

Status: Point in time view as at 26/12/2023.

Changes to legislation: Local Government, Planning and Land Act 1980, SCHEDULE 26 is up to date with all changes known to be in force on or before 14 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)

SCHEDULES

[^{F1}SCHEDULE 26 U.K.]

Section 135.

URBAN DEVELOPMENT CORPORATIONS

Textual Amendments

- F1** Sch. 26 shall cease to have effect for specified purposes (E.W.) (1.10.1996) by virtue of 1996 c. 52, s. 222, Sch. 18 Pt. IV para. 22(1)(b)(3); S.I. 1996/2402, art. 3, Sch.

Members

- 1 An urban development corporation (in this Schedule referred to as a “corporation”) shall consist of a chairman, a deputy chairman and such number of other members (not less than five but not exceeding 11) as the Secretary of State may by order under section 135 above prescribe.
- 2 (1) The members of a corporation shall be appointed by the Secretary of State.
- (2) In appointing members of the corporation the Secretary of State shall have regard to the desirability of securing the services of people having special knowledge of the locality in which the urban development area is or will be situated.
- (3) In relation to the possible appointment of people falling within sub-paragraph (2) above, the Secretary of State shall consult such local authorities as appear to him to be concerned with the regeneration of the urban development area.
- (4) The Secretary of State shall appoint two of the members to be respectively chairman and deputy chairman of the corporation.
- 3 Subject to the following provisions of this Schedule, a member of the corporation, and the chairman and deputy chairman of the corporation, shall hold and vacate office as such in accordance with the terms of the instrument by which they are respectively appointed.
- 4 If the chairman or deputy chairman ceases to be a member of the corporation, he shall also cease to be chairman or deputy chairman, as the case may be.
- 5 Any member of the corporation may, by notice in writing addressed to the Secretary of State, resign his membership; and the chairman or deputy chairman may, by the like notice, resign his office as such.
- 6 If the Secretary of State is satisfied that a member of the corporation (including the chairman or deputy chairman)—
- (a) has become bankrupt or [^{F2}has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has] made an arrangement with his creditors (or in Scotland has had his estate sequestrated or has made a trust deed for the behoof of his creditors or a composition contract), or
- (b) is incapacitated by physical or mental illness, or

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- (c) has been absent from meetings of the corporation for a period longer than 3 consecutive months without the permission of the corporation, or
- (d) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,

the Secretary of State may remove him from his office.

Textual Amendments

- F2** Words in Sch. 26 para. 6(a) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, [Sch. 2 para. 12](#) (with art. 5)

- 7 A member of the corporation who ceases to be a member or ceases to be chairman or deputy chairman shall be eligible for reappointment.

Remuneration

- 8 The corporation may pay to each member such remuneration and allowances as the Secretary of State may determine [^{F3}with the consent of the Minister for the Civil Service].

Textual Amendments

- F3** Words in Sch. 26 para. 8 repealed (E.W.) (1.10.1996) by [1996 c. 52, s. 227, Sch. 19 Pt. XIII](#); [S.I. 1996/2402, art. 3, Sch.](#)

Modifications etc. (not altering text)

- C1** Sch. 26 para. 8: certain functions of the Minister for the Civil Service transferred to the Treasury by [S.I. 1981/1670, art. 2](#); and any requirement in Sch. 26 for the consent or approval of the Treasury shall cease to have effect (E.W.) (1.10.1996) by [1996 c. 52, s. 222, Sch. 18 Pt. IV para. 22\(1\)\(b\)\(3\)](#); [S.I. 1996/2402, art. 3, Sch.](#)

- 9 The corporation may pay or make provision for paying, to or in respect of any member, such sums by way of pensions, allowances and gratuities as the Secretary of State may determine [^{F4}with the consent of the Minister of the Civil Service].

Textual Amendments

- F4** Words in Sch. 26 para. 9 repealed (E.W.) (1.10.1996) by [1996 c. 52, s. 227, Sch. 19 Pt. XIII](#); [S.I. 1996/2402, art. 3, Sch.](#)

Modifications etc. (not altering text)

- C2** Sch. 26 para. 9: certain functions of the Minister for the Civil Service transferred to the Treasury by [S.I. 1981/1670, art. 2](#); and any requirement in Sch. 26 for the consent or approval of the Treasury shall cease to have effect (E.W.) (1.10.1996) by [1996 c. 52, s. 222, Sch. 18 Pt. IV para. 22\(1\)\(b\)\(3\)](#); [S.I. 1996/2402, art. 3, Sch.](#)

- 10 Where a person ceases to be a member otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the corporation may make to him payment of such amount as the Secretary of State may determine [^{F5}with the consent of the Minister for the Civil Service].

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Textual Amendments

F5 Words in Sch. 26 para. 10 repealed (E.W.) (1.10.1996) by 1996 c. 52, s. 227, **Sch. 19 Pt. XIII**; S.I. 1996/2402, art. 3, **Sch.**

Modifications etc. (not altering text)

C3 Sch. 26 para. 10: certain functions of the Minister for the Civil Service transferred to the Treasury by S.I. 1981/1670, **art. 2**; and any requirement in Sch. 26 for the consent or approval of the Treasury shall cease to have effect (E.W.) (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. IV para. 22(1)(b)(3)**; S.I. 1996/2402, art. 3, **Sch.**

