



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART XVI

URBAN DEVELOPMENT

Land

141 Vesting by order in corporation.

- (1) Subject to subsection (2) below, the Secretary of State may by order made by statutory instrument provide that land specified in the order which is vested in a local authority, statutory undertakers or other public body or in a subsidiary of a public body shall vest in an urban development corporation established or to be established by an order under section 135 above for an area in which the land is situated.
- (2) An order under subsection (1) above may not specify land vested in statutory undertakers which is used for the purpose of carrying on their undertakings or which is held for that purpose.
- (3) In the case of land vested in statutory undertakers the Secretary of State and the appropriate Minister shall make any order under this section.
- (4) An order under this section shall have the same effect as a declaration under ^[F1]the ^{M1}Compulsory Purchase (Vesting Declarations) Act 1981] or, in Scotland, ^[F2]section 195 of the Town and Country Planning (Scotland) Act 1997] (both of which relate to general vesting declarations) except that, in relation to such orders, the enactments mentioned in Schedule 27 shall have effect subject to the modifications specified in that Schedule.
- (5) Compensation under the ^{M2}Land Compensation Act 1961 or, in Scotland, the ^{M3}Land Compensation (Scotland) Act 1963, as applied by subsection (4) above and

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Schedule 27 to this Act, shall be assessed by reference to values current on the date the order under this section comes into force.

[^{F3}(5A) No compensation is payable, by virtue of an order under this section, under Part IV of the ^{M4}Land Compensation Act 1961.]

[^{F4}(5B) No compensation is payable, by virtue of an order under this section, under Part V of the Land Compensation (Scotland) Act 1963]

(6) No order under this section shall have effect until approved by a resolution of each House of Parliament.

[^{F5}(6A) No order shall be made under this section in relation to a universal service provider (within the meaning of [^{F6}Part 3 of the Postal Services Act 2011].)]

(7) In this section—

“subsidiary”, in relation to a public body, means a wholly-owned subsidiary of that body; and

“wholly-owned subsidiary” [^{F7}as defined by][^{F8}section 1159 of the Companies Act 2006]

Textual Amendments

- F1** Words substituted (E.W.) by [Compulsory Purchase \(Vesting Declarations\) Act 1981 \(c. 66, SIF 28:1\)](#), s. 16(1), [Sch. 3 para. 4](#)
- F2** Words in s. 141(4) substituted (27.5.1997) by [1997 c. 11, ss. 4, 6\(2\)](#), [Sch. 2 para. 31\(4\)](#)
- F3** S. 141(5A) inserted after s. 141(5) (E.W.) (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:2\)](#), s. 70, [Sch. 15, Pt. II, para. 25](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (with art. 4, Sch. 2 Pt. II para. 5)
- F4** S. 141(5B) inserted after s. 141(5) (S.) (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:2\)](#), s. 79, [Sch. 17, Pt. II, para. 22](#) (with s. 84(5)); S.I. 1991/2092, [art. 3](#)
- F5** S. 141(6A) inserted (26.3.2001) by S.I. 2001/1149, [art. 3\(1\)](#), [Sch. 1 para. 48\(3\)](#)
- F6** Words in s. 141(6A) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), [Sch. 12 para. 107](#); S.I. 2011/2329, [art. 3](#)
- F7** Words substituted as provided by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 144(4), [Sch. 18 para. 24](#)
- F8** Words in s. 141(7) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), [art. 1\(2\)](#), [Sch. 1 para. 46\(4\)](#) (with art. 10)

Marginal Citations

- M1** [1981 c. 66 \(28:1\)](#).
- M2** [1961 c. 33 \(28:1\)](#).
- M3** [1963 c. 51 \(58:2\)](#).
- M4** [1961 c. 33](#).

