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Leasehold Reform, Housing and Urban Development Act 1993

1993 CHAPTER 28

PART III

DEVELOPMENT OF URBAN AND OTHER AREAS

Urban development corporations

VALID FROM 10/11/1993

177 Power to act as agents of Agency.

- (1) The Agency may, with the consent of the Secretary of State, appoint an urban development corporation, on such terms as may be agreed, to act as its agent in connection with such of its functions (other than its power to give financial assistance) as may be specified in the appointment; and where such an appointment is made, the urban development corporation shall act as such an agent in accordance with the terms of its appointment.
- (2) For the purpose of assisting the Agency to carry out any of its functions, an urban development corporation, on being so requested by the Agency, may arrange for any of its property or staff to be made available to the Agency for such period and on such other terms as it thinks fit.
- (3) In this section “urban development corporation” means a corporation established by an order under section 135 of the 1980 Act.

178 Powers with respect to private streets.

For section 157 of the 1980 Act (highways) there shall be substituted the following sections—

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“ Private streets

157 Adoption of private streets.

- (1) Where any street works have been executed on any land in an urban development area which was then or has since become a private street (or part of a private street), the urban development corporation may serve a notice (an “adoption notice”) on the street works authority requiring the authority to declare the street (or part) to be a highway which for the purposes of the Highways Act 1980 is a highway maintainable at the public expense.
- (2) Within the period of two months beginning with the date on which the adoption notice was served, the street works authority may appeal against the notice to the Secretary of State.
- (3) After considering any representations made to him by the corporation and the street works authority, the Secretary of State shall determine an appeal under subsection (2) above by setting aside or confirming the adoption notice (with or without modifications).
- (4) Where, under subsection (3) above, the Secretary of State confirms the adoption notice—
 - (a) he may at the same time impose conditions (including financial conditions) upon the corporation with which it must comply in order for the notice to take effect; and
 - (b) with effect from such date as the Secretary of State may specify, the street (or part) shall become a highway which for the purposes of the Highways Act 1980 is a highway maintainable at the public expense.
- (5) Where a street works authority neither complies with the adoption notice, nor appeals under subsection (2) above, the street (or part) shall become, upon the expiry of the period of two months referred to in subsection (2) above, a highway which for the purposes of the Highways Act 1980 is a highway maintainable at the public expense.
- (6) In this section—

“highway” has the same meaning as in the Highways Act 1980;
 “private street”, “street works” and “street works authority” have the same meanings as in Part XI of that Act.
- (7) This section does not extend to Scotland.

157A Connection of private streets to highway.

- (1) An urban development corporation may serve a notice (a “connection notice”) on the local highway authority requiring the authority to connect a private street in the urban development area to an existing highway (whether or not it is a highway which for the purposes of the Highways Act 1980 is a highway maintainable at the public expense).
- (2) A connection notice must specify—
 - (a) the private street and the existing highway;

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- (b) the works which appear to the corporation to be necessary to make the connection; and
 - (c) the period within which those works should be carried out.
- (3) Before serving a connection notice an urban development corporation shall consult the local highway authority about the proposed contents of the notice.
- (4) Within the period of two months beginning with the date on which the connection notice was served, the local highway authority may appeal against the notice to the Secretary of State.
- (5) After considering any representations made to him by the corporation and the local highway authority, the Secretary of State shall determine an appeal under subsection (4) above by setting aside or confirming the connection notice (with or without modifications).
- (6) A connection notice becomes effective—
 - (a) where no appeal is made within the period of two months referred to in subsection (4) above, upon the expiry of that period;
 - (b) where an appeal is made within that period but is withdrawn before it has been determined by the Secretary of State, on the date following the expiry of the period of 21 days beginning with the date on which the Secretary of State is notified of the withdrawal;
 - (c) where an appeal is made and the connection notice is confirmed by a determination under subsection (5) above, on such date as the Secretary of State may specify in the determination.
- (7) Where a connection notice becomes effective, the local highway authority shall carry out the works specified in the notice within such period as may be so specified and may recover from the corporation the expenses reasonably incurred by them in doing so.
- (8) If the local highway authority do not carry out the works specified in the notice within such period as may be so specified, the corporation may themselves carry out or complete those works or arrange for another person to do so.
- (9) In this section—
 - “highway” and “local highway authority” have the same meanings as in the Highways Act 1980;
 - “private street” has the same meaning as in Part XI of that Act.
- (10) This section does not extend to Scotland.

157B Traffic regulation orders for private streets.

