

Localism Act 2011

The London Legacy Development Corporation and London Borough of Hackney Transfer Scheme 2023 in relation to transfer of Town Planning powers

The Mayor of London, in exercise of the powers conferred by section 216(1) and 218 of the Localism Act 2011, and all other powers so enabling, makes this Scheme.

Interpretation

1. The Scheme shall be cited as the “London Legacy Development Corporation and London Borough of Hackney Transfer Scheme 2023”.
2. In this Scheme: –
 - “the Act” means the Localism Act 2011;
 - “the Council” means the London Borough of Hackney;
 - “LLDC” means the London Legacy Development Corporation established under the London Legacy Development Corporation (Establishment) Order 2012¹;
 - “CIL” means the Community Infrastructure Levy, the charge provided for in Part 11 of the Planning Act 2008; and
 - “S106” means such obligations as secured by agreement pursuant to Section 106 of the Town and Country Planning Act 1990

Citation and Transfer date

3. This Scheme shall be cited as the London Legacy Development Corporation and London Borough of Hackney Transfer Scheme 2023 (“the Scheme”) and shall come into force on 30 November 2024 (“the transfer date”).

Transfer of rights and liabilities of the LLDC to London Borough of Hackney

4. On the transfer date, the property, rights and liabilities of the LLDC described in the Schedules to this Scheme, are transferred to the Council.

Continuity Provision

5. Anything done (or having effect as if done) before the transfer date by or in relation to the LLDC in respect of anything transferred by this Scheme, has effect on and after that date as if done by or in relation to the Council.
6. Anything which before the transfer date is in the process of being done by, on behalf of, or in relation to the LLDC in respect of anything transferred by this Scheme (including legal proceedings) may be continued on and after that date by, on behalf of, or in relation to the Council.

¹ SI 2012 No. 310

7. Any reference to the LLDC (or any body from which the LLDC has inherited property, rights or liabilities) in an enactment, instrument or other document in respect of anything transferred by this Scheme is to be treated on or after the transfer date as a reference to the Council.

Modifications of Scheme

8. This scheme may be modified by agreement in writing between LLDC and the Council and any such modification agreement:
 - a. may provide for it to be deemed to have effect from the Transfer Date; and
 - b. may include modification of any agreement, contract, instrument or other document to, or from, those currently listed in the Schedule and may make provision for transitional arrangements in relation to any matter relating or connected to them

Unspent sums

9. Any unspent CIL and S106 monies at the transfer date will be divided between the London Borough of Hackney, the London Borough of Newham, the London Borough of Tower Hamlets and the London Borough of Waltham Forest according to the arrangements set out and agreed by LLDC and the Council in the 'Approach to Transfer of LLDC CIL and S106 monies' Protocol (Appendix 1). This details how the monies will be apportioned and transferred as records will remain active until the date of transfer.

Transfer of CIL Charging and collecting powers and monies to the borough

10. The Scheme provides for the transfer of LLDC CIL monies to the Council who will also become the permitted recipient of CIL monies liable from relevant chargeable development under the terms of the London Legacy Development Corporation CIL Charging Schedule (LLDC CIL1) and the London Legacy Development Corporation Community Infrastructure Levy Charging Schedule 2 (LLDC2 CIL2) after the transfer date in accordance with the provisions of Regulation 63B of the Community Infrastructure Levy Regulations 2020 (as amended). The Council shall continue to charge CIL as specified within the relevant LLDC CIL charging schedule until such time as it has withdrawn or replaced these. Monies transferred to the borough will be transferred in accordance with the agreed provisions of the 'Approach to Transfer of LLDC CIL and S106 monies' Protocol (Appendix 1).

11. As per 10 (3) of the CIL Regulations 2010 (as amended), the LLDC will continue to act as the collecting authority for all Mayoral CIL liabilities falling due before the date of transfer. The Council will become responsible for any Mayoral CIL liabilities falling due thereafter. Mayoral CIL liabilities shall be calculated in accordance with the Mayor's CIL Charging Schedules that are in place at the time of the liability being determined in accordance with Schedule 1: Calculation of chargeable amount etc of the CIL Regulations 2010 (as amended).

