



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART XVI

URBAN DEVELOPMENT

Urban development corporations

135 Urban development corporations.

- (1) For the purposes of regenerating an urban development area, the Secretary of State shall by order made by statutory instrument establish a corporation (an urban development corporation) for the area.
- [^{F1}(1A) Before making an order under this section in relation to an urban development area in England, the Secretary of State must consult the following persons—
 - (a) persons who appear to the Secretary of State to represent those living within, or in the vicinity of, the urban development area;
 - (b) persons who appear to the Secretary of State to represent businesses with any premises within, or in the vicinity of, the urban development area;
 - (c) each local authority for an area which falls wholly or partly within the urban development area; and
 - (d) any other person whom the Secretary of State considers it appropriate to consult.]
- (2) An order under this section may be made at the same time as an order under [^{F2}section 134(1)] above.
- [^{F3}(3) A statutory instrument containing an order made by the Secretary of State under this section does not have effect until approved by a resolution of each House of Parliament.

Status: Point in time view as at 21/03/2024.

Changes to legislation: Local Government, Planning and Land Act 1980, Cross Heading: Urban development corporations is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3A) If a draft of an instrument containing an order by the Secretary of State under this section would, but for this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.
- (3B) An order made by the Welsh Ministers under this section (by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006) does not have effect until approved by a resolution of the National Assembly for Wales.
- (3C) An order made by the Scottish Ministers under this section (by virtue of section 53 of the Scotland Act 1998) is subject to the affirmative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).]
- (4) An urban development corporation shall be a body corporate by such name as may be prescribed by the order establishing it.
- (5) Schedule 26 below shall have effect with respect to urban development corporations.
- (6) It is hereby declared that an urban development corporation is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown and that the corporation's property is not to be regarded as the property of, or property held on behalf of, the Crown.

Textual Amendments

- F1** S. 135(1A) inserted (12.5.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 167(2)**, 216(1)(e)
- F2** Words in s. 135(2) substituted (11.10.1993) by [1993 c. 28, s. 179\(4\)](#); [S.I. 1993/2134, art.4](#)
- F3** S. 135(3)-(3C) substituted for [s. 135\(3\)](#) (12.5.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 167(3)**, 216(1)(e)

Modifications etc. (not altering text)

- C1** S. 135 modified (26.3.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 47**, 115(1)(c)

136 Objects and general powers.

- (1) The object of an urban development corporation shall be to secure the regeneration of its area.
- (2) The object is to be achieved in particular by the following means (or by such of them as seem to the corporation to be appropriate in the case of its area), namely, by bringing land and buildings into effective use, encouraging the development of existing and new industry and commerce, creating an attractive environment and ensuring that housing and social facilities are available to encourage people to live and work in the area.
- (3) Subject to sections 137 and 138 below, for the purpose of achieving the object an urban development corporation may—
- (a) acquire, hold, manage, reclaim and dispose of land and other property;
 - (b) carry out building and other operations;
 - (c) seek to ensure the provision of water, electricity, gas, sewerage and other services;
 - (d) carry on any business or undertaking for the purposes of the object; and
 - (e) generally do anything necessary or expedient for the purposes of the object or for purposes incidental to those purposes.

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- (4) No provision of this Part of this Act by virtue of which any power is exercisable by an urban development corporation shall be construed as limiting the effect of subsection (3) above.
- (5) Without prejudice to the generality of the powers conferred on urban development corporations by this Act, such a corporation, for the purpose of achieving the object,—
 - (a) may, with the consent of the Secretary of State, contribute such sums as he with the Treasury's concurrence may determine towards expenditure incurred or to be incurred by any local authority or statutory undertakers in the performance of any statutory functions of the authority or undertakers, including expenditure so incurred in the acquisition of land; and
 - (b) may, with the like consent, contribute such sums as the Secretary of State with the like concurrence may determine by way of assistance towards the provision of amenities.
- (6) To avoid doubt it is declared that subsection (3) above relates only to the capacity of an urban development corporation as a statutory corporation; and nothing in this section authorises such a corporation to disregard any enactment or rule of law.
- (7) A transaction between a person and an urban development corporation shall not be invalidated by reason of any failure by the corporation to observe the object in subsection (1) above or the requirement in subsection (3) above that the corporation shall exercise the powers conferred by that subsection for the purpose of achieving that object.

