



Localism Act 2011

2011 CHAPTER 20

PART 8

LONDON

CHAPTER 2

MAYORAL DEVELOPMENT CORPORATIONS

Other functions

211 Adoption of private streets

- (1) Where any street works have been executed on any land in a Mayoral development area which was then or has since become a private street (or part of a private street), the MDC for the area may serve a notice (an “adoption notice”) on the street works authority requiring the authority to declare the private street (or part) to be a highway which for the purposes of the Highways Act 1980 is a highway maintainable at the public expense.
- (2) Subsections (2) to (5) of section 157 of the Local Government, Planning and Land Act 1980 (appeal against corresponding notice served by an urban development corporation, and deemed adoption where no appeal or compliance) apply in relation to an adoption notice under subsection (1) of this section as they apply in relation to an adoption notice under subsection (1) of that section.
- (3) Section 157(6) of that Act (interpretation) applies for the purposes of this section.

Modifications etc. (not altering text)

- C1** Pt. 8 Ch. 2 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **11(1)(2)**, **Sch. 3**

Changes to legislation: Localism Act 2011, Cross Heading: Other functions is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

212 Businesses, subsidiaries and other companies

- (1) An MDC may carry on any business.
- (2) An MDC may with the consent of the Mayor—
 - (a) form, or
 - (b) acquire interests in,

bodies corporate.
- (3) An MDC must ensure that no subsidiary of the MDC engages in an activity which the MDC would not be required or permitted to carry on.
- (4) An MDC must ensure that no subsidiary of the MDC—
 - (a) borrows from a person other than the MDC, or
 - (b) raises money by the issue of shares or stock to a person other than the MDC,

without the consent of the Mayor.
- (5) In subsection (1) “business” includes undertaking.
- (6) In this section “subsidiary” has the meaning given by section 1159 of the Companies Act 2006.

213 Financial assistance

- (1) An MDC may, with the consent of the Mayor, give financial assistance to any person.
- (2) Financial assistance under this section may be given in any form.
- (3) Financial assistance under this section may, in particular, be given by way of—
 - (a) grants,
 - (b) loans,
 - (c) guarantee or indemnity,
 - (d) investment, or
 - (e) incurring expenditure for the benefit of the person assisted.
- (4) Financial assistance under this section may be given on such terms and conditions as the MDC giving it considers appropriate (including provision for repayment, with or without interest).

214 Powers in relation to discretionary relief from non-domestic rates

- (1) Subsection (2) applies if the Mayor designates a Mayoral development area.
- (2) The Mayor may decide that the MDC for the area is to have—
 - (a) in relation to qualifying hereditaments in the area, the function of making decisions (under section 47(3) and (6) of the 1988 Act) to the effect that section 47 of the 1988 Act applies as regards a hereditament, and
 - (b) in relation to a hereditament as regards which that section applies as a result of a decision made by the MDC, the function of making the determinations mentioned in section 47(1)(a) of the Local Government Finance Act 1988 (determination of amount of discretionary relief).
- (3) The Mayor may at any time decide that a decision under subsection (2) should be revoked.

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- (4) The Mayor may make a decision under subsection (2) or (3) only if—
- (a) the Mayor has consulted the persons specified by section 197(4) in relation to the area,
 - (b) the Mayor has had regard to any comments made in response by the consultees, and
 - (c) in the event that those comments include comments made by the London Assembly or an affected local authority that are comments that the Mayor does not accept, the Mayor has published a statement giving the reasons for the non-acceptance.

In paragraph (c) “affected local authority” means a person specified by section 197(4) (d), (e), (f) or (g) in relation to the area.

- (5) If the Mayor makes a decision under subsection (2) or (3), the Mayor must—
- (a) publicise the decision, and
 - (b) notify the Secretary of State of the decision.
- (6) If the Secretary of State receives notification under subsection (5) of a decision, the Secretary of State must give effect to the decision—
- (a) when making the order under section 198(2) that establishes an MDC for the area, or
 - (b) by exercising the power to amend that order (see section 14 of the Interpretation Act 1978).
- (7) Exercise by an MDC of functions mentioned in subsection (2) requires the Mayor's consent.
- (8) If an MDC has the functions mentioned in subsection (2) it has them in place of the authority that would otherwise have them.
- (9) For the purposes of subsection (2), a hereditament is a “qualifying hereditament” on a day if neither—
- (a) section 43(6) of the 1988 Act (charities and community amateur sports clubs), nor
 - (b) section 47(5B) of the 1988 Act (certain organisations not established or conducted for profit),
- applies on that day.

Modifications etc. (not altering text)

- C2** S. 214: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**
- C3** S. 214(6) applied (8.5.2017) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/612\)](#), arts. 1(3), **4(5)**

Changes to legislation:

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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. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)