142 Acquisition by corporation.

(1) An urban development corporation may acquire (by agreement or, on being authorised to do so by the Secretary of State, compulsorily)—

- (a) land in the urban development area;
- (b) land adjacent to the area which the corporation requires for purposes connected with the discharge of the corporation’s functions in the area;

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- (c) land, whether or not in or adjacent to the area, which the corporation requires for the provision of services in connection with the discharge of the corporation's functions in the area.
- (2) Where a corporation exercises its powers under subsection (1) above in relation to land which forms part of a common or open space or fuel or field garden allotment, the corporation may acquire (by agreement or, on being authorised to do so by the Secretary of State, compulsorily) land for giving in exchange for the land acquired. In the application of this subsection to Scotland the words "or fuel or field garden allotment" shall be omitted.
- [^{F9}(2A) The 1981 Act shall apply ^{F10}... to the compulsory acquisition of land in pursuance of subsection (1) or (2) above.]
- (3) [^{F11}The 1946 Act and,] in Scotland, the 1947 Act shall apply (subject to section 144(2) below) in relation to the compulsory acquisition of land in pursuance of subsection (1) or (2) above as if—
- (a) this section were contained in an Act in force immediately before the commencement of [^{F11}the 1946 Act or (as the case may be)] the 1947 Act,
- (b) an urban development corporation were a local authority.
- (4) An urban development corporation which may be authorised by the Secretary of State, by means of a compulsory purchase order, to purchase any land compulsorily for any purpose may be authorised by him, by means of such an order, to purchase compulsorily for that purpose such new rights over the land as are specified in the order: and in this subsection "new rights" means rights which are not in existence when the order specifying them is made.
- (5) In subsection (4) above "compulsory purchase order" has the same meaning as in the [^{F12}1981 Act, and Schedule 3 to that Act shall apply to the compulsory purchase of a right by virtue of subsection (4) above]
- (6) Subsection (5) above does not apply to Scotland.
- (7) In relation to Scotland, in subsection (4) above "compulsory purchase order" has the same meaning as in the 1947 Act, and section 63 of the ^{M5}Land Compensation (Scotland) Act 1973 shall apply to any compulsory purchase order made by virtue of that subsection.

Textual Amendments

- F9** S. 142(2A) inserted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 30(5)**
- F10** Words in s. 142(2A) repealed (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [Sch. 7 para. 10\(2\)](#), **Sch. 9** (with s. 111, [Sch. 7 para. 10\(6\)](#)); S.I. 2004/2593, art. 2(d)(e)
- F11** Words repealed (E.W.) by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 6 Pt. I**
- F12** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 30(6)**

Marginal Citations

- M5** 1973 c. 56.

143 Acquisition by local highway authority.

- (1) This section applies where the appropriate Minister is satisfied that the construction or improvement of a road is needed—

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- (a) outside an urban development area, for the purpose of securing the development of land in that area in accordance with proposals approved by the Secretary of State under section 148 below, or
 - (b) for the purpose of providing means of access to such an area.
- (2) In that case, a local highway authority may, on being authorised to do so by the appropriate Minister acquire compulsorily any land as to which he is satisfied that its acquisition by the authority is requisite—
- (a) for the construction or improvement of the road, or
 - (b) for carrying out the improvement, or controlling the development, of frontages to the road or of land abutting on or adjacent to the road.
- (3) Where a local highway authority has been authorised under subsection (2) above to acquire compulsorily land forming part of a common or open space or fuel or field garden allotment, the authority may be authorised under that subsection to acquire compulsorily land for giving in exchange for the land acquired. In the application of this subsection to Scotland the words “or fuel or field garden allotment” shall be omitted.
- [^{F13}(3A) The ^{M6}1981 Act shall apply ^{F14}... to the compulsory acquisition of land under this section]
- (4) [^{F15}The 1946 Act and,] in Scotland, the 1947 Act shall apply (subject to section 144(2) below) in relation to the compulsory acquisition of land in pursuance of this section as if this section were contained in an Act in force immediately before the commencement of [^{F15}the 1946 Act or (as the case may be, the 1947 Act.)]
- (5) In this section—
- “the appropriate Minister” means—
 - (a) in England, the Minister of Transport; and
 - (b) in Scotland or Wales, the Secretary of State; and
- “local highway authority” means a highway authority other than the appropriate Minister.