Name: Sadiq Khan

The Mayor of London

Signed

Dated

SCHEDULE 1

FUNDING AGREEMENTS: CONTRACTS

OTHER TYPES OF CONTRACTS, RIGHTS & LIABILITIES

1. Grant funding agreements (GFAs) for which monies are not fully drawn down, or for which there are outstanding monitoring obligations. Noting this table is accurate in August 2023, and subject to amendment [Clause 8] on the transfer date, 30 November 2024 a final list will be defined as per the 'Approach to Transfer of LLDC CIL and S106 monies' protocol (Appendix 1).
2. In accordance with the Appendix 1, the London Borough of Hackney shall assume responsibility for the following GFAs in their capacity as grant awarding authority. Where any money pursuant to a GFA remains to be drawn down, this money will be passed to the Council, so that it can administer the remaining draw down of funds.
3. GFAs also include requirements for monitoring of project progress until completion. Consequently, the Council will become responsible for monitoring the following projects as the grant awarding authority, including the receipt of the required project monitoring reports.
4. Grant recipients will remain as defined in the existing GFAs.

Project Name	Responsible Borough	Funding awarded	Grant Funding Agreement Signed	Signatory 1 (Grant awarding authority)	Signatory 2 (Grant recipient)
Red Path	LB Hackney	£59,990.02	01/08/2023	London Legacy Development Corporation	Build Up Foundation
Hackney Wick North-South Route	LB Hackney	£342,750.00	07/02/2023	London Legacy Development Corporation	London Legacy Development Corporation
Hackney Wick School Street	LB Hackney	£43,360.00	24/06/2021	London Legacy Development Corporation	London Legacy Development Corporation
Source: Micro-AD	LB Hackney	486,685.00	08/12/2022	London Legacy Development Corporation	Mad Leap CIC
St Mary of Eton/XLP	LB Hackney	136,521.00	01/04/2019	London Legacy Development Corporation	St Mary of Eton
Core Arts Eastway Community Hub	LB Hackney	166,073.00	01/12/2019	London Legacy Development Corporation	Core Arts
Arbeit Projects Ltd.:	LB Hackney	29,481.00	14/12/2022	London Legacy	Arbeit Projects Limited

Artists in Residence				Development Corporation	
Gainsborough Primary School/Yard Theatre	LB Hackney	30,000.00	24/01/2023	London Legacy Development Corporation	Gainsborough Primary School
Badu: The Hidden Talent	LB Hackney	29,125.00	13/01/2023	London Legacy Development Corporation	Badu Community C.I.C
Sirlute: Young Stars Create	LB Hackney	30,000.00	19/12/2022	London Legacy Development Corporation	Sirlute
UnAge: Secret Sauce	LB Hackney	30,000.00	10/12/2022	London Legacy Development Corporation	Un-Age
Chippy & Chips	LB Hackney	22,974.00	25/01/2023	London Legacy Development Corporation	Groundworks London
Hackney Wick and Fish Island Community Development Trust	LB Hackney	30,000.00	10/01/2023	London Legacy Development Corporation	Hackney Wick and Fish Island Community Development Trust (HWFI CDT)
Groundworks London Slow Crafts Club	LB Hackney	22,172.50	23/01/2023	London Legacy Development Corporation	Groundworks London
Hackney Wick and Fish Island Community Interest Company	LB Hackney	10,000.00	09/03/2023	London Legacy Development Corporation	Hackney Wick and Fish Island CIC
Hackney Tree Musketeers	LB Hackney	15,114.49	13/01/2023	London Legacy Development Corporation	Hackney Tree People

SCHEDULE 2

PLANNING RELATED MATTERS AND MONIES

Community Infrastructure Levy (CIL):

1. LLDC CIL Charging Schedules, which will continue to set the local CIL charge in the LLDC area post transfer until specific decision by borough to withdraw or replace.
2. CIL notices/records and formal correspondence, including that relating to any CIL enforcement action. Table below shows records accurate to August 2023, noting this is subject to amendment [Clause 8] on the transfer date, 30 November 2024. Final list will be defined as per the Appendix 1.

