
STATUTORY INSTRUMENTS

1995 No. 389

URBAN DEVELOPMENT

**The Leeds Development Corporation
(Planning Functions) Order 1995**

Made - - - - *15th February 1995*
Laid before Parliament *24th February 1995*
Coming into force - - *30th March 1995*

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 148(2) and 149(1), (3) and (11) of the Local Government, Planning and Land Act 1980(1) and sections 59 and 333(4) and (7) of the Town and Country Planning Act 1990(2), and of all other powers enabling him in that behalf hereby makes the following Order—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Leeds Development Corporation (Planning Functions) Order 1995 and shall come into force on 30th March 1995.

(2) In this Order—

“the authority” means the council of the city of Leeds;

“the development area” means the area designated as an urban development area by the Leeds Development Corporation (Area and Constitution) Order 1988(3);

“the development corporation” means the Leeds Development Corporation; and

“the 1990 Act” means the Town and Country Planning Act 1990.

Revocation of the 1988 and 1989 Orders

2. The Leeds Development Corporation (Planning Functions) Order 1988(4) and the Town and Country Planning (Leeds Urban Development Area) Special Development Order 1989(5) are hereby revoked.

(1) 1980 c. 65; subsections (1) and (3) of section 149 were amended, respectively, by Part I of Schedule 1 and paragraph 44(6) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11).

(2) 1990 c. 8.

(3) S.I. 1988/1145.

(4) S.I. 1988/1551.

(5) S.I. 1989/2206.

Transitional provisions in connection with planning functions

3. Anything which before the coming into force of this Order had been done or was in the process of being done by, to or in relation to the development corporation in connection with any of the functions transferred to it under article 3 of the Leeds Development Corporation (Planning Functions) Order 1988 may be continued or done after that date by the authority.

Liability for compensation in connection with planning functions; section 106 agreements

4.—(1) Where a right to compensation arises under section 107(6), 108(7), 115, 186(8), 203 or 204 of the 1990 Act or sections 28 or 29 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in consequence of action taken in relation to land within the development area by the development corporation, the Secretary of State 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 development area, the Secretary of State 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 before the coming into force of this Order which identifies the development corporation as the local planning authority by whom the obligation is enforceable shall after that date be enforceable by the authority.

Signed by authority of the Secretary of State for the Environment

15th February 1995

David Curry
Minister of State,
Department of the Environment

(6) Section 107 was amended by paragraph 8 of Schedule 1 and paragraph 13 of Schedule 6 to the Planning and Compensation Act 1991 (c. 34) (the "1991 Act").

(7) Section 108 was amended by section 13(4) of the 1991 Act.

(8) Section 186 was amended by section 9(3) of, and paragraph 29 of Schedule 7 and Part I of Schedule 19 to, the 1991 Act.

(9) Section 100 was amended by paragraph 5 of Schedule 1 to the 1991 Act.

(10) Section 185 was substituted by paragraph 7 of Schedule 1 to the 1991 Act.

(11) Section 106 was substituted by section 12 of the 1991 Act.

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 revokes the Leeds Development Corporation (Planning Functions) Order 1988 and the Town and Country Planning (Leeds Urban Development Area) Special Development Order 1989 and makes transitional provisions in connection with the transfer of planning functions from the Leeds Development Corporation to Leeds City Council.