EXPLANATORY MEMORANDUM TO

THE OXFORD STREET DEVELOPMENT CORPORATION (FUNCTIONS) ORDER 2026

2026 No. 831

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Ministry of Housing, Communities and Local Government and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Nesil Caliskan MP, Parliamentary Under-Secretary of State at the Ministry of Housing, Communities and Local Government, confirms that this Explanatory Memorandum meets the required standard.

2.2 John McManus, Deputy Director for the Local Growth Delivery Unit at the Ministry of Housing, Communities and Local Government, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Kerry Williams at the Ministry of Housing, Communities and Local Government can be contacted with any queries regarding the instrument. Email: Kerry.Williams@communities.gov.uk

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 Under the powers in the Localism Act 2011, the Mayor of London designated an area of Greater London as a Mayoral Development Area and on 1 January 2026 established the Oxford Street Development Corporation ('the Corporation') for that area. The area extends from Tottenham Court Road to Marble Arch and includes land within the City of Westminster and the London Borough of Camden. The Mayor has decided that the Corporation should become the local planning authority for its area for the purposes specified in this Order. This Order gives effect to the Mayor's decision by transferring responsibility for the exercise of planning functions specified in this Order within the Mayoral Development Area from the existing local planning authorities, the City of Westminster and the London Borough of Camden, to the Corporation.

4.2 The instrument also makes transitional provision in relation to planning functions exercised by the previous local planning authorities prior to the commencement date, in order to ensure continuity and legal certainty for matters already underway.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England, in relation to land within the Oxford Street Mayoral Development Area in Greater London.

5. Policy Context

What is being done and why?

5.1 The Mayor of London has designated an area of Greater London as a Mayoral Development Area and on 1 January 2026 established the Oxford Street Development Corporation to support the regeneration, management and coordinated development of the area. The area extends from Tottenham Court Road to Marble Arch and includes land within the City of Westminster and the London Borough of Camden.

5.2 The establishment of the Corporation and the transfer of planning functions specified in this Order are intended to support the regeneration and coordinated development of Oxford Street. Bringing planning decision-making, enforcement and related functions together within a single body is intended to improve the effectiveness of planning control within the area and support the delivery of the Mayor's objectives for regeneration and place-making.

5.3 The Mayor has also decided that the Corporation should exercise the additional planning functions made available to development corporations under Schedule 29 of the Local Government, Planning and Land Act 1980. This includes enforcement powers and the functions made available by section 174(4) of the Levelling-up and Regeneration Act 2023, which updates Schedule 29, as well as related functions under Schedule 8 to the Electricity Act 1989. The Mayor has also decided that the Corporation should exercise other functions, which will be conferred through separate secondary legislation in due course.

What was the previous policy, how is this different?

5.4 Prior to the coming into force of this instrument, planning functions for land within the Mayoral Development Area were exercised by the relevant London borough councils, the City of Westminster and the London Borough of Camden, acting as local planning authorities for their respective administrative areas. These authorities were responsible for determining planning applications, exercising planning enforcement powers and carrying out related planning functions within their administrative areas.

5.5 Following the coming into force of this instrument, the planning functions specified in the Order are exercised by the Corporation instead, insofar as they relate to land within the Mayoral Development Area. This represents a change in the body exercising those statutory functions, rather than a change in planning policy or substantive planning law and requires secondary legislation to transfer responsibility from the existing local planning authorities to the Corporation.

5.6 Schedule 1 to this instrument sets out the transitional provisions in relation to planning functions exercised by the previous local planning authorities before the commencement date. The general approach is that anything which, immediately before that date, was being done by or in relation to a previous authority under a function transferred by this instrument may be continued by, or treated as having been done by, the Corporation after that date.

5.7 Specific transitional provision is made for the previous local planning authorities to retain responsibility in relation to enforcement action, planning appeals and

compensation in connection with planning functions in relation to decisions or actions undertaken before the commencement date.

5.8 These transitional provisions are necessary in order to ensure a smooth handover of planning functions and to provide certainty for applicants, local authorities and other stakeholders affected by the transfer of responsibility. The transitional provisions follow established precedent for the transfer of planning functions to mayoral development corporations.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 197 of the Localism Act 2011 enables the Mayor of London to designate an area of land in Greater London as a Mayoral Development Area.

6.2 Section 198 of the Localism Act 2011 requires the Secretary of State, where notified by the Mayor, to make an order establishing a Mayoral Development Corporation and giving effect to decisions made by the Mayor under section 202 of that Act.

6.3 Sections 202(2) to (5) of the Localism Act 2011 enable the Mayor to decide that a Mayoral Development Corporation is to be the local planning authority for its area, for the purposes of Part 3 of the Town and Country Planning Act 1990 and for the purposes of functions listed in Part 1 of Schedule 29 to the Local Government, Planning and Land Act 1980.

6.4 Section 174(4) of the Levelling-up and Regeneration Act 2023 amends and updates Schedule 29 to the Local Government, Planning and Land Act 1980, which lists the planning functions that may be conferred on a development corporation. The updated functions include additional planning enforcement powers, the determination of applications for certificates of lawfulness of existing or proposed use or development, and the determination of applications for certificates of appropriate alternative development in connection with compulsory purchase.

6.5 This instrument gives effect to the Mayor's decisions by conferring the relevant planning functions on the Oxford Street Development Corporation and by making transitional provision of the kind used for previous mayoral development corporations.

Why was this approach taken to change the law?

6.6 The Localism Act 2011 requires that decisions by the Mayor regarding the functions of a Mayoral Development Corporation are implemented through secondary legislation made by the Secretary of State. This instrument is therefore the only available mechanism to confer the relevant planning functions on the Corporation and to make the necessary transitional provision.

7. Consultation

Summary of consultation outcome and methodology

7.1 In accordance with section 197 of the Localism Act 2011, the Mayor of London consulted on proposals to designate a Mayoral Development Area and establish the Oxford Street Development Corporation and confer planning and other functions on the Corporation.

7.2 The consultation ran from 28 February to 2 May 2025.

7.3 The required statutory consultees, including the relevant local authorities and Members of Parliament whose constituencies include land within the proposed area, were consulted. The consultation was also open to members of the public. Sixty-nine per cent of respondents supported the establishment of a Mayoral Development Corporation in the area.

7.4 A report on the responses to the consultation was published on 17 June 2025 and is available on the Greater London Authority's website at: Oxford Street Transformation- Consultation Report (June 2025).

8. Applicable Guidance

8.1 No guidance is required for this instrument.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because no direct additional costs to business, charities or voluntary bodies are foreseen.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The functions of Mayoral Development Corporations are subject to periodic review by the Greater London Authority and the Secretary of State.

10.2 This Order does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").