

## SCHEDULES

### SCHEDULE 17

Section 177

#### PLANNING FUNCTIONS OF DEVELOPMENT CORPORATIONS: MINOR AND CONSEQUENTIAL AMENDMENTS

##### *New Towns Act 1981 (c. 64)*

- 1 (1) The New Towns Act 1981 is amended as follows.
  - (2) In the heading of section 7 (planning control), after “control” insert “: proposals given effect by development order”.
  - (3) In section 77 (regulations and orders), after subsection (3D) (inserted by section 172) insert—
    - “(3E) A statutory instrument, other than one to which subsection (3B) applies, containing an order under section 7A is subject to annulment in pursuance of a resolution of either House of Parliament.”

##### *Town and Country Planning Act 1990 (c. 8)*

- 2 (1) TCPA 1990 is amended as follows.
  - (2) In section 7 (urban development corporation as local planning authority), after subsection (2) insert—
    - “(3) This section is subject to section 8A.”
  - (3) After section 7 insert—

##### **“7ZA New towns**

- (1) This section applies where an order is made under section 7A(2)(a) or (4)(a) of the New Towns Act 1981 (powers to confer functions under the planning Acts) in respect of a development corporation established under section 3 of that Act.
- (2) If the order is made under section 7A(2)(a), the corporation is the local planning authority for the specified area, for the specified purposes and in relation to the specified kinds of development, in place of the authority which would otherwise be the local planning authority for that area.
- (3) If the order is made under section 7A(4)(a), the corporation has the functions under the specified enactments in the specified area, in place of any authority (except the Secretary of State) which would otherwise have them in that area.
- (4) In this section “specified” means specified in the order.
- (5) This section is subject to section 8A.”

- (4) In section 7A (Mayoral development corporation as local planning authority), after subsection (5) insert—

“(6) This section is subject to section 8A.”

- (5) In section 62B(5) (planning authorities that cannot be designated for the purposes of allowing direct planning applications to the Secretary of State), after paragraph (c) insert—

“(ca) a development corporation established under section 3 of the New Towns Act 1981;”.

- (6) In section 70(4) (definitions relating to local finance considerations to be taken into account in planning decisions), in the definition of “relevant authority”, after paragraph (e) insert—

“(ea) a development corporation established under section 3 of the New Towns Act 1981;”.

- (7) In paragraph 5 of Schedule 1 (local highway authority restrictions on grant of planning permission)—

- (a) in sub-paragraph (2), for the words from “is to be”, where they first occur, to “2011,” substitute “does not include a development corporation planning authority;”;
- (b) in sub-paragraph (3), for the words from “an” to “local planning authority”, in the second place it occurs, substitute “a development corporation planning authority”;
- (c) after sub-paragraph (3) insert—

“(4) In this paragraph, “development corporation planning authority” means—

- (a) an urban development corporation which is the local planning authority by virtue of an order under section 149 of the Local Government, Planning and Land Act 1980,
- (b) a development corporation established under section 3 of the New Towns Act 1981 which is the local planning authority by virtue of an order under section 7A of that Act, or
- (c) a Mayoral development corporation which is the local planning authority by virtue of an order under section 198(2) of the Localism Act 2011.”

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

- 3 In Schedule 4 to the Listed Buildings Act (authorities exercising functions under the Act)—

- (a) in paragraph 2—
- (i) after “7”, where it first occurs, insert “, 7ZA, 7A,”;
- (ii) after “urban development areas,” insert “new towns,”;
- (b) in paragraph 4(1), after “7” insert “, 7ZA, 7A,”.

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

- 4 In section 3 of the Hazardous Substances Act (hazardous substances authorities in certain special cases)—
- (a) in subsection (4)—
    - (i) for “an urban development corporation or a Mayoral development corporation” substitute “a development corporation”;
    - (ii) after “planning authority” insert “for all purposes of Part 3 of the principal Act”;
  - (b) after subsection (4) insert—

“(4A) In subsection (4), “development corporation” means an urban development corporation, a development corporation established under section 3 of the New Towns Act 1981 or a Mayoral development corporation.”

*Localism Act 2011 (c. 20)*

- 5 In section 202(5) of the Localism Act 2011 (power to apply certain modifications of planning enactments in relation to Mayoral development corporations), at the end insert “, with the further modification that any reference in that Part of that Schedule to an urban development corporation is to be read as a reference to an MDC”.