Modifications etc. (not altering text)

C2 S. 136: exercise of powers continued (31.12.1995) by [S.I. 1995/3098](#), [art. 4](#)

137 Exclusion of functions.

- (1) An order under section 135 above may provide that any functions which may be exercisable by an urban development corporation by virtue of this Part of this Act and which are specified in the order are not to be exercised by the corporation established by the order, either as regards the whole of its area or as regards a portion of that area; and this Part of this Act shall apply to the corporation accordingly.
- (2) An order under section 135 above may amend any provision of a previous order under that section which was included in that order by virtue of subsection (1) above.
- (3) Nothing in subsection (2) above shall prejudice the operation of section 14 of the ^{M1}Interpretation Act 1978 (power to amend orders etc.).

Marginal Citations

M1 1978 c. 30(115:1).

138 Restrictions on powers.

- (1) Without prejudice to any provision of this Act requiring the consent of the Secretary of State to be obtained for anything to be done by an urban development corporation,

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he may give directions to such a corporation for restricting the exercise by it of any of its powers under this Act or for requiring it to exercise those powers in any manner specified in the directions.

- (2) Before giving a direction under subsection (1) above, the Secretary of State shall consult the corporation, unless he is satisfied that because of urgency consultation is impracticable.
- (3) A transaction between a person and an urban development corporation acting in purported exercise of its powers under this Act shall not be void by reason only that it was carried out in contravention of a direction given under subsection (1) above, and such a person shall not be concerned to see or enquire whether a direction under that subsection has been given or complied with.

Modifications etc. (not altering text)

- C3 S. 138 applied (16.3.1992) by [Avon Weir Act 1992 \(c. v\)](#), [s.64](#) (with s. 61).
S. 138 applied (21.7.1994) by [1994 c. xiii](#), [s. 38](#)

139 Allocation or transfer of functions.

- (1) If it appears to the Secretary of State, in the case of an urban development area, that there are exceptional circumstances which render it expedient that the functions of an urban development corporation under this Part of this Act should be performed by the urban development corporation established for the purposes of any other area instead of by a separate corporation established for the purpose, he may, instead of establishing such a separate corporation, by order direct that those functions shall be performed by the urban development corporation established for the other area.
- (2) If it appears to the Secretary of State that there are exceptional circumstances which render it expedient that the functions of an urban development corporation established for one area should be transferred to the urban development corporation established for the purposes of another area, or to a new urban development corporation to be established for the first-mentioned area, he may, by order, provide for the dissolution of the first-mentioned corporation and for the transfer of its functions, property, rights and liabilities to the urban development corporation established for the purposes of the other area or (as the case may be) to a new corporation established for the purposes of the first-mentioned area by the order.
- (3) Without prejudice to section 14 of the ^{M2}Interpretation Act 1978, an order under this section providing for the exercise of functions in relation to an area by the urban development corporation established for the purposes of another area, or for the transfer of such functions to such a corporation, may modify the name and constitution of that corporation in such manner as appears to the Secretary of State to be expedient, and for the purposes of this Act that corporation shall be treated as having been established for the purposes of each of those areas.
- (4) Before making an order under this section providing for the transfer of functions from or to an urban development corporation or for the exercise of any functions by such a corporation, the Secretary of State shall consult that corporation.
- (5) An order under this section shall make, with regard to a corporation on which functions are conferred by the order, the same provision as that which may be made with regard to a corporation under section 137 above.

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- (6) An order under this section shall be made by statutory instrument.
- (7) No order under this section shall have effect until approved by a resolution of each House of Parliament.

Marginal Citations

M2 1978 c. 30 (115:1).

140 Consultation with local authorities.

- (1) An urban development corporation shall prepare a code of practice as to consultation with the relevant local authorities about the exercise of its powers.
- (2) In this section “the relevant local authorities” means local authorities the whole or any part of whose area is included in the urban development area.
- (3) Preparation of the code shall be completed not later than the expiration of the period of 12 months from the date of the establishment of the corporation.
- (4) A corporation may from time to time revise the whole or any part of its code.
- (5) A corporation shall prepare and revise its code in consultation with the relevant local authorities.

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