



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART XVI

URBAN DEVELOPMENT

Miscellaneous

170 Interpretation: statutory undertakers etc.

(1) In this Part of this Act, unless the context otherwise requires, “statutory undertakers” means—

- (a) persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of ^{F1} ... , ^{F2} ... [^{F3} or hydraulic power]
- (b) ^{F4} ... the Civil Aviation Authority, ^{F5} ... , [^{F6} a universal service provider in connection with the provision of a universal postal service] and any other authority, body or undertakers which by virtue of any enactment are to be treated as statutory undertakers for any of the purposes of [^{F7} the 1990 Act] or of [^{F8} the 1997 Act].
- (c) any other authority, body or undertakers specified in an order made by the Secretary of State under this paragraph, and
- (d) any wholly-owned subsidiary [^{F9} as defined by] [^{F10} section 1159 of the Companies Act 2006] of any person, authority, body or undertakers mentioned in paragraphs (a) and (b) above or specified in an order made under paragraph (c) above,

and “statutory undertaking” shall be construed accordingly.

^{F11}(2)

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- [^{F12}(2A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Part of this Act; and references in this Part of this Act to his undertaking shall be construed accordingly.
- (2B) In subsection (1) and (2A) above “universal service provider” has the same meaning as in [^{F13}Part 3 of the Postal Services Act 2011]; and references to the provision of a universal postal service shall be construed in accordance with [^{F14}that Part].]
- (3) In this Part of this Act the expression “the appropriate Minister”, and any reference to the Secretary of State and the appropriate Minister—
- (a) in relation to any statutory undertakers who are also statutory undertakers for the purposes of any provision of Part XI of [^{F7}the 1990 Act] or [^{F8}Part X of the 1997 Act], shall have the same meanings as in [^{F8}the said Part X], and
 - (b) in relation to any other statutory undertakers, shall have the meanings given by an order made by the Secretary of State under this subsection.
- (4) If, in relation to anything required or authorised to be done under this Part of this Act, any question arises as to which Minister is the appropriate Minister in relation to any statutory undertakers, that question shall be determined by the Treasury.
- (5) An order made under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Word repealed by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(4), **Sch. 18** (with s. 112(3), [Sch. 17 para. 35\(1\)](#))
- F2** Words repealed by [Gas Act 1986 \(c. 44, SIF 44\)](#), s. 67(4), **Sch. 9 Pt. I**
- F3** Words substituted by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 61(4)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 57\(6\), 58](#))
- F4** Words repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), **Sch. 6 Pt. I**
- F5** S. 170: words repealed (13.10.1994) by 1994 c. 21, s. 67, [Sch. 9 para. 25\(1\)](#), **Sch. 11 Pt. II**; S.I. 1994/2553, **art. 2**
- F6** S. 170(1) words substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 48(4)**
- F7** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 44(7)**
- F8** Words in s. 170(1)(b)(3)(a) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 31(7)**
- F9** Words substituted as provided by [Companies Act 1989 \(c. 40, SIF 27\)](#), ss. 144(4), 213(2), **Sch. 18 para. 24**
- F10** Words in s. 170(1)(d) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 46(5)** (with art. 10)
- F11** S. 170(2) omitted (22.3.2013) by virtue of [The Public Bodies \(Abolition of British Shipbuilders\) Order 2013 \(S.I. 2013/687\)](#), art. 1(2), **Sch. 1 para. 5(2)**
- F12** S. 170(2A)(2B) inserted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 48(5)**
- F13** Words in s. 170(2B) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), **Sch. 12 para. 108(a)**; S.I. 2011/2329, art. 3
- F14** Words in s. 170(2B) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), **Sch. 12 para. 108(b)**; S.I. 2011/2329, art. 3

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 5](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 98(A1)(B1) inserted by [2016 c. 22 s. 209\(2\)](#)
- s. 98(8)(d) and word added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8)(d) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(i\)](#)
- s. 98(8)(d) words substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(ii\)](#)
- s. 98(8A) added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8A) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(b\)](#)
- s. 98(8A)(d) word repealed by [1999 c. 29 Sch. 34 Pt. 8](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) and word inserted by [1999 c. 29 Sch. 29 para. 30](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) substituted by [2017 c. 3 Sch. 2 para. 58](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(eza)(ezb) inserted by [2009 c. 20 Sch. 6 para. 50](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ezc) inserted by [2023 c. 55 Sch. 4 para. 64](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ea) inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(4\)](#)
- s. 98(8A)(ea) inserted by [2007 c. 28 Sch. 13 para. 36\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ea) omitted by [2015 c. 20 Sch. 13 para. 6\(14\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(10) inserted by [2016 c. 22 s. 209\(3\)](#)
- s. 100(1)(1A) substituted for s. 100(1) by [1989 c. 42 Sch. 11 para. 57](#)
- s. 100(1)(a) amended by [1999 c. 29 Sch. 29 para. 32](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 16 para. 57(6) repealed (19.11.1998) without ever being in force by 1998 c. 43, s. 1(1), Sch. 1 Pt. X Group 5)
- s. 100(1)(a) words inserted by [2009 c. 20 Sch. 6 para. 52](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 13 para. 36\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 14 para. 3\(3\)\(a\)](#)

- s. 100(1)(a) words substituted by [2015 c. 20 Sch. 13 para. 6\(14\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2017 c. 3 Sch. 2 para. 60](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2023 c. 55 Sch. 4 para. 66](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1A) words substituted by [S.I. 2009/1941 Sch. 1 para. 46\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1ZA)(1ZB) inserted by [2007 c. 28 Sch. 14 para. 3\(3\)\(b\)](#)
- s. 134(1B) inserted by [2023 c. 55 s. 171\(2\)](#)
- s. 134(3C) inserted by [2023 c. 55 Sch. 16 para. 2\(5\)](#)
- s. 134(6)(7) inserted by [2023 c. 55 Sch. 16 para. 2\(11\)](#)
- s. 134A inserted by [2023 c. 55 s. 171\(3\)](#)
- s. 135(4A)-(4C) inserted by [2023 c. 55 s. 171\(6\)](#)
- s. 135(7) inserted by [2023 c. 55 Sch. 16 para. 3\(3\)](#)
- s. 135A inserted by [2023 c. 55 s. 171\(7\)](#)
- s. 149(1A) inserted by [2023 c. 55 s. 174\(2\)\(a\)](#)
- s. 149(2A) inserted by [2023 c. 55 s. 174\(2\)\(c\)](#)
- s. 149(3A) inserted by [2023 c. 55 s. 174\(2\)\(e\)](#)
- s. 149(4A) inserted by [2023 c. 55 s. 174\(2\)\(f\)](#)
- s. 149A inserted by [2023 c. 55 s. 174\(3\)](#)
- Sch. 26 para. 1A inserted by [2023 c. 55 s. 178\(1\)\(b\)](#)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 13 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 16 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 29 Pt. 1 para. 1 inserted by [2023 c. 55 s. 174\(4\)\(a\)](#)
- Sch. 29 Pt. 1 para. 3 inserted by [2023 c. 55 s. 174\(4\)\(c\)](#)
- Sch. 29 Pt. 1 para. 5 inserted by [2023 c. 55 s. 174\(4\)\(e\)](#)
- Sch. 29 Pt. 1 para. 2 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 2 by [2023 c. 55 s. 174\(4\)\(b\)](#)
- Sch. 29 Pt. 1 para. 4 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 4 by [2023 c. 55 s. 174\(4\)\(d\)](#)
- Sch. 31 para. 8(2A) inserted by [2023 c. 55 s. 179\(1\)\(b\)](#)