

SCHEDULES

SCHEDULE 22

Section 222

MAYORAL DEVELOPMENT CORPORATIONS: CONSEQUENTIAL AND OTHER AMENDMENTS

Leasehold Reform Act 1967 (c. 88)

- 1 In paragraph 2 of Schedule 4A to the Leasehold Reform Act 1967 (exclusion of certain shared ownership leases granted by public authorities) in sub-paragraph (2) after paragraph (bb) insert—
- “(bc) a Mayoral development corporation;”.

Local Authorities (Goods and Services) Act 1970 (c. 39)

- 2 In section 1(4) of the Local Authorities (Goods and Services Act) 1970 (supply of goods and services by local authorities: interpretation) in the definition of “local authority” after “(joint waste authorities)” insert “, a Mayoral development corporation”.

Local Government Act 1972 (c. 70)

- 3 (1) The Local Government Act 1972 is amended as follows.
- (2) In section 100J(1) (authorities treated as principal councils for purposes of Part 5A) after paragraph (g) insert—
- “(h) a Mayoral development corporation.”
- (3) In section 100J(3) (reference in section 100A(6)(a) to council’s offices includes other premises at which meeting to be held) for “or (f)” substitute “, (f) or (h)”.
- (4) In section 100J after subsection (3ZA) insert—
- “(3ZAA) In its application by virtue of subsection (1)(h) above in relation to a Mayoral development corporation, section 100E(3) has effect as if for paragraphs (a) to (c) there were substituted—
- “(a) a committee which is established under Schedule 21 to the Localism Act 2011 by a principal council, or
- (b) a sub-committee established under that Schedule by a committee within paragraph (a).”
- (5) In section 100J(4)(b) (disapplication of duty to state ward or division for which member represents) after “in relation to” insert “a Mayoral development corporation, or”.
- (6) In section 100K(1) (interpretation of Part 5A) in the definition of “committee or sub-committee of a principal council” before the second “above” insert “and (3ZAA)”.

Local Government Act 1974 (c. 7)

- 4 In section 25(1) of the Local Government Act 1974 (authorities subject to investigation by a Local Commissioner) after paragraph (bd) insert—
“(bda) a Mayoral development corporation,”.

Rent Act 1977 (c. 42)

- 5 In section 14(1) of the Rent Act 1977 (tenancy not protected if landlord is listed body) after paragraph (g) insert—
“(ga) a Mayoral development corporation,”.

Protection from Eviction Act 1977 (c. 43)

- 6 In section 3A(8) of the Protection from Eviction Act 1977 (licence to stay in hostel excluded if hostel provided by listed body) after paragraph (d) insert—
“(da) a Mayoral development corporation,”.

Acquisition of Land Act 1981 (c. 67)

- 7 (1) The Acquisition of Land Act 1981 is amended as follows.
- (2) In section 17(3) (special parliamentary procedure does not apply to acquisition by certain public bodies) after “an urban development corporation” insert “, a Mayoral development corporation”.
- (3) In section 31(1) (acquisition under certain Acts of statutory undertakers’ land without a certificate) before the “or” at the end of paragraph (c) insert—
“(ca) section 207(2) of the Localism Act 2011 (acquisition by Mayoral development corporation),”.
- (4) In paragraph 4(3) of Schedule 3 (special parliamentary procedure does not apply to acquisition by certain public bodies) after “an urban development corporation” insert “, a Mayoral development corporation”.

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 8 In paragraph 2(5) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (street trading: designation of streets: meaning of “relevant corporation”) after paragraph (b) insert—
“(ba) a Mayoral development corporation,”.

Housing Act 1985 (c. 68)

- 9 The Housing Act 1985 is amended as follows.
- 10 In section 45(2) in the definition of “public sector authority” after the entry for an urban development corporation insert—
“a Mayoral development corporation,”.
- 11 In section 80(1) (secure tenancies: the landlord condition) before the entry for an urban development corporation insert—
“a Mayoral development corporation,”.