Staff

- 11 (1) A corporation may, with the approval of the Secretary of State, appoint such officers and servants as the corporation may determine.
- (2) References in paragraph 12 below to employees of a corporation are to persons appointed in pursuance of this paragraph.
- 12 (1) Employees of a corporation shall be appointed at such remuneration and on such other terms and conditions as the corporation may determine.
- (2) A corporation may pay such pensions, allowances or gratuities as it may determine to or in respect of any of its employees, make such payments as it may determine towards the provision of pensions, allowances or gratuities to or in respect of any of its employees or provide and maintain such schemes as it may determine (whether contributory or not) for the payment of pensions, allowances or gratuities to or in respect of any of its employees.
- (3) The reference in sub-paragraph (2) above to pensions, allowances or gratuities to or in respect of any of a corporation's employees includes a reference to pensions, allowances or gratuities by way of compensation to or in respect of any of the corporation's employees who suffer loss of office or employment or loss or diminution of emoluments.
- (4) If an employee of a corporation becomes a member and was by reference to his employment by the corporation a participant in a pension scheme maintained by the corporation for the benefit of any of its employees, the corporation may determine that his service as a member shall be treated for the purposes of the scheme as service as an employee of the corporation whether or not any benefits are to be payable to or in respect of him by virtue of paragraph 9 above.
- (5) A determination of the corporation for the purposes of this paragraph is ineffective unless made with the approval of the Secretary of State given [^{F6}with the consent of the Minister for the Civil Service]

Textual Amendments

F6 Words in Sch. 26 para. 12(5) repealed (E.W.) (1.10.1996) by 1996 c. 52, s. 227, **Sch. 19 Pt. XIII**; S.I. 1996/2402, art. 3, **Sch.**

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Modifications etc. (not altering text)

- C4** Sch. 26 para. 12: certain functions of the Minister for the Civil Service transferred to the Treasury by S.I. 1981/1670, **art. 2**; and any requirement in Sch. 26 for the consent or approval of the Treasury shall cease to have effect (E.W.) (1.10.1996) by 1996 c. 52, s. 222, **Sch. 18 Pt. IV para. 22(1)(b)(3)**; S.I. 1996/2402, **art. 3, Sch.**

Meetings and proceedings

- 13 The quorum of the corporation and the arrangements relating to its meetings shall, subject to any directions given by the Secretary of State, be such as the corporation may determine.
- 14 The validity of any proceedings of the corporation shall not be affected by any vacancy among its members or by any defect in the appointment of any of its members.

^{F7}Delegation of planning functions

Textual Amendments

- F7** Sch. 26 paras. 14A, 14B and cross-headings inserted (13.7.2004) by **Planning and Compulsory Purchase Act 2004 (c. 5), s. 121(6), Sch. 7 para. 10(7)** (with s. 111, Sch. 7 para. 10(6))

- 14A (1) This paragraph applies in relation to any function conferred on the corporation by virtue of an order under section 149 above.
- (2) The corporation may appoint committees and such committees may appoint sub-committees.
- (3) Anything which is authorised or required to be done by the corporation—
- (a) may be done by any member of the corporation or of its staff who is authorised for the purpose either generally or specifically;
 - (b) may be done by a committee or sub-committee which is so authorised.
- (4) The corporation may—
- (a) determine the quorum of a committee or sub-committee;
 - (b) make such arrangements as it thinks appropriate relating to the meetings and procedure of a committee or sub-committee.
- (5) Anything done for the purposes of sub-paragraph (4) is subject to directions given by the Secretary of State.
- (6) The validity of anything done by a committee or sub-committee is not affected by—
- (a) any vacancy among its members;
 - (b) any defect in the appointment of any of its members.
- (7) This paragraph does not extend to Scotland.

Delegation of planning functions

- 14B (1) This paragraph has effect in relation to the membership of committees and sub-committees appointed under paragraph 14A.

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- (2) A committee may consist of—
- (a) such members of the corporation as it appoints;
 - (b) such other persons as the corporation (with the consent of the Secretary of State) appoints.
- (3) A sub-committee of a committee may consist of—
- (a) such members of the committee as it appoints;
 - (b) such persons who are members of another committee of the corporation (whether or not they are members of the corporation) as the committee appoints;
 - (c) such other persons as the corporation (with the consent of the Secretary of State) appoints.
- (4) The membership of a committee or sub-committee—
- (a) must always include at least one person who is a member of the corporation;
 - (b) must not include any person who is a member of the staff of the corporation.]

Instruments, etc.

- 15 The fixing of the seal of the corporation shall be authenticated by the signature of the chairman or of some other member authorised either generally or specially by the corporation to act for that purpose.
- 16 Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the corporation by any person generally or specially authorised by it to act for that purpose.
- 17 Any document purporting to be a document duly executed under the seal of the corporation shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

House of Commons disqualification

- 18 In Part III of Schedule 1 to the ^{M1}House of Commons Disqualification Act 1975 (disqualifying offices), there shall be inserted at the appropriate place in alphabetical order:—

“Any member, in receipt of remuneration, of an urban development corporation (within the meaning of Part XVI of the Local Government Planning and Land Act 1980)”.]

Modifications etc. (not altering text)

- C5** The text of Schs. 2, 3, Sch. 4 paras. 1(1)(2)–(4), 10, Sch. 5, Sch. 6 paras. 1, 4–6, 10–16, 21, Sch. 7 Pt. I paras. 2(2)(5)(6), 3(2)(4), 6, 7, 8, Sch. 7 Pt. II paras. 14(1), 15, Sch. 23 Pt. II para. 2, Pt. III paras. 3–7, Pt. V paras. 12–20, Pt. VI para. 21, Sch. 25 Pt. II para. 7, Pt. III para. 8, Pt. IV para. 9, Sch. 26 para. 18, Sch. 33 paras. 1–5, 7, 13, 14 Sch. 34, Sch. 32 Pt. III para. 19 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.

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Marginal Citations

M1 1975 c. 24.

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