
STATUTORY INSTRUMENTS

1994 No. 2578

URBAN DEVELOPMENT

**The London Docklands Development Corporation
(Alteration of Boundaries) Order 1994**

<i>Made</i>	- - - -	<i>1st October 1994</i>
<i>Laid before Parliament</i>		<i>7th October 1994</i>
<i>Coming into force</i>	- -	<i>31st October 1994</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 134(3A) and (5) of the Local Government, Planning and Land Act 1980⁽¹⁾, and of all other powers enabling him in that behalf, after consultation with the council of the London borough of Southwark, hereby makes the following Order—

Citation and commencement

1. This Order may be cited as the London Docklands Development Corporation (Alteration of Boundaries) Order 1994 and shall come into force on 31st October 1994.

Interpretation

2. In this Order—

“the authority” means the council of the London borough of Southwark;

“the development area” means the area designated as an urban development area by the London Docklands Development Corporation (Area and Constitution) Order 1980⁽²⁾;

“the development corporation” means the London Docklands Development Corporation;

“the excluded area” means the area shown on the map bounded externally by a red line;

“the map” means the map entitled “Map referred to in the London Docklands Development Corporation (Alteration of Boundaries) Order 1994”, of which one print, signed by an Under Secretary in the Department of the Environment, has been deposited and is available for inspection at the offices of each of the Secretary of State for the Environment, the London Docklands Development Corporation and the councils of the London boroughs of Newham, Southwark and Tower Hamlets; and

(1) 1980 (c. 65); subsections (3A) and (5) of section 134 were inserted by section 179 of the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28).

(2) S.I.1981/936, amended by S.I. 1981/937.

“the 1990 Act” means the Town and Country Planning Act 1990⁽³⁾.

Alteration of development area

3. Subject to the following provisions of this Order, the boundaries of the development area shall be altered so as to exclude the excluded area and, as regards any matter arising after the coming into force of this Order, any reference in an enactment to the development area shall be a reference to that area as it has been altered by this Order.

Transitional provisions in connection with article 3

4. The development corporation may continue to exercise the powers conferred on it by section 136 of the Local Government, Planning and Land Act 1980—

- (a) to hold, manage, reclaim or dispose of—
 - (i) any land in the excluded area owned by it at the coming into force of this Order; and
 - (ii) any other property owned by it in connection with such land;
- (b) to discharge any obligation, exercise any right, power or privilege or assign any benefit under any agreement entered into by it in connection with the excluded area before the coming into force of this Order; and
- (c) until 31st March 1995, to give financial assistance in connection with activities within the excluded area to any person to whom such assistance was given before the coming into force of this Order,

and such powers shall be exercised as if the excluded area continued to form part of the development area.

Transitional provisions in connection with planning functions

5.—(1) This article applies as respects any application for planning permission or approval of reserved matters or for any other approval, consent or determination under the 1990 Act, or the Planning (Conservation Areas and Listed Buildings) Act 1990,⁽⁴⁾ or under any order or regulations made or having effect under either of those Acts which—

- (a) in the case of an application for approval of reserved matters, is duly made before 31st March 1995 to the development corporation in relation to land within the excluded area; or
- (b) in any other case, before this Order came into force was duly made to the development corporation in relation to land within the excluded area,

and has not been determined on the coming into force of this Order.

(2) Except where the development corporation transmits the application to the authority for determination, the development corporation shall have in relation to an application the same powers and duties as it would have had if this Order had not come into force.

(3) The development corporation shall transmit to the authority for determination—

- (a) any application which it has resolved with the agreement of the applicant to transmit to the authority; and
- (b) any other application which it has not determined on or before 31st March 1995.

(4) Where the development corporation transmits an application to the authority for determination in accordance with paragraph (3), the application shall be accompanied by a copy of any representation received by the development corporation concerning the application and shall be

⁽³⁾ 1990 (c. 8).

⁽⁴⁾ 1990 (c. 9).

treated as received by the authority from the applicant on the day on which it is transmitted to the authority.

(5) Where an appeal is made to the Secretary of State under section 78(5) of the 1990 Act or section 20 of the Planning (Conservation Areas and Listed Buildings) Act 1990 in relation to an application to which this article applies, the authority shall be the local planning authority for the purposes of the appeal.

Liability for compensation in connection with planning functions and planning obligations

6.—(1) Where a right to compensation arises under sections 107(6), 108(7), 115, 186(8), 203 or 204 of the 1990 Act or sections 28 or 29 of the Planning (Conservation Areas and Listed Buildings) Act 1990 in consequence of action taken in relation to land within the excluded area by the development corporation, the development corporation shall be liable for any compensation which is payable.

(2) Where the Secretary of State makes an order or serves a notice, as the case may be, under section 100(9), 104, 185(10) or 202 of, or paragraph 11 of Schedule 9 to, the 1990 Act in respect of a matter arising before this Order comes into force, which relates to land within the excluded area, the development corporation shall be liable to pay any compensation arising from the order or notice.

(3) A planning obligation entered into by agreement or otherwise under section 106(11) of the 1990 Act in relation to land within the excluded area which identifies the development corporation as the local planning authority by whom the obligation is enforceable shall be enforceable by the authority.

Signed by authority of the Secretary of State for the Environment

Paul Beresford
Parliamentary Under-Secretary of State,
Department of the Environment

1st October 1994

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- (5) Section 78 was amended by section 17(2) of the Planning and Compensation Act 1991 (c. 34).
(6) Section 107 was amended by paragraph 8 of Schedule 1 and paragraph 13 of Schedule 6 to the Planning and Compensation Act 1991.
(7) Section 108 was amended by section 13(4) of the Planning and Compensation Act 1991.
(8) Section 186 was amended by section 9(3) of, and paragraph 29 of Schedule 7 and Part I of Schedule 19 to, the Planning and Compensation Act 1991.
(9) Section 100 was amended by paragraph 5 of Schedule 1 to the Planning and Compensation Act 1991.
(10) Section 185 was substituted by paragraph 7 of Schedule 1 to the Planning and Compensation Act 1991.
(11) Section 106 was substituted by section 12 of the Planning and Compensation Act 1991.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order removes from the London Docklands urban development area an area of approximately 219 acres comprising part of the London borough of Southwark. The area is hatched black on the plan below. The map referred to in the Order may be inspected at the offices specified in the Order during normal office hours.

The Order contains transitional provisions concerning the powers of the development corporation in the excluded area and its planning functions.