- 12 In section 114(1) (meaning of “landlord authority”) before the entry for a housing action trust insert—
“a Mayoral development corporation.”
- 13 In section 171(2) (section applies to interests held by certain bodies) after the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 14 In section 458(1) (Part 14: minor definitions) in the definition of “housing authority” after “an urban development corporation,” insert “a Mayoral development corporation.”
- 15 In paragraph 2(1) of Schedule 1 (tenancy not secure if tenant employed by landlord or certain bodies) before the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 16 In Part 1 of Schedule 2 (grounds on which court may order possession of dwelling-house let under secure tenancy if it considers it reasonable) in paragraph (a) of Ground 7 before the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 17 In Part 3 of Schedule 2 (grounds on which court may order possession of dwelling-house let under secure tenancy if it considers it reasonable and suitable alternative accommodation is available) in paragraph (a) of Ground 12 before the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 18 In Schedule 3 (grounds for withholding consent to assignment by way of exchange) in paragraph (b) of Ground 5 before the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 19 In Schedule 4 (qualifying period for right to buy etc) in paragraph 7(1) (the landlord condition) after the entry for an urban development corporation insert—
“a Mayoral development corporation.”
- 20 In Schedule 5 (exceptions to right to buy) in paragraph 5(1)(b) (letting to employees of certain bodies) before the entry for an urban development corporation insert—
“a Mayoral development corporation.”

Landlord and Tenant Act 1985 (c. 70)

- 21 In section 14(4) of the Landlord and Tenant Act 1985 (section 11 does not apply to a post-1980 lease granted to a listed body) after the entry for an urban development corporation insert—
“a Mayoral development corporation.”

Landlord and Tenant Act 1987 (c. 31)

- 22 In section 58(1) of the Landlord and Tenant Act 1987 (exempt landlords) after paragraph (b) insert—
“(ba) a Mayoral development corporation.”

Local Government Act 1988 (c. 9)

- 23 In Schedule 2 to the Local Government Act 1988 in the list of public authorities after the entry for an urban development corporation insert—
 “a Mayoral development corporation.”

Local Government Finance Act 1988 (c. 41)

- 24 In the Local Government Finance Act 1988 after section 48 insert—

“48A Discretionary relief: functions of Mayoral development corporations

- (1) The Mayor of London may require a billing authority to provide the Mayor with information to assist the Mayor with making decisions under section 214 of the Localism Act 2011 (Mayor’s power to decide that a Mayoral development corporation should have functions under section 47 above).
- (2) A Mayoral development corporation which has, or expects to have, functions under section 47 above may require a billing authority to provide the corporation with information to assist the corporation to exercise functions under that section.
- (3) A billing authority must comply with a requirement imposed on it under subsection (1) or (2) above so far as the requirement relates to information available to the billing authority.
- (4) A person to whom information is provided in response to a requirement imposed under subsection (1) or (2) above may use the information only for the purposes for which it was sought.
- (5) The Secretary of State may by regulations make transitional provision in connection with, or in anticipation of, a Mayoral development corporation—
 - (a) beginning to exercise functions under section 47 above, or
 - (b) ceasing to exercise functions under that section.
- (6) The Secretary of State may by regulations make provision about payment by a Mayoral development corporation to a billing authority of amounts—
 - (a) as regards the operation of section 47 above in cases where the corporation has exercised functions under that section;
 - (b) as regards costs of collection and recovery in such cases.”

Housing Act 1988 (c. 50)

- 25 The Housing Act 1988 is amended as follows.
- 26 In section 35(4) (tenancies which can be secure tenancies) after paragraph (a) insert—
 —
 “(aa) the interest of the landlord belongs to a Mayoral development corporation; or”.
- 27 In section 38(5) (when landlord’s interest is held by a public body) after paragraph (a) insert—
 “(aa) it belongs to a Mayoral development corporation; or”.

- 28 In section 89(1) (housing action trust and urban development corporation may enter in agreement for supply of goods and services) after “1980,” insert “or a housing action trust and a Mayoral development corporation,”.
- 29 In paragraph 12(1) of Schedule 1 (tenancy cannot be assured tenancy if landlord is listed body) after paragraph (d) insert—
“(da) a Mayoral development corporation;”.