Textual Amendments

- F13** S. 143(3A) inserted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 30(7)**
- F14** Words in s. 143(3A) repealed (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [Sch. 7 para. 10\(3\)](#), **Sch. 9** (with s. 111, [Sch. 7 para. 10\(6\)](#)); S.I. 2004/2593, art. 2(d)(e)
- F15** Words repealed (E.W.) by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 6 Pt. I**

Marginal Citations

- M6** [1981 c. 66 \(28:1\)](#).

144 Vesting and acquisition: supplementary.

- (1) Schedule 28 below (land) shall have effect.
- (2) Part I of the Schedule modifies ^{F16}... the 1947 Act as applied by section [^{F17}142 and 143] above.
- (3) Part II relates to the acquisition of land by agreement under section 142 above.

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- (4) Part III contains supplementary provisions about land vested in or acquired by an urban development corporation or local highway authority under this Part of this Act.
- (5) Part IV (which does not apply to Scotland) contains supplementary provisions about the acquisition by an urban development corporation of rights over land under section 142(4) above.

Textual Amendments

- F16** Words in s. 144(2) repealed (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [Sch. 7 para. 10\(4\)](#), [Sch. 9](#) (with s. 111, [Sch. 7 para. 10\(6\)](#)); S.I. 2004/2593, art. 2(d)(e)
- F17** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, [Sch. 4 para. 30\(8\)](#)

145 Land compensation.

- (1) The following paragraph shall be inserted after paragraph 4 of Schedule 1 to the ^{M7}Land Compensation Act 1961 (descriptions of actual or prospective development of which account is not to be taken in assessing compensation or the effect of which is to reduce compensation payable in respect of adjacent land in the same ownership which has benefited by the development) and after paragraph 4 of Schedule 1 to the ^{M8}Land Compensation (Scotland) Act 1963 (which makes similar provision for Scotland):—

“4A. Where any of the relevant land forms part of an area designated as an urban development area by an order under section 134 of the Local Government, Planning and Land Act 1980.

Development of any land other than the relevant land, in the course of the development or redevelopment of that area as an urban development area.”

- (2) At the end of Part II of Schedule 1 to the Land Compensation Act 1961 there shall be added:—

“PART III

SPECIAL PROVISIONS AS TO URBAN DEVELOPMENT AREAS

- 10 For the avoidance of doubt it is hereby declared—
 - (a) that, in assessing in the circumstances described in paragraph 4A in the first column of Part I of this Schedule the increase or diminution in value to be left out of account by virtue of section 6 of this Act, no increase or diminution in value is to be excluded from being left out of account; and
 - (b) that, in assessing in those circumstances the increase in value to be taken into account by virtue of section 7 of this Act, no increase in value is to be excluded from being taken into account, merely because it is attributable—
 - (i) to any development of land which was carried out before the area was designated as an urban development area;

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- (ii) to any development or prospect of development of land outside the urban development area;
 - (iii) to any development or prospect of development of land by an authority other than the acquiring authority, possessing compulsory purchase powers.
- 11 Paragraph 10 of this Schedule shall have effect in relation to any increase or diminution in value to be left out of account by virtue of any rule of law relating to the assessment of compensation in respect of compulsory acquisition as it has effect in relation to any increase or diminution in value to be left out of account by virtue of section 6 of this Act.”
- (3) In section 6 of the ^{M9}Land Compensation Act 1961—
- (a) in subsection (1)(b), for “4” substitute “ 4A ”; and
 - (b) add at the end of subsection (2) the words “ and the provisions of Part III of that Schedule shall have effect with regard to paragraph 4A. ”.
- (4) At the end of Part II of Schedule 1 to the ^{M10}Land Compensation (Scotland) Act 1963 there shall be added:—

