

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to New Towns Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

Section 3.

CONSTITUTION AND PROCEEDINGS OF DEVELOPMENT CORPORATIONS

**Modifications etc. (not altering text)**

**C1** Sch. 3 functions made exercisable (E.) (24.7.2018) by [The New Towns Act 1981 \(Local Authority Oversight\) Regulations 2018 \(S.I. 2018/891\)](#), regs. 1, **3(1)** (with reg. 3(2))

*Appointment of members and tenure of office*

- 1 (1) The members of a development corporation (in this Schedule referred to as “the corporation”) shall be appointed by the Secretary of State after consultation with such local authorities as appear to him to be concerned with the development of the new town, and in appointing members of the corporation he shall have regard to the desirability of securing the services of one or more persons resident in or having special knowledge of the locality in which the new town will be situated.
- (2) The Secretary of State shall appoint two of the members to be respectively chairman and deputy chairman of the corporation.
- 2 Subject to the following provisions of this Schedule, a member of the corporation, and the chairman and deputy chairman of the corporation, shall hold and vacate office as such in accordance with the terms of the instrument by which they are respectively appointed.
- 3 If the chairman or deputy chairman of the corporation ceases to be a member of the corporation, he shall also cease to be chairman or deputy chairman, as the case may be.
- 4 Any member of the corporation may, by notice in writing addressed to the Secretary of State, resign his membership; and the chairman or deputy chairman may, by the like notice, resign his office as such.
- 5 If the Secretary of State is satisfied that a member of the corporation—
- (a) has become bankrupt or made an arrangement with his creditors [<sup>F1</sup>or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him], or
  - (b) is incapacitated by physical or mental illness, or
  - (c) has been absent from meetings of the corporation for a period longer than 3 consecutive months without the permission of the corporation, or
  - (d) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,
- the Secretary of State may remove him from his office as a member of the corporation.

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### Textual Amendments

- F1** Words in Sch. 3 para. 5(a) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 16** (with art. 5)

- 6 A member of the corporation who ceases to be a member or ceases to be chairman or deputy chairman shall be eligible for reappointment.

### *Remuneration*

- 7 The corporation shall pay to their members, in respect of their office as such, such remuneration and such reasonable allowances in respect of expenses properly incurred in the performance of their duties as may be determined by the Secretary of State with the consent of the Minister for the Civil Service, and shall pay to the chairman and deputy chairman, in respect of their office as such, such additional remuneration as may be so determined.

### *Pension benefits for chairmen*

- 8 In the case of any such person, who is or has been the chairman of the corporation, as the Secretary of State may with the consent of the Minister for the Civil Service determine, the Secretary of State may direct the corporation—
- (a) to pay to or in respect of that person on his retirement or death such pension, allowance or gratuity as may be so determined; or
  - (b) to make payments towards the provision of such a pension, allowance or gratuity.

### *Meetings and proceedings*

- 9 The quorum of the corporation and the arrangements relating to their meetings shall, subject to any directions given by the Secretary of State, be such as the corporation may determine.
- 10 The validity of any proceeding of the corporation shall not be affected by any vacancy among their members or by any defect in the appointment of any of their members.

### *Instruments, etc.*

- 11 The fixing of the seal of the corporation shall be authenticated by the signature of the chairman or of some other member authorised either generally or specially by the corporation to act for that purpose.
- 12 Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the corporation by any person generally or specially authorised by them to act for that purpose.
- 13 Any document purporting to be a document duly executed under the seal of the corporation shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

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

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

- s. 1A(1) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(2) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(4) word inserted by [2023 c. 55 Sch. 16 para. 7\(4\)\(b\)](#)
- s. 1A(4) words substituted by [2023 c. 55 Sch. 16 para. 7\(4\)\(a\)](#)
- s. 1A(5)(a) words substituted by [2023 c. 55 Sch. 16 para. 7\(5\)\(a\)](#)
- s. 1ZA1ZB inserted by [2023 c. 55 s. 172\(2\)](#)
- s. 2(1A) inserted by [2023 c. 55 Sch. 16 para. 8](#)
- s. 3(2B)-(2D) inserted by [2023 c. 55 s. 172\(3\)\(c\)](#)
- s. 3(2ZA)(2ZB) inserted by [2023 c. 55 s. 178\(2\)\(b\)](#)
- s. 7A7B inserted by [2023 c. 55 s. 175\(2\)](#)
- s. 60(1A) inserted by [2023 c. 55 s. 179\(2\)\(b\)](#)
- s. 77(3E) inserted by [2023 c. 55 Sch. 17 para. 1\(3\)](#)
- Sch. 3 para. 10A10B and cross-heading inserted by [2023 c. 55 s. 175\(3\)](#)
- Sch. 4 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(a\)](#)
- Sch. 5 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(b\)](#)