Town and Country Planning Act 1990 (c. 8)

- 30 The Town and Country Planning Act 1990 is amended as follows.
- 31 In section 2A (power for Mayor to call in planning applications) after subsection (1) insert—
“(1A) Subsection (1) does not apply if the local planning authority is a Mayoral development corporation.”
- 32 After section 7 insert—

“7A Mayoral development areas

- (1) Subsection (2) applies where an order under section 198(2) of the Localism Act 2011 gives effect to any decision under section 202(2) or (6) of that Act as a result of which a Mayoral development corporation is for any area to be the local planning authority for the purposes of Part 3 of this Act.
 - (2) The Mayoral development corporation is the local planning authority for that area for those purposes in place of any authority who would otherwise be the local planning authority for that area for those purposes.
 - (3) Subsection (4) applies where an order under section 198(2) of that Act gives effect to any decision under section 202(3) or (6) of that Act as a result of which a Mayoral development corporation is for any area to have the functions referred to in section 202(3) of that Act.
 - (4) The Mayoral development corporation has those functions in place of any authority (except the Secretary of State) who would otherwise have them in that area.
 - (5) If an order under section 198(2) of that Act is amended to give effect to a decision under section 204(2) of that Act that limits the effect of a decision under section 202 of that Act, subsection (2) or (4), or each of them, applies accordingly.”
- 33 After section 165 (Secretary of State may acquire land blighted by proposed new town or urban development area) insert—

“165ZA Power of Greater London Authority to acquire land affected by designation of Mayoral development area where blight notice served

- (1) Where a blight notice has been served in respect of land falling within paragraph 9A of Schedule 13 then, until such time as a Mayoral development corporation is established for the Mayoral development area, the Greater London Authority has power to acquire compulsorily any interest in the land in pursuance of the blight notice served by virtue of that paragraph.

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

- (2) Where the Greater London Authority acquires an interest under subsection (1), then—
- (a) if the land is or becomes land within paragraph 9A(b) of Schedule 13, the interest is to be transferred by the Authority to the Mayoral development corporation established for the Mayoral development area; and
 - (b) in any other case, the interest may be disposed of by the Authority in such manner as the Authority thinks fit.
- (3) The Land Compensation Act 1961 has effect in relation to the compensation payable in respect of the acquisition of an interest by the Greater London Authority under subsection (1) as if—
- (a) the acquisition were by a Mayoral development corporation under Chapter 2 of Part 8 of the Localism Act 2011; and
 - (b) the land formed part of an area for which a Mayoral development corporation has been established.”
- 34 In section 169 (meaning of “appropriate authority”) after subsection (4) insert—
- “(4A) In relation to land falling within paragraph 9A of Schedule 13, until such time as a Mayoral development corporation is established for the Mayoral development area, this Chapter has effect as if “the appropriate authority” were the Mayor of London.”
- 35 In section 170(5) (meaning of “appropriate enactment” in the case of a development corporation or urban development corporation)—
- (a) for “or 9” insert “, 9 or 9A”, and
 - (b) after “is established for the urban development area” insert “or a Mayoral development corporation is established for the Mayoral development area”.
- 36 (1) Paragraph 5 of Schedule 1 (when local highway authority may impose restrictions on grant of planning permission) is amended as follows.
- (2) For sub-paragraph (2) (sub-paragraph (1) does not apply to urban development corporations) substitute—
- “(2) The reference to a local planning authority in sub-paragraph (1) is to be construed as including neither—
- (a) a reference to an urban development corporation who are the local planning authority by virtue of an order under section 149 of the Local Government, Planning and Land Act 1980, nor
 - (b) a reference to a Mayoral development corporation which is the local planning authority by virtue of an order under section 198(2) of the Localism Act 2011,
- and no provision of a development order which is included in it by virtue of that sub-paragraph is to be construed as applying to such a corporation.”
- (3) In subsection (3) after “urban development corporation who are the local planning authority” insert “, or by a Mayoral development corporation which is the local planning authority,”.
- 37 In Schedule 13 (blighted land) after paragraph 9 insert—
- “9A Land which is within an area designated under section 197 of the Localism Act 2011 as a Mayoral development area where—

- (a) an order under section 198(2) of that Act establishing a Mayoral development corporation for the area has not been made or has been made but has not come into effect; or
- (b) such an order has come into effect.”

Planning (Hazardous Substances) Act 1990 (c. 10)

- 38 In section 3(4) of the Planning (Hazardous Substances) Act 1990 (when urban development corporation is hazardous substances authority) after “urban development corporation” insert “or a Mayoral development corporation”.

