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Changes to legislation: There are currently no known outstanding effects for the
Levelling-up and Regeneration Act 2023, Schedule 16. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 16

Section 173

LOCALLY-LED DEVELOPMENT CORPORATIONS: MINOR AND CONSEQUENTIAL AMENDMENTS

Local Government, Planning and Land Act 1980 (c. 65)

1 The Local Government, Planning and Land Act 1980 is amended as follows.

Commencement Information

II Sch. 16 para. 1 not in force at Royal Assent, see [s. 255\(7\)](#)

- 2 (1) Section 134 (urban development areas) is amended as follows.
- (2) In subsection (1)—
- (a) for “the Secretary of State” substitute “the appropriate national authority”;
 - (b) for “he” substitute “the authority”.
- (3) In subsection (3A), for “The Secretary of State” substitute “The appropriate national authority”.
- (4) In subsection (3B), for “the Secretary of State” substitute “the appropriate national authority”.
- (5) After subsection (3B) insert—
- “(3C) The Secretary of State may not make an order under subsection (3A) in relation to an urban development area designated under subsection (1B) except with the consent of the oversight authority.”
- (6) In subsection (4), after “(1)” insert “or (1B)”.
- (7) In subsection (4A), after “(1)” insert “or (1B)”.
- (8) In subsection (4B), omit “(by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006)”.
- (9) In subsection (4C), omit “(by virtue of section 53 of the Scotland Act 1998)”.
- (10) In subsection (5)—
- (a) omit paragraph (a);
 - (b) in paragraph (b), for “the Secretary of State” substitute “the appropriate national authority”.
- (11) After subsection (5) insert—

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“(6) An order under subsection (3A)—

- (a) in the case of an order made by the Secretary of State, is to be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament;
- (b) in the case of an order made by the Welsh Ministers, is to be made by statutory instrument subject to annulment in pursuance of a resolution of Senedd Cymru;
- (c) in the case of an order made by the Scottish Ministers, is subject to the negative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).

(7) In this section, “the appropriate national authority” means—

- (a) the Secretary of State in relation to England;
- (b) the Welsh Ministers in relation to Wales;
- (c) the Scottish Ministers in relation to Scotland.”

Commencement Information

I2 Sch. 16 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)

3 (1) Section 135 (urban development corporations) is amended as follows.

(2) In subsection (2), after “134(1)” insert “or (1B)”.

(3) At the end insert—

“(7) In this section “local authority” has the same meaning as in section 134A (see subsection (10) of that section).”

Commencement Information

I3 Sch. 16 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)

4 In section 140 (consultation with local authorities), in subsection (1), after “corporation” insert “, other than a locally-led urban development corporation,”.

Commencement Information

I4 Sch. 16 para. 4 not in force at Royal Assent, see [s. 255\(7\)](#)

5 (1) Section 171 (interpretation: general) is amended as follows.

(2) After the definition of “the 1997 Act” insert—

““locally-led urban development area” means an urban development area that was designated by order under section 134(1B);

“locally-led urban development corporation” means the urban development corporation for a locally-led urban development area;

“oversight authority”, in relation to a locally-led urban development corporation or locally-led urban development area, means the local authority or local authorities designated in relation to that corporation, or the corporation for that area, under section 135(4B)(c) (but, in relation to a

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particular function, means only the local authority or local authorities by whom the function is exercisable);”.

(3) In the definition of “urban development area”, after “(1)” insert “or (1B)”.

Commencement Information

I5 Sch. 16 para. 5 not in force at Royal Assent, see [s. 255\(7\)](#)

Commencement Information

I1 Sch. 16 para. 1 not in force at Royal Assent, see [s. 255\(7\)](#)

I2 Sch. 16 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)

I3 Sch. 16 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)

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I5 Sch. 16 para. 5 not in force at Royal Assent, see [s. 255\(7\)](#)

New Towns Act 1981 (c. 64)

6 The New Towns Act 1981 is amended as follows.

Commencement Information

I6 Sch. 16 para. 6 not in force at Royal Assent, see [s. 255\(7\)](#)

7 (1) Section 1A (local authority to oversee development of new town) is amended as follows.

(2) For the heading substitute “Oversight of locally-led new town”.

(3) Omit subsections (1), (2) and (3).

(4) In subsection (4)—

- (a) for “a local authority” substitute “an oversight authority”;
- (b) after “as a” insert “locally-led”.

(5) In subsection (5)—

- (a) in paragraphs (a), (b) and (c), for “a local authority” substitute “an oversight authority”;
- (b) in paragraph (d), for the words from “corporation”, in the first place it occurs, to the end substitute “locally-led development corporation”.

(6) Omit—

- (a) subsection (7);
- (b) in subsection (8)—
 - (i) the definition of “local authority”;
 - (ii) paragraph (a) of the definition of “specified”.

Commencement Information

I7 Sch. 16 para. 7 not in force at Royal Assent, see [s. 255\(7\)](#)

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8 In section 2 (reduction of designated areas), after subsection (1) insert—

“(1A) The Secretary of State may not make an order under subsection (1) in relation to the area of a new town designated under section 1ZB except with the consent of the oversight authority.”

Commencement Information

I8 Sch. 16 para. 8 not in force at Royal Assent, see [s. 255\(7\)](#)

9 (1) Section 80 (general interpretation provisions) is amended as follows.

(2) In subsection (1)—

(a) after the definition of “local highway authority” insert—

““locally-led development corporation” means a development corporation established for the purposes of a locally-led new town; “locally-led new town” means a new town the site of which was designated under section 1ZB;”;

(b) after the definition of “open space” insert—

““oversight authority”, in relation to a locally-led development corporation or locally-led new town, means the local authority or local authorities designated in relation to that corporation, or the corporation for that new town, under section 3(2C)(c) (but, in relation to a particular function, means only the local authority or local authorities by whom the function is exercisable);”.

(3) In subsection (2), after “section 1” insert “or 1ZB”.

Commencement Information

I9 Sch. 16 para. 9 not in force at Royal Assent, see [s. 255\(7\)](#)

Commencement Information

I6 Sch. 16 para. 6 not in force at Royal Assent, see [s. 255\(7\)](#)

I7 Sch. 16 para. 7 not in force at Royal Assent, see [s. 255\(7\)](#)

I8 Sch. 16 para. 8 not in force at Royal Assent, see [s. 255\(7\)](#)

I9 Sch. 16 para. 9 not in force at Royal Assent, see [s. 255\(7\)](#)

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