

Status: Point in time view as at 15/01/2012.

Changes to legislation: Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 (c. 8) is up to date with all changes known to be in force on or before 22 May 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)

SCHEDULES

SCHEDULE 22

MAYORAL DEVELOPMENT CORPORATIONS: CONSEQUENTIAL AND OTHER AMENDMENTS

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

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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.

(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, ”.

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- 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.”

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