Water Industry Act 1991 (c. 56)

- 39 The Water Industry Act 1991 is amended as follows.
- 40 In section 41(2) (persons who may require provision of a water main) after paragraph (c) insert—
- “(ca) where the whole or any part of that locality is situated within a Mayoral development area, the Mayoral development corporation;”.
- 41 In section 97(5) (performance of sewerage undertaker’s functions by relevant authorities: interpretation)—
- (a) in the definition of “relevant area” after paragraph (a) insert—
 - (aa) “in relation to the Mayoral development corporation for any Mayoral development area, means that area;”
 - (b) in the definition of “relevant authority” after paragraph (a) insert—
 - (aa) “the Mayoral development corporation for any Mayoral development area;”.
- 42 In section 98(2) (persons who may require provision of a public sewer) after paragraph (c) insert—
- “(ca) where the whole or any part of that locality is situated within a Mayoral development area, the Mayoral development corporation;”.

Channel Tunnel Rail Link Act 1996 (c. 61)

- 43 In paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel Rail Link Act 1996 (“public sewer or drain” includes one owned by certain public bodies) after “an urban development corporation” insert “, a Mayoral development corporation”.

Greater London Authority Act 1999 (c. 29)

- 44 The Greater London Authority Act 1999 is amended as follows.
- 45 (1) Amend section 31 (limits of the general power) as follows.
- (2) In subsection (1) (no power to incur expenditure on things which may be done by a functional body other than the London Development Agency) for “by a functional body other than the London Development Agency” substitute “by—
- (a) Transport for London;
 - (b) the Mayor’s Office for Policing and Crime; or
 - (c) the London Fire and Emergency Planning Authority.”
- (3) After subsection (1) insert—

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

- “(1A) In determining whether to exercise the power conferred by section 30(1) above, the Authority must seek to secure that it does not incur expenditure in doing anything which is being done by a Mayoral development corporation.”
- 46 (1) Amend section 38 (delegation) as follows.
- (2) In subsection (2) (persons to whom functions exercisable by the Mayor may be delegated) after paragraph (d) insert—
- “(da) any Mayoral development corporation;”.
- (3) In subsection (7) (power to exercise delegated functions where no existing power to do so) after paragraph (b) insert—
- “(ba) any Mayoral development corporation.”.
- (4) After subsection (8) (further delegation, and Mayor’s power to continue to continue to exercise delegated functions) insert—
- “(8A) An authorisation given by the Mayor under subsection (1) above to a Mayoral development corporation in relation to a function does not prevent the Mayor from exercising the function.”
- 47 In section 60A(3) (offices where confirmation process applies) after the entry for the chairman of the London Fire and Emergency Planning Authority insert—
- “person appointed to chair a Mayoral development corporation (see paragraph 1 of Schedule 21 to the Localism Act 2011);”.
- 48 (1) Amend section 68 (disqualification and political restriction) as follows.
- (2) In subsection (2) (application of disqualification and political restriction to certain bodies) after paragraph (b) insert—
- “(ba) a Mayoral development corporation.”
- (3) In subsection (3) (person appointed by Mayor as a member of his staff under section 67(1) not disqualified from becoming an unpaid member of Transport for London) after “Transport for London” insert “or a Mayoral development corporation”.
- (4) In subsection (6) (“statutory chief officer” to include chief finance officer)—
- (a) after “London,” in paragraph (a) insert “and
- (aa) of a Mayoral development corporation,” and
- (b) after “member of Transport for London” insert “or, as the case may be, a Mayoral development corporation”.
- (5) After subsection (6) insert—
- “(6A) In the application of section 2 of that Act in relation to a Mayoral development corporation by virtue of subsections (1) and (2) above, any reference to the person designated under section 4 of that Act as its head of paid service is to be taken as a reference to the chief executive of the Mayoral development corporation.”
- 49 (1) In section 73(6), in the substituted subsection (2) of section 5 of the Local Government and Housing Act 1989 (reports by monitoring officer), amend the definition of “GLA body or person” as follows.
- (2) After paragraph (b) insert—

