National Scheme of Delegation?



- The national scheme of delegation **sets out which planning applications go to committees and which to officers.**
- Local authorities in England will need to **amend their constitutions to align** with the forthcoming national scheme of delegation of planning functions and a **failure to do so may make them liable to judicial review and decisions will be unlawful.**
- **This comes into force and law on the 31st October 2026.**

What is a National Scheme of Delegation?



- Under the national scheme of delegation, **current practices set out in local authority constitutions**, such as the power for ward councillors and parishes 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**.
- These amendments represent a fundamental shift in how LPAs structure decision making and should result in **significantly fewer applications being determined by planning committee**, allowing elected members more time to scrutinise the most important proposals within their area.
- Central Government undertook a public consultation in March 2026 which lasted 4 weeks, **where Bedford Borough Council raised objection to the proposal**.
- Link the to National Scheme of Delegation **(Statutory Guidance)**: [Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England - GOV.UK](#)

Why has Government introduced a National Scheme of Delegation?

- “in providing essential local democratic oversight of planning decisions, we must ensure planning committees **operate as effectively as possible**, focusing on those applications which require member input and not revisiting the same decisions”.
- “Most local planning authorities already delegate a significant proportion of applications to such officers – such that **96% of planning decisions in England are already not made by planning committees**. However, there is significant variation across the country, and this creates risk and uncertainty in the system”.
- “a national scheme of delegation will ensure **greater consistency and certainty** across England about who in a local planning authority will be responsible for making planning decisions”.

Statement made by



Matthew Pennycook

Minister of State for Housing and Planning

Labour

Greenwich and Woolwich



 Commons

Why has Government introduced a National Scheme of Delegation?

- The government is clear that **planning committees should focus on the key proposals that matter to an area**, rather than being drawn into minor or technical applications that can be efficiently determined by officers.

What are the regulations?

The regulations set out the following general approach to decision making:

- **Schedule 1 functions**, which must be delegated to officers (unless they are own-interest applications)
- **Schedule 2 functions**, where there is a presumption in favour of officer delegation, unless the Head of Planning and Building Control and Chair of Planning Committee (to be agreed) agree the application should be referred to a planning committee.

SCHEDULE 1 APPLICATIONS

- householder development
- minor commercial development
- minor residential development (which includes development of up to nine dwellings on sites below 0.5 hectares)
- section 73 applications where the related planning permission was a Schedule 1 planning permission
- reserved matters approval where the outline planning permission is for fewer than 500 dwellings or less than 50,000 square metres of floorspace
- discharge of conditions
- prior approval applications
- permission in principle
- non-material amendments
- section 106A applications where a planning obligation is connected to a Schedule 1 planning permission
- Biodiversity Gain Plans
- Certificates of Appropriate Alternative Development
- Certificates of lawfulness of existing/proposed use or development, and certificates of lawfulness for proposed works to listed buildings
- Advert and Listed Building Applications

SCHEDULE 2 APPLICATIONS



Schedule 2 captures the larger, strategic and more sensitive categories of application, including (still delegated to officers):

- All planning applications that are **not** householder, minor residential or minor commercial applications
- Applications for 10 or more residential units or 1000 plus sq.m in size for commercial space
- Reserved Matters applications relating to a **large outline permission** (500+ dwellings and/or 50,000 sq.m+ floorspace)
- Section 73 applications where the original permission was Schedule 2
- Section 73A retrospective applications (seek planning permission after development has already been carried out)
- Modifications to Section 106 Agreements
- Own-interest applications – Council Schemes, Employees of the Council and Serving Councillors

What are the regulations?

Gateway Criteria



- A Schedule 2 application can only be referred to committee where both the **Head of Planning and Building and the Chair of Planning Committee (to be agreed)** agree that referral is appropriate and at least one of the following criteria is met:
- **(Criteria A)** the application raises an economic, social or environmental issue of **significance** to the local area.
- **(Criteria B)** the application raises a **significant** planning matters, having regard to the development plan and other material considerations.
- It will be essential to **monitor weekly list** on applications which may be presented at committee.
- Agree to cease all call ins following the Full Council meeting on 7th October 2026 – this is to be agreed at General Purposes Meeting.
- The Head of Planning and Building Control and the Chair of Planning Committee (to be agreed) could meet where required to discuss which applications should be presented to planning committee.

Consultation Process on Planning Applications



Normal consultation process will continue:

- Engagement on major applications from planning will continue with ward councillors
- Ward councillor comments will be fully considered
- Parish Council comments will be fully considered
- Resident comments will be fully considered

Next Steps and Key Dates



- General Purposes Meeting on the 22nd September 2026 to discuss the changes
- Full Council Meeting on the 7th October 2026 – For Adoption

Summary



- The new Scheme of Delegation will be come into force on the **31st October 2026**.
- There will be no automatic call-ins by ward councillors or parish councils – this will be removed.
- The thresholds of objections for when application will be reported to planning committee will be removed.
- The Scheme of Delegation will have to be changed and discussed at the General Purposes Meeting on the 22nd September 2026
- A paper will be presented to Full Council on the 7th October 2026, for adoption.
- All call ins after this date will cease as there will not be an opportunity to report the applications to planning committee (to be agreed).
- The majority of planning applications will be made under delegated powers.
- Under Schedule 2 some of the planning applications will be presented to planning committee based on a discussion and agreement with the Head of Planning and Building and the Chair of Planning Committee, where the application raises an economic, social or environmental issue of **significance** to the local area.

➤ Any Questions?