

## **APPENDIX 1**

S.174(4)(c) of Levelling-up and Regeneration Act (LURA) lists the additional power that may be conferred on the OPDC.

<b>TCPA</b>	<b>Section</b>	<b>Schedule 29</b>
171BA	Making a planning enforcement order	Added
171E	Temporary stop notice	Added
172ZA	Enforcement warning notice: England	Added
172A	Assurance as regards prosecution for person served with notice	Added
191	Certificate of lawfulness of existing use or development.	Added
192	Certificate of lawfulness of proposed use or development.	Added
225	Power to remove or obliterate placards and posters.	Added
225A	Power to remove structures used for unauthorised display	Added
225C	Remedying persistent problems with unauthorised advertisements	Added

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S.174(4)(c) of Levelling-up and Regeneration Act (LURA) lists the additional power that may be conferred on the OPDC.

225F-H	Remedying defacement of premises	Added
225-J-K	Remedying defacement of premises	Added
<b>Listed buildings Act 1990</b>	<b>Section</b>	<b>Schedule 29</b>
44AA	Temporary stop notices	Added
<b>Land Compensation Act 1961</b>	<b>Section</b>	<b>Schedule 29</b>
Section 17 Certificates of appropriate alternative development	Section 17	Added

## **APPENDIX 2**

### Current OPDC "Schedule 29" Powers

<b>TCPA</b>	<b>Section</b>	<b>Note</b>	<b>Schedule 29</b>
SECTION 7 – TCPA 1990			
171C	Power to require information about activities on land.	Planning Contravention Notice	Included
172	Issue of enforcement notice		Included
173	Contents and effect of notice		Included
173A	Variation and withdrawal of enforcement notices.		Included
178	Execution and cost of works required by enforcement notice		Included
183	Stop notices		Included
184	Stop notices: supplementary provisions.		Included
187A	Enforcement of conditions.	Breach of Condition Notices	Included
187B	Injunctions restraining breaches of planning control.		Included
188	Register of enforcement and stop notices and other enforcement action.		Included
196A	Rights to enter without warrant		Included

**APPENDIX 2**

## Current OPDC "Schedule 29" Powers

196B	Right to enter under warrant.		Included
196C	Rights of entry: supplementary provisions		Included
SECTION 8 – TCPA 1990			
197	Planning permission to include appropriate provision for preservation and planting of trees.		Included
198	Power to make tree preservation orders.		Included
199,	Form of and procedure applicable to orders.		Included
201	Provisional tree preservation orders.		Included
206	Replacement of trees		Included
207	Enforcement of duties as to replacement of trees.		Included
209	Execution and cost of works required by s. 207 notice.		Included
211	Preservation of trees in conservation areas.		Included
213	Enforcement of controls as respects trees in conservation areas.		Included
215	Power to require proper		Included

**APPENDIX 2**

## Current OPDC "Schedule 29" Powers

	maintenance of land.		
219	Execution and cost of works required by s. 215 notice.		Included
220	Regulations controlling display of advertisements.		Included
224	Enforcement of control as to advertisements.		Included
324(1)(b) and (c) and (d)	Rights of entry – Adverts		Included

## **APPENDIX 3**

### Draft Engagement Letter

Dear INSERT

I am writing to you to seek your view regarding proposed legislative changes that would give the Old Oak and Park Royal Development Corporation (OPDC) additional planning powers. These additional powers are primarily linked to planning enforcement, certificates of lawfulness, and certificates of appropriate alternative development.

Background to this issue, the implications for stakeholders and how to share your views are set out below

#### *Legal Background*

OPDC was initially conferred planning powers via legislative order in 2015 (the Old Oak and Park Royal Development Corporation (Planning Functions) Order 2015 (“the Planning Functions Order”). These powers include a wide range of day-to-day planning powers that are typically held by local councils, including powers to enforce planning controls. However, the OPDC’s complement of planning powers is incomplete and some key planning enforcement and development management powers still rest with the “host boroughs”. This is because of how the Localism Act 2011, the legislation governing Mayoral Development Corporations (MDCs), is worded.

Central government via Ministry of House Communities and Local Government (MHCLG) is proposing to amend the planning powers available to newly created MDCs going forward via the Levelling-up and Regeneration Act (LURA) 2023. Government plans to commence the relevant provisions of this legislation (section 174(4)(c)) soon, by a Commencement Order to be approved by the Secretary of State. These planning powers would only be conferred on future MDCs, and not existing ones, including the OPDC, due to the way in which the Localism Act 2011 is drafted.

In order for the relevant planning powers to be conferred on existing MDCs, MHCLG has proposed that when the Secretary of State is asked to approve the Commencement Order commencing section 174 of LURA 2023, they also be asked to approve a legal mechanism, called a Consequential Instrument, that would update the Planning Functions Order 2015 and allow the relevant planning powers to be conferred on OPDC. It is anticipated that the Commencement Order and the Consequential Instrument will be progressed via an application to the Parliamentary Business and Legislation (PBL) Committee of Cabinet in early 2026

A list of powers that OPDC will acquire is **Appendix 1**.

The proposed changes would allow OPDC to ensure their planning enforcement “tools” are all in one place and allow them to operate the same way as most Council planning departments. Additionally, OPDC would acquire the ability to better manage heritage assets and tackle unauthorised advertising. OPDC would also acquire the power to determine Certificates of Lawfulness for existing and proposed development in their area. This will ensure OPDC can rigorously assess the history of development that may have never had planning permission.

The ability to determine Certificates of Appropriate Alternative Development will assist OPDC’s compulsory purchase programmes in relation to compensation. A landowner

can make an application for a CAAD if their site is acquired through a Compulsory Purchase Order (CPO) and CAADS inform the compensation to be paid.

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### **Draft Engagement Letter**

It is important to note that all the powers it is proposed that the OPDC would acquire are routine and would not confer any specific or unique powers on OPDC that are not already held by most planning authorities in the UK.

Further to a request from MCHLG, OPDC's Board has asked the Mayor of London to engage with you and seek your views on this matter. I am doing this and sending this letter on the Mayor's behalf. The OPDC Board Report contains some more information about the proposals and is available on OPDC's website. The Mayor of London wants to know if you agree with these proposals, if there is anything you do not agree with, and to understand the reasons why you feel this way. Please send any feedback you may have via email to [info@opdc.london.gov.uk](mailto:info@opdc.london.gov.uk) by 7<sup>th</sup> November 2025. (The OPDC is helping with the administration of this exercise).

Your responses will be considered before any Mayoral Decision is taken on whether to request that the planning powers be conferred on the OPDC via the legislative process identified above. A summary of feedback will be provided to MHCLG by the Mayor of London

If you have any questions about this engagement, please contact Emma Williamson, Director of Planning, OPDC, at [emma.williamson@opdc.london.gov.uk](mailto:emma.williamson@opdc.london.gov.uk).

Phillip Graham

Executive Director, Good Growth

Greater London Authority



**James Small-Edwards AM**

**Chair of the Planning and Regeneration Committee**

Philip Graham  
Executive Director, Good Growth  
(Sent by email)

7 November 2025

Dear Philip,

**Engagement on Proposed Additional Old Oak and Park Royal Development Corporation Planning Powers**

I am writing to submit the London Assembly Planning and Regeneration Committee's response to your engagement on proposed additional planning powers. Thank you for the opportunity to comment on your proposed legislative changes.

The Committee does not object to the additional requested powers which would bring Old Oak and Park Royal Development Corporation (OPDC) powers in line with other Mayoral Development Corporations (MDC).

Yours,

**James Small-Edwards AM**

**Chair of the Planning and Regeneration Committee**