- “(ba) a Mayoral development corporation, when exercising any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.
- (3) After paragraph (g) insert—
- “(ga) any committee or sub-committee of a Mayoral development corporation when exercising any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.
- (4) After paragraph (m) insert—
- “(ma) any member, or member of staff, of a Mayoral development corporation when exercising, or acting in the exercise of, any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.
- 50 In section 347 (functional bodies to have regard to spatial development strategy) after “strategy” insert “, but this is without prejudice to section 24 of the Planning and Compulsory Purchase Act 2004 (which requires certain of a Mayoral development corporation’s documents to be in general conformity with the strategy)”.
- 51 (1) Section 408 (transfers of property, rights and liabilities) is amended as follows.
- (2) In subsection (3) (bodies from which property etc may be transferred under section 408) after paragraph (g) insert—
- “(ga) an urban development corporation for an urban development area all or part of which is in Greater London;
- (gb) the Olympic Delivery Authority;
- (gc) any company, or other body corporate, which is a wholly-owned subsidiary of the Olympic Delivery Authority;
- (gd) any company, or other body corporate, which—
- (i) is a subsidiary of the Olympic Delivery Authority,
- (ii) is a subsidiary of at least one other public authority, and
- (iii) is not a subsidiary of any person who is not a public authority;”.
- (3) After subsection (8) insert—
- “(9) In subsection (3)(gc) “wholly-owned subsidiary” has the meaning given to it by section 1159 of the Companies Act 2006.
- (10) For the purposes of subsection (3)(gd) and paragraph (b) of this subsection, a body corporate (“C”) is a “subsidiary” of another person (“P”) if—
- (a) P, or P’s nominee, is a member of C, or
- (b) C is a subsidiary of a body corporate that is itself a subsidiary of P, and, accordingly, the definition of “subsidiary” given by section 424(1) does not apply for those purposes.
- (11) In this section “urban development corporation” means a corporation established by an order under section 135 of the Local Government, Planning and Land Act 1980.”

52 In section 424(1) (interpretation) in the definition of “functional body” after paragraph (a) insert—

“(aa) a Mayoral development corporation;”.

Freedom of Information Act 2000 (c. 36)

53 In Part 2 of Schedule 1 to the Freedom of Information Act 2000 (public authorities: local government) after paragraph 35C insert—

“35D A Mayoral development corporation established under section 198 of the Localism Act 2011.”

Planning and Compulsory Purchase Act 2004 (c. 5)

54 The Planning and Compulsory Purchase Act 2004 is amended as follows.

55 In section 24 (if local planning authority are a London borough, local development documents must be in general conformity with the spatial development strategy) in subsections (1)(b) and (4) after “are a London borough” insert “or a Mayoral development corporation”.

56 (1) Amend section 37 (interpretation of Part 2) as follows.

(2) After subsection (5) insert—

“(5ZA) Subsection (4) must also be construed subject to any order under section 198(2) of the Localism Act 2011 so far as providing that a Mayoral development corporation is, as regards an area, to be the local planning authority for some or all of the purposes of this Part in relation to some or all kinds of development.

(5ZB) Where such an order makes such provision, that MDC is, in relation to the kinds of development concerned, the local planning authority for the area and purposes concerned in place of any authority who, in relation to those kinds of development, would otherwise be the local planning authority for that area and those purposes.”

(3) In subsection (5A) (definition of “local planning authority” has effect subject to any order providing for the Homes and Communities Agency to be the local planning authority) for “also be construed” substitute “additionally be construed, and subsection (5ZB) must be construed,”.

National Health Service Act 2006 (c. 41)

57 In section 256(2) of the National Health Service Act 2006 (Primary Care Trust may make payments to listed bodies in connection with provision of housing accommodation) after paragraph (c) insert—

“(ca) a Mayoral development corporation;”.

Crossrail Act 2008 (c. 18)

58 In paragraph 8(8)(a) of Schedule 2 to the Crossrail Act 2008 (“public sewer or drain” includes one owned by certain public bodies) after “an urban development corporation” insert “, a Mayoral development corporation”.

Planning Act 2008 (c. 29)

59 The Planning Act 2008 is amended as follows.

60 In section 129(1) (section 128(2) does not apply to acquisition by a listed body) after paragraph (c) insert—

“(ca) a Mayoral development corporation;”.

61 (1) Amend section 206 (provision about charging community infrastructure levy) is amended as follows.

(2) In subsection (5)(a) (“local planning authority” has the meaning given by section 37 of the Planning and Compulsory Purchase Act 2004) after “to England,” insert “except that a Mayoral development corporation is a local planning authority for the purposes of this section only if it is the local planning authority for all purposes of Part 2 of PCPA 2004 in respect of the whole of its area and all kinds of development,”.

(3) After subsection (5) insert—

“(6) CIL regulations may make transitional provision in connection with, or in anticipation of, a Mayoral development corporation—

(a) becoming a charging authority as a result of the operation of subsection (2), or

(b) ceasing to be a charging authority as a result of the operation of that subsection.”

Equality Act 2010 (c. 15)

62 In Part 1 of Schedule 19 to the Equality Act 2010 (public authorities) after the entry for Transport for London insert—

“a Mayoral development corporation.”