- (1) Where—
 - (a) an urban development corporation submits to the Secretary of State that an order under this section should be made in relation to any road in the urban development area which is a private street; and
 - (b) it appears to the Secretary of State that the traffic authority do not intend to make an order under section 1 or, as the case may be, section 6 of the Road Traffic Regulation Act 1984 (orders concerning traffic regulation) in relation to the road,

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the Secretary of State may by order under this section make in relation to the road any such provision as he might have made by order under that section if he had been the traffic authority.

(2) The Road Traffic Regulation Act 1984 applies to an order under this section as it applies to an order made by the Secretary of State under section 1 or, as the case may be, section 6 of that Act in relation to a road for which he is the traffic authority.

(3) In this section—

“private street” has the same meaning as in Part XI of the Highways Act 1980;

“road” and “traffic authority” have the same meanings as in the Road Traffic Regulation Act 1984.

(4) This section does not extend to Scotland.”

Commencement Information

II [S. 178](#) wholly in force at 11.10.1993 (subject to the transitional provisions and savings in Sch. 1 to 1993/2134) see [s. 188\(2\)](#) and [S.I. 1993/2134](#), [art. 4\(b\)](#)

179 Adjustment of areas.

(1) After subsection (3) of section 134 (urban development areas) of the 1980 Act there shall be inserted the following subsections—

“(3A) The Secretary of State may by order alter the boundaries of any urban development area so as to exclude any area of land.

“(3B) Before making an order under subsection (3A) above, the Secretary of State shall consult any local authority the whole or any part of whose area is included in the area of land to be excluded by the order.”

(2) In subsection (4) of that section, for the words “this section” there shall be substituted the words “ subsection (1) above ”.

(3) After that subsection there shall be inserted the following subsection—

“(5) The power to make an order under subsection (3A) above—

(a) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament; and

(b) shall include power to make such incidental, consequential, transitional or supplementary provision as the Secretary of State thinks fit.”

(4) In section 135(2) of that Act (establishment of urban development corporations), for the words “section 134” there shall be substituted the words “ section 134(1) ”.

(5) In section 171 of that Act (interpretation of Part XVI: general), for the definition of “urban development area” there shall be substituted the following definition—

““urban development area” means so much of an area designated by an order under subsection (1) of section 134 above as is not excluded from it by an order under subsection (3A) of that section;”.

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180 Transfers of property, rights and liabilities.

- (1) In subsection (1) of section 165 of the 1980 Act (power to transfer undertaking of urban development corporation), after the words “local authority”, in both places where they occur, there shall be inserted the words “or other body”.
- (2) Subsection (3) of that section (transfer of liabilities by order) shall cease to have effect; and after that section there shall be inserted the following section—

“165A Transfer of property, rights and liabilities by order.

- (1) Subject to this section, the Secretary of State may at any time by order transfer to himself, upon such terms as he thinks fit, any property, rights or liabilities which—
 - (a) are for the time being vested in an urban development corporation, and
 - (b) are not proposed to be transferred under an agreement made under section 165 above and approved by the Secretary of State with the Treasury’s concurrence.
- (2) An order under this section may terminate—
 - (a) any appointment of the corporation under subsection (1) of section 177 of the Leasehold Reform, Housing and Urban Development Act 1993 (power of corporations to act as agents of the Urban Regeneration Agency); and
 - (b) any arrangements made by the corporation under subsection (2) of that section.
- (3) Before making an order under this section, the Secretary of State shall consult each local authority in whose area all or part of the urban development area is situated.
- (4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (3) In subsection (9) of that section—
 - (a) after the words “this section” there shall be inserted the words “and sections 165A and 166 below”;
 - (b) for the words “the section”, in both places where they occur, there shall be substituted the words “the sections”.
- (4) For subsection (1) of section 166 of that Act (dissolution of urban development corporations) there shall be substituted the following subsection—
 - “(1) Where all property, rights and liabilities of an urban development corporation have been transferred under or by one or more relevant instruments, the Secretary of State may make an order by statutory instrument under this section.”
- (5) For subsection (5) of that section there shall be substituted the following subsection—
 - “(5) In this section “relevant instrument” means an agreement made under section 165 above or an order made under section 165A above.”

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Commencement Information

- I2** S. 180 wholly in force; s. 180 not in force at Royal Assent see s. 188(2); s. 180 in force for certain purposes at 11.10.1993 by S.I. 1993/2134, art. 4; s. 180 in force at 10.11.1993 in so far as it was not in force by S.I. 1993/2762, art. 3

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