“PART III

SPECIAL PROVISIONS AS TO URBAN DEVELOPMENT AREAS

- 6 For the avoidance of doubt it is hereby declared—
- (a) that, in assessing in the circumstances described in paragraph 4A in the first column of Part I of this Schedule the increase or diminution in value to be left out of account by virtue of section 13 of this Act no increase or diminution of value is to be excluded from being left out of account; and
 - (b) that, in assessing in those circumstances the increase in value to be taken into account by virtue of section 14 of this Act, no increase in value is to be excluded from being taken into account, merely because it is attributable—
 - (i) to any development of land which was carried out before the area was designated as an urban development area;
 - (ii) to any development or prospect of development of land outside the urban development area;
 - (iii) to any development or prospect of development of land by an authority, other than the acquiring authority, possessing compulsory purchase powers.
- 7 Paragraph 6 of this Schedule shall have effect in relation to any increase or diminution in value to be left out of account by virtue of any rule of law relating to the assessment of compensation in respect of compulsory acquisition as it has effect in relation to any increase or diminution in value to be left out of account by virtue of section 13 of this Act.”

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- (5) In section 13 of the ^{M11}Land Compensation (Scotland) Act 1963—
- (a) in subsection (1)(b), for “4”, where it first occurs, substitute “4A”; and
 - (b) add at the end of subsection (2A) the words “ and the provisions of Part III of that Schedule shall have effect with regard to paragraph 4A. ”.

Modifications etc. (not altering text)

C1 The text of ss. 24, 25(1)–(3)(5), 26(4), 27, 32, 46 61(4A), 68(2), 69(3), 92(1)–(4)(6)–(8), 112, 114, 118, 131(3), 145, 155(1), 173, 174, 175(1), 176, 180, 181(1)–(3), 183, 92(1)–(4)(6)–(8), 184(1)(2), 186, 191, 193, 194 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M7 1961 c. 33.
M8 1963 c. 51.
M9 1961 c. 33.
M10 1963 c. 51.
M11 1963 c. 51.

146 Disposal by corporation.

- (1) Subject to this section and to any directions given by the Secretary of State under this Act, an urban development corporation may dispose of any land vested in or acquired by it to such persons, in such manner, and subject to such covenants or conditions, as it considers expedient for securing the regeneration of the corporation’s area or for purposes connected with the regeneration of the area.
- (2) The powers of an urban development corporation with respect to the disposal of land vested in or acquired by it under this Act shall be so exercised as to secure (so far as practicable) that persons who were living or carrying on business or other activities on land so acquired shall, if they desire to obtain accommodation on land belonging to the corporation and are willing to comply with any requirements of the corporation as to its development and use, have (subject to subsection (3) below) an opportunity to obtain on it accommodation suitable to their reasonable requirements on terms settled with due regard to the price at which any such land has been acquired from them.
- (3) An urban development corporation shall not have any duty to afford to a person who was carrying on a business of selling [^{F18}alcohol]^{F19}... by retail on land acquired by the corporation an opportunity of obtaining alternative accommodation for such a business.
- (4) Nothing in this Act enables an urban development corporation to dispose of land by way of gift, mortgage or charge or (in Scotland) by way of gift or in security.
- (5) References in this section to disposing of land include references to granting an interest in or right over land.
- (6) [^{F20}In this section, “alcohol” has the meaning given by section 2 of the Licensing (Scotland) Act 2005 (asp 16).]

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Textual Amendments

- F18** Word in s. 146(3) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 79\(a\)](#) (with [ss. 2\(3\)](#), [15\(2\)](#), [195](#)); [S.I. 2005/3056](#), art. 2(2)
- F19** Words in s. 146(3) repealed (S.) (1.9.2009 at 5.00 a.m.) by [Licensing \(Scotland\) Act 2005 \(asp 16\)](#), s. 150(2), [sch. 7](#) (with s. 143); [S.S.I. 2007/472](#), art. 3
- F20** S. 146(6) substituted (S.) (1.9.2009 at 5.00 a.m.) by [Licensing \(Scotland\) Act 2005 \(asp 16\)](#), s. 150(2), [sch. 6 para. 5](#) (with s. 143); [S.S.I. 2007/472](#), art. 3
- F21** Words in s. 146(6) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 79\(b\)](#) (with [ss. 2\(3\)](#), [15\(2\)](#), [195](#)); [S.I. 2005/3056](#), art. 2(2)

Marginal Citations

- M12** [1976 c. 66 \(68A:2\)](#).

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