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Localism Act 2011

2011 CHAPTER 20

PART 8

LONDON

CHAPTER 2

MAYORAL DEVELOPMENT CORPORATIONS

VALID FROM 15/01/2012

Land functions

206 Powers in relation to land

- (1) An MDC may regenerate or develop land.
- (2) An MDC may bring about the more effective use of land.
- (3) An MDC may provide buildings or other land.
- (4) An MDC may carry out any of the following activities in relation to land—
 - (a) acquiring, holding, improving, managing, reclaiming, repairing or disposing of buildings, other land, plant, machinery, equipment or other property,
 - (b) carrying out building and other operations (including converting or demolishing buildings), and
 - (c) creating an attractive environment.
- (5) An MDC may facilitate—
 - (a) the regeneration or development of land,
 - (b) the more effective use of land,
 - (c) the provision of buildings or other land, or

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(d) the carrying out of activities mentioned in subsection (4).

(6) In this section—

- (a) a reference to a “building” is a reference to—
 - (i) a building or other structure (including a house-boat or caravan), or
 - (ii) any part of something within sub-paragraph (i);
- (b) “develop” includes redevelop (and “development” includes redevelopment);
- (c) “improve”, in relation to buildings, includes refurbish, equip and fit out;
- (d) “provide” includes provide by way of acquisition, construction, conversion, improvement or repair (and “provision” is to be read in the same way).

207 Acquisition of land

- (1) An MDC may by agreement acquire land in its area or elsewhere.
- (2) An MDC may acquire land in its area, or elsewhere in Greater London, compulsorily if the Secretary of State authorises it to do so.
- (3) An MDC must obtain the consent of the Mayor of London before submitting a compulsory purchase order authorising an acquisition under subsection (2) to the Secretary of State for confirmation.
- (4) The power under subsection (2) includes power to acquire new rights over land.
- (5) Subsection (6) applies where—
 - (a) land forming part of a common, open space or allotment is being acquired under subsection (2), or
 - (b) new rights are being acquired under subsection (2) over land forming part of a common, open space or allotment.
- (6) The power under subsection (2) includes power to acquire land compulsorily for giving in exchange for that land or those new rights.
- (7) Part 1 of Schedule 2 to the Housing and Regeneration Act 2008 (compulsory acquisition of land by the Homes and Communities Agency) applies in relation to the acquisition of land under subsection (2) as it applies in relation to the acquisition of land under section 9 of that Act.
- (8) In that Part of that Schedule as applied by subsection (7)—
 - (a) references to section 9 of that Act are to be read as references to subsection (2),
 - (b) references to the Homes and Communities Agency are to be read as references to the MDC concerned, and
 - (c) references to Part 1 of that Act are to be read as references to this Chapter.
- (9) The provisions of Part 1 of the Compulsory Purchase Act 1965 (other than section 31) apply, so far as applicable, to the acquisition by an MDC of land by agreement.
- (10) In subsection (5)—
 - “allotment” means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act;
 - “common” has the meaning given by section 19(4) of the Acquisition of Land Act 1981;

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“open space” means any land which is—

- (a) laid out as a public garden,
- (b) used for the purposes of public recreation, or
- (c) a disused burial ground.

208 Powers in relation to acquired land

- (1) Schedule 3 to the Housing and Regeneration Act 2008 (powers, in relation to land of the Homes and Communities Agency, to override easements etc, to extinguish public rights of way, and in relation to burial grounds and consecrated land) applies in relation to an MDC and its land as it applies in relation to the Homes and Communities Agency and its land.
- (2) In that Schedule as applied by subsection (1), references to the Homes and Communities Agency are to be read as references to the MDC concerned.
- (3) The power of the Secretary of State under Part 2 of that Schedule (extinguishment of public rights of way) as applied by subsection (1) is exercisable only with the consent of the Mayor.
- (4) Schedule 4 to that Act (powers in relation to, and for, statutory undertakers) applies in relation to an MDC and its land as it applies in relation to the Homes and Communities Agency and its land.
- (5) In that Schedule as applied by subsection (4)—
 - (a) references to the Homes and Communities Agency are to be read as references to the MDC concerned, and
 - (b) references to Part 1 of that Act are to be read as references to this Chapter.

209 Restrictions on disposal of land

- (1) An MDC may not dispose of land for less than the best consideration which can reasonably be obtained unless the Mayor consents.
- (2) Subsection (1) does not apply to a disposal by way of a short tenancy if the disposal consists of—
 - (a) the grant of a term of not more than 7 years, or
 - (b) the assignment of a term which, at the date of assignment, has not more than 7 years to run.
- (3) An MDC may not dispose of land which has been compulsorily acquired by it under this Chapter unless the Mayor consents.
- (4) Subject to subsections (1) to (3), an MDC may dispose of land held by it in any way it considers appropriate.

210 Power to enter and survey land

- (1) Sections 17 and 18 of the Housing and Regeneration Act 2008 (power to enter and survey land) apply in relation to an MDC as they apply in relation to the Homes and Communities Agency.

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(2) In those sections as applied by subsection (1), references to that Agency are to be read as references to the MDC concerned.

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