

Localism Act 2011

The London Legacy Development Corporation and London Borough of Waltham Forest Transfer Scheme 2024

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 Waltham Forest Transfer Scheme 2024”.
2. In this Scheme: –

“the Act” means the Localism Act 2011;

“the Council” means the London Borough of Waltham Forest;

“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 Waltham Forest Transfer Scheme 2024 (“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 Waltham Forest

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. 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.
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: Philip Graham
Executive Director, Good Growth
On behalf of Sadiq Khan, The Mayor of London

A handwritten signature in black ink, appearing to read 'Philip Graham', with a stylized flourish at the end.

Signed

Dated

29 November 2024

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.
2. The London Borough of Waltham Forest 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	Funding remaining	Grant Funding Agreement Signed	Signatory 1 (Grant awarding authority)	Signatory 2 (Grant recipient)
LBWF: Energy Efficient Retrofit of the 'Tin Hut'	LB Waltham Forest	£70,750	£70,750	01/10/2024	London Legacy Development Corporation	London Borough of Waltham Forest
LBWF: Leyton Cricket Pavilion	LB Waltham Forest	£172,583	£172,583	01/10/2024	London Legacy Development Corporation	London Borough of Waltham Forest
Flint Energy: Lime Court Sheltered Accommodation (Monitoring Only)	LB Waltham Forest	£152,470.12	£0.00	29/07/2024	London Legacy Development Corporation	Flint Energy
LBWF: Facing the Future at North Birkbeck	LB Waltham Forest	£124,168	£124,168	18/07/2024	London Legacy Development Corporation	London Borough of Waltham Forest
Library of Things Waltham Forest (Monitoring Only)	LB Waltham Forest	43,000.00	£0.00	13/12/2023	London Legacy Development Corporation	London Borough of Waltham Forest
Leyton Town Centre Gateway	LB Waltham Forest	£470,000	£373,579.50	23/10/2023	London Legacy Development Corporation	London Borough of Waltham Forest
LBWF: 60 properties Solar PV (Monitoring Only)	LB Waltham Forest	240,000.00	£0.00	08/06/2023	London Legacy Development Corporation	London Borough of Waltham Forest
LBWF: John Walsh Tower and Fred Wigg Tower	LB Waltham Forest	£170,250.00	£170,250	08/06/2023	London Legacy Development Corporation	London Borough of Waltham Forest

(amendment to Goddarts House)						
LBWF: Sheltered Accommodation	LB Waltham Forest	£78,900.00	£78,900	24/03/2023	London Legacy Development Corporation	London Borough of Waltham Forest
LBWF: 19 off grid blocks	LB Waltham Forest	£68,020.00	£68,020.00	24/03/2023	London Legacy Development Corporation	London Borough of Waltham Forest

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.

Permission Reference No.	Development	Liability Notice Reference(s)	Borough
Not applicable	Not applicable	Not applicable	Not applicable

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. The London Borough of Waltham Forest 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.

Permission Reference No.	Development	Date Agreement Signed	Borough
13/00444/FUL	Land adjacent to Temple Mills Lane, Eton Manor, Queen Elizabeth Olympic Park, E10 5PB	18/06/2014	London Borough of Waltham Forest; London Borough of Newham
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 Waltham Forest

<u>Type of Data</u>	<u>Record / Folder Numbers and/or Data Sizes</u>
APAS Data:	100 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 0.5MB in size</u>
LLDC (Network Data) Planning, Appeal, Pre-App and Enforcement Records	<u>Approximately 5% 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>0 files</u>

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