Permission Reference No.	Development	Liability Notice Reference(s)	Borough
13/00449/FUL	61 Wallis Road, Hackney Wick, London, E9 5LH	13/00449/FUL/MCIL	London Borough of Hackney
13/00534/FUM	Site Comprising The International Broadcast Centre (IBC), Main Media Conference Room (MMCR), Multi Storey Car Park (MSCP) And Adjoining Land Within The North Western Part Of PDZ 5: South Of Eastway And West Of Waterden Road In LB Hackney	13/00534/FUM/MCIL	London Borough of Hackney
14/00260/FUL	4 Roach Road, Fish Island, London, E3 2PA	14/00260/FUL/MCIL	London Borough of Hackney
14/00275/FUL	Hackney Wick Station, White Post Lane, Hackney, London, E9 5ER	14/00275/FUL/MCIL	London Borough of Hackney
14/00387/FUL	80-84 & 88, Wallis Road, Hackney, LONDON, E9 5LW	14/00387/FUL/LCCIL and 14/00387/FUL/MCIL	London Borough of Hackney
15/00338/FUL	75-89 Wallis Road and 59 Berkshire Road, Hackney Wick, London, E9 5LN	15/00338/FUL/LCCIL and 15/00338/FUL/MCIL	London Borough of Hackney
16/00467/VAR	80-84 & 90b Wallis Road, Hackney, London, E9 5LW	16/00467/VAR/LCCIL and 16/00467/VAR/MCIL	London Borough of Hackney
16/00520/REM	Eastwick Phase 1, Development Parcels 5.5 and 5.9, Planning	16/00520/REM/MCIL	London Borough of Hackney

	Delivery Zone 5, Queen Elizabeth Olympic Park, London		
20/00264/FUL	61-63, Wallis Road, Hackney, LONDON, E9 5LH	20/00264/FUL/LCIL and 20/00264/FUL/MCIL	London Borough of Hackney
20/00482/REM	East Wick Phase 2, Development Parcel 5.6, Planning Delivery Zone 5, Queen Elizabeth Olympic Park, London	20/00482/REM/MCIL	London Borough of Hackney
21/00542/FUL	Land adjacent to 331, Wick Road, Hackney, LONDON, E9 5DH	21/00542/FUL/LCIL and 21/00542/FUL/MCIL	London Borough of Hackney
22/00095/REM	Hackney Wick Masterplan Plot E/F, Plot J East and Plot K2 North, (comprising land at 62-62 Wallis Road, 31 White Post Lane, 66-78 White Post Lane, and 67 Rothbury Road), London, E9 5EN	22/00095/REM/LCIL and 22/00095/REM/MCIL	London Borough of Hackney; London Borough of Tower Hamlets
22/00320/FUL	Vacant site between, 32 Eastway and St Mary's Village, Hackney, London, E9 5JB	22/00320/FUL/LCIL and 22/00320/FUL/MCIL	London Borough of Hackney

Section 106 Agreements:

3. Section 106 agreements, including monitoring and discharge of obligations records. Electronic, and where required hard copies, of S106 Agreements to be transferred.
4. In accordance with the Appendix 1, the London Borough of Hackney shall assume responsibility for the following Section 106 agreements. For the avoidance of doubt, these responsibilities shall only entail local planning authority functions. Where the London Legacy Development Corporation is a signatory to a Section 106 agreement as a Developer or Landowner, it shall retain its obligations in this capacity.
5. Any monies either received or secured through the following agreements shall be managed in accordance with the 'Approach to Transfer of LLDC CIL and S106 monies' Protocol (Appendix 1).
6. Table below shows records accurate to August 2023, noting this is subject to amendment [Clause 8] on the transfer date, 30 November 2024. A Final list will be defined as per the Appendix 1.

Permission Reference No.	Development	Date Agreement Signed	Borough
21/00542/FUL	Land adjacent to 331, Wick Road, Hackney, London, E9 5DH	28/06/2022	London Borough of Hackney

21/00121/DOV	80-84 & 90b Wallis Road, Hackney, London, E9 5LW	26/05/2021	London Borough of Hackney
20/00197/NMA	Land comprised within Planning Delivery Zone 4 (Sweetwater) and Planning Delivery Zone 5 (East Wick), Queen Elizabeth Olympic Park, London	11/05/2021	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets
20/00287/DOV	75-89 Wallis Road and 59 Berkshire Road, Hackney Wick, London, E9 5LN	02/02/2021	London Borough of Hackney
16/00704/FUL	57 Berkshire Road, Hackney Wick, London, E9 5NB	21/11/2019	London Borough of Hackney
18/00325/FUL	90 Monier Road, London, E3 2ND	09/10/2019	London Borough of Hackney
16/00520/REM	Eastwick Phase 1, Development Parcels 5.5 and 5.9, Planning Delivery Zone 5, Queen Elizabeth Olympic Park, London	01/10/2019	London Borough of Hackney
18/00471/VAR	Site known as Stratford Waterfront (also known as East Bank), bound by the Waterworks River to the south-west, London Aquatics Centre and F10 Bridge to the south-east, and Carpenters Road to the north and east (LCS Slot-Out Agreement)	25/07/2019	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets
16/00166/OUT	Site known as 'Hackney Wick Central' comprising land to the north and south of (although excluding), Hackney	14/03/2019	London Borough of Hackney; London Borough of Tower Hamlets

