
STATUTORY INSTRUMENTS

2023 No. 447

**The Middlesbrough Development
Corporation (Functions) Order 2023**

Part 1

General

Citation and commencement

1.—(1) This Order may be cited as the Middlesbrough Development Corporation (Functions) Order 2023.

(2) Parts 1, 3 and 4 of this Order come into force on 12th May 2023.

(3) Part 2 of this Order comes into force on 1st June 2023.

Interpretation

2. In this Order—

“the 1980 Act” means the Local Government, Planning and Land Act 1980⁽¹⁾;

“the 1988 Act” means the Local Government Finance Act 1988;

“the 1990 Act” means the Town and Country Planning Act 1990⁽²⁾;

“certification date” means the date on which the certified non-domestic rating income for the relevant year is certified under regulation 9 of the Rates Retention Regulations⁽³⁾;

“certified non-domestic rating income” has the same meaning as in regulation 9(4) of the Rates Retention Regulations;

“the Corporation” means the body corporate known as the Middlesbrough Development Corporation established by article 3 of the Middlesbrough Development Corporation (Establishment) Order 2023⁽⁴⁾;

“deficit” has the meaning given by article 14(2)(b);

“the development area” means the area of land described as a Mayoral development area in article 2 of the Middlesbrough Development Corporation (Establishment) Order 2023;

“estimated compensation amount” has the meaning given by article 11(1);

“final compensation amount” has the meaning given by article 11(2);

“the Hazardous Substances Act” means the Planning (Hazardous Substances) Act 1990⁽⁵⁾;

(1) 1980 c. 65.

(2) 1990 c. 8.

(3) S.I. 2013/452; relevant amending instruments are S.I. 2015/628, 2016/1268, 2017/1321, 2020/449, 2021/262, 404, 2022/784.

(4) S.I. 2023/103.

(5) 1990 c. 10.

“the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) Act 1990(6);

“non-domestic rating income” has the same meaning as in regulation 3(3) of the Rates Retention Regulations;

“planning document” means any notice, certificate, publicity, consultation or other document relating to the exercise of functions under the 1990 Act, the Listed Buildings Act or any order or regulation having effect under those Acts;

“preceding year” means the financial year(7) immediately preceding the relevant year;

“previous authority” means—

- (a) in relation to Part 2, a local planning authority which, by virtue of section 7A(2) of the 1990 Act(8) and article 3, ceases to be the local planning authority for a part of the development area; and
- (b) in relation to Parts 3 and 4, a billing authority which, by virtue of section 214(8) of the 2011 Act and article 8, ceases to have the functions mentioned in section 214(2) of the 2011 Act;

“Rates Retention Regulations” means the Non-Domestic Rating (Rates Retention) Regulations 2013(9);

“relevant year” means the financial year for which a calculation of an estimated compensation amount or final compensation amount is made;

“section 151 officer” means the person who is for the time being appointed by the previous authority to be responsible for the administration of its financial affairs(10);

“surplus” has the meaning given by article 14(2)(a);

“the Tree Preservation Regulations” means the Town and Country Planning (Tree Preservation) (England) Regulations 2012(11).

(6) 1990 c. 9.

(7) See section 145(3) of the Local Government Finance Act 1988 for the meaning of “financial year”.

(8) Section 7A was inserted by paragraph 32 of Schedule 22 to the Localism Act 2011.

(9) S.I. 2013/452.

(10) See section 151 of the Local Government Act 1972 (c. 70).

(11) S.I. 2012/605.