



Housing and Planning Act 2016

2016 CHAPTER 22

PART 6

PLANNING IN ENGLAND

Urban development corporations

166 Designation of urban development areas: procedure

(1) Section 134 of the Local Government, Planning and Land Act 1980 (urban development areas) is amended as follows.

(2) After subsection (1) insert—

“(1A) Before making an order under subsection (1) in relation to land in England, the Secretary of State must consult the following persons—

- (a) persons who appear to the Secretary of State to represent those living within, or in the vicinity of, the proposed urban development area;
- (b) persons who appear to the Secretary of State to represent businesses with any premises within, or in the vicinity of, the proposed urban development area;
- (c) each local authority for an area which falls wholly or partly within the proposed urban development area; and
- (d) any other person whom the Secretary of State considers it appropriate to consult.”

(3) For subsection (4) substitute—

“(4) A statutory instrument containing an order made by the Secretary of State under subsection (1) does not have effect until approved by a resolution of each House of Parliament.

(4A) If a draft of an instrument containing an order by the Secretary of State under subsection (1) would, but for this subsection, be treated for the purposes of

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the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

(4B) An order made by the Welsh Ministers under subsection (1) (by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006) does not have effect until approved by a resolution of the National Assembly for Wales.

(4C) An order made by the Scottish Ministers under subsection (1) (by virtue of section 53 of the Scotland Act 1998) is subject to the affirmative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).”

167 Establishment of urban development corporations: procedure

(1) Section 135 of the Local Government, Planning and Land Act 1980 (urban development corporations) is amended as follows.

(2) After subsection (1) insert—

“(1A) Before making an order under this section in relation to an urban development area in England, the Secretary of State must consult the following persons—

- (a) persons who appear to the Secretary of State to represent those living within, or in the vicinity of, the urban development area;
- (b) persons who appear to the Secretary of State to represent businesses with any premises within, or in the vicinity of, the urban development area;
- (c) each local authority for an area which falls wholly or partly within the urban development area; and
- (d) any other person whom the Secretary of State considers it appropriate to consult.”

(3) For subsection (3) substitute—

“(3) A statutory instrument containing an order made by the Secretary of State under this section does not have effect until approved by a resolution of each House of Parliament.

(3A) If a draft of an instrument containing an order by the Secretary of State under this section would, but for this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

(3B) An order made by the Welsh Ministers under this section (by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006) does not have effect until approved by a resolution of the National Assembly for Wales.

(3C) An order made by the Scottish Ministers under this section (by virtue of section 53 of the Scotland Act 1998) is subject to the affirmative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).”

168 Sections 166 and 167: consequential repeals

In the Deregulation Act 2015, omit sections 46 and 47.

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. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)