	Wick Overground Station; bounded to the east by the Lee, Navigation, to the south by Rothbury Road, to the west by Hepscott Road, Wallis Road		
18/00103/FUL	Former International Broadcast Centre, Here East, Waterden Road, London, E20 3BS	17/05/2018	London Borough of Hackney
15/00338/FUL	75-89 Wallis Road and 59 Berkshire Road, Hackney Wick, London, E9 5LN	16/08/2017	London Borough of Hackney
16/00467/VAR	80-84 & 90b Wallis Road, Hackney, London, E9 5LW	09/02/2017	London Borough of Hackney
16/00003/FUL	99 Wallis Road, Hackney, E9 5LN	04/01/2017	London Borough of Hackney
14/00387/FUL	80-84 & 88 Wallis Road, Hackney, LE9 5LW	30/06/2016	London Borough of Hackney
15/00296/FUL	Former International Broadcast Centre (Here East), Waterden Road, (PDZ 5), London	10/09/2015	London Borough of Hackney

14/00036/VAR	Land Within The Olympic Park And Land At Pudding Mill Lane, Land At Bridgewater Road And Land At Rick Roberts Way	04/09/2015	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets
14/00461/NMA	First Primary School (PDZ5 East Wick) as part of the Legacy Communities Scheme, Queen Elizabeth Olympic Park	04/09/2015	London Borough of Hackney
13/00449/FUL	61 Wallis Road, Hackney Wick, London, E9 5LH	27/03/2015	London Borough of Hackney
13/00534/FUM	Site Comprising the International Broadcast Centre (IBC), Main Media Conference Room (MMCR), Multi Storey Car Park (MSCP) And Adjoining Land Within The North Western Part of PDZ 5: South of Eastway and West of Waterden Road in LB Hackney	01/04/2014	London Borough of Hackney
11/90621/OUTODA	Land Within The Olympic Park And Land At Pudding Mill Lane, Land At Bridgewater Road And Land At Rick Roberts Way (LCS)	28/09/2012	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets

11/90330/FULODA	Multi Storey Car Park (MSCP), PDZ5, Olympic Park, London	16/12/2011	London Borough of Hackney
11/90325/FULODA	Olympic Park, Stratford, London, E15	16/12/2011	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets; London Borough of Waltham Forest
07/90010/OUMODA	London Olympic Site - Land North Of Stratford Town Centre, East Of The Lea Valley Navigation, South Of Eastway And The A12 And West Of The Lea Valley Railway'	06/06/2008	London Borough of Hackney; London Borough of Tower Hamlets; London Borough of Newham; London Borough of Waltham Forest
07/90011/FUMODA	Legacy Transformation within Lower Lea Valley	28/09/2007	London Borough of Newham; London Borough of Hackney; London Borough of Tower Hamlets; London Borough of Waltham Forest

SCHEDULE 3

INTELLECTUAL PROPERTY, RECORDS AND DATA RELATED MATTERS AND UNDETERMINED PLANNING APPLICATION FEE INCOME

Electronic Planning Data includes:

- Historic & Live (Active) Development Management Planning Application Data (note this includes any applicable appeal data)
- Live (Active) Development Management Pre-Planning Application Data
- Historic & Live (Active) Development Management Enforcement Data
- Spatial Layers - Graphical Information Systems (GIS) Data (Redline Planning Boundaries)
- Policy, S106 & CIL Data
- Historic Olympic Delivery Authority Planning Application Data (note this includes any applicable appeal data)
- Planning application fee income for undetermined planning applications at the date of transfer (**proportionate to the work undertaken prior to handover** and as agreed with the Borough in advance of 30 November 2024).

London Borough of Hackney

<u>Type of Data</u>	<u>Record / Folder Numbers and/or Data Sizes (accurate at 31.05.23)</u>
APAS Data:	<u>Approximately 900</u> closed and live planning records (this includes planning, pre-app, enforcement and appeal data) - 135GB in size
APAS / GLA Spatial Data (Planning Redlines)	<u>Approximately 5-10MB in size</u>
LLDC (Network Data) Planning, Appeal, Pre-App and Enforcement Records	<u>Approximately 10% of 87,654 Folders</u> (approximately 310GB in size)
LLDC (Network Data) ODA Data	<u>Approximately 51,589 Folders (301GB in size)</u>
LLDC (Network Data) Policy	<u>Approximately 11 files</u>

Further details relating to transfer are available in Data Transfer Plan.