



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART XVI

URBAN DEVELOPMENT

Planning functions

149 Corporation as planning authority

- (1) If the Secretary of State so provides by order, an urban development corporation shall be the local planning authority for the whole or any portion of its area in place of any authority which would otherwise be the local planning authority for such purposes of Part III of the 1971 Act, and in relation to such kinds of development, as may be prescribed.
- (2) The order may provide—
 - (a) that any enactment relating to local planning authorities shall not apply to the corporation; and
 - (b) that any such enactment which applies to the corporation shall apply to it subject to such modifications as may be specified in the order.
- (3) If the Secretary of State so provides by order—
 - (a) an urban development corporation specified in the order shall have, in the whole or any portion of its area and in place of any authority (except the Secretary of State) which would otherwise have them, the functions conferred by such of the provisions of the 1971 Act mentioned in Part I of Schedule 29 to this Act as are specified in the order;
 - (b) such of the provisions of the 1971 Act specified in Part II of that Schedule as are mentioned in the order shall have effect, in relation to an urban development corporation specified in the order and to land in that corporation's area, subject to the modifications there specified.

Status: This is the original version (as it was originally enacted).

- (4) An order under subsection (3) above may provide—
- (a) that any enactment relating to local planning authorities shall apply to the urban development corporation specified in the order for the purposes of any of the provisions specified in Schedule 29 to this Act which relate to land in the urban development area by virtue of the order; and
 - (b) that any such enactment which so applies to the corporation shall apply to it subject to such modifications as may be specified in the order.
- (5) In relation to an urban development corporation which is the local planning authority by virtue of an order under subsection (1) above, section 270 of the 1971 Act (application to local planning authorities of provisions as to planning control and enforcement) shall have effect for the purposes of Part III of the 1971 Act prescribed by that order, and in relation to the kinds of development so prescribed, as if—
- (a) in subsection (1), the reference to the development by local authorities of land in respect of which they are the local planning authorities included a reference to the development by the corporation of land in respect of which it is the local planning authority;
 - (b) in subsection (2)—
 - (i) in paragraph (a) the words " the corporation " were substituted for the words " such an authority " and the word " corporation " were substituted for the words " local planning authority " ; and
 - (ii) in paragraph (b) the word " corporation " were substituted for the words " local planning authority " .
- (6) In Scotland, if the Secretary of State so provides by order, an urban development corporation shall be the planning authority for the whole or any portion of its area in place of any authority which would otherwise be the planning authority for such purposes of Part III of the 1972 Act as are district planning functions (within the meaning of section 172 of the Local Government (Scotland) Act 1973), and in relation to such kinds of development, as may be prescribed.
- (7) An order under subsection (6) above may provide—
- (a) that any enactment relating to planning authorities shall not apply to the corporation ; and
 - (b) that any such enactment which applies to the corporation shall apply to it subject to such modifications as may be specified in the order.
- (8) If the Secretary of State so provides by order—
- (a) an urban development corporation specified in the order shall have, in the whole or any portion of its area and in place of any authority (except the Secretary of State) which would otherwise have them, the functions conferred by such of the provisions of the 1972 Act mentioned in Part I of Schedule 30 to this Act as are specified in the order ;
 - (b) such of the provisions of the 1972 Act specified in Part II of that Schedule as are mentioned in the order shall have effect, in relation to an urban development corporation specified in the order and to land in that corporation's area, subject to the modifications there specified.
- (9) An order under subsection (8) above may provide—
- (a) that any enactment relating to planning authorities shall apply to the urban development corporation specified in the order for the purposes of any of the

Status: This is the original version (as it was originally enacted).

- provisions specified in Schedule 30 to this Act which relate to land in the urban development area by virtue of the order; and
- (b) that any such enactment which so applies to the corporation shall apply to it subject to such modifications as may be specified in the order.
- (10) In relation to an urban development corporation which is the planning authority by virtue of an order under subsection (6) above, section 256 of the 1972 Act (application to planning authorities of provisions as to planning control and enforcement) shall have effect for the purposes of Part III of the 1972 Act prescribed by that order, and in relation to the kinds of development so prescribed, as if—
- (a) in subsection (1), the reference to the development by local authorities of land in respect of which they are the planning authorities included a reference to the development by the corporation of land in respect of which it is the planning authority;
- (b) in subsection (2)—
- (i) in paragraph (a) the words " the corporation " were substituted for the words " such an authority " and the word " corporation " were substituted for the words " local planning authority " ; and
- (ii) in paragraph (b) the word " corporation " were substituted for the words " local planning authority " .
- (11) An order under this section shall have effect subject to such savings and transitional and supplementary provisions as may be specified in the order.
- (12) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (13) In this section " prescribed " means prescribed by an order under this section.