
STATUTORY INSTRUMENTS

2017 No. 510

**The West Midlands Combined Authority
(Functions and Amendment) Order 2017**

PART 4

Mayoral Development Corporations

Application of provisions in the Localism Act 2011

13.—(1) Chapter 2 of Part 8 (Mayoral development corporations) of the 2011 Act applies in relation to the Combined Authority as it applies in relation to the Mayor of London with the modifications made by Schedule 4.

(2) Chapter 2 of Part 8 of the 2011 Act applies in relation to a Corporation as it applies in relation to a Mayoral development corporation, with the modifications made by Schedule 4.

(3) Subject to paragraph (6), in any enactment passed or made on or before 8th May 2017—

(a) any reference to a Mayoral development corporation; or

(b) any reference which falls to be read as a reference to a Mayoral development corporation,

is to be treated as including a reference to a Corporation.

(4) For the purposes of any transfer scheme under any provisions of the 2011 Act applied with modifications by this Order, paragraph 9 of Schedule 24 to the 2011 Act (transfers under scheme under section 200(1) or (4) or 216(1)) applies in relation to—

(a) any property, rights or liabilities transferred to or from a Corporation in accordance with a transfer scheme, or

(b) anything done for the purposes of, or in relation to, or in consequence of, the transfer of any property, rights or liabilities to or from a Corporation in accordance with such a transfer scheme,

as it applies in relation to a Mayoral development corporation.

(5) For the purposes of establishing a Corporation, giving the Corporation a name, giving effect to any decisions notified to the Secretary of State (under sections 199(4) (exclusion of land from Mayoral development areas), 202(8) (decisions about planning functions), 214(6) (powers in relation to discretionary relief from non-domestic rates) of the 2011 Act) or making provision for varying the way in which a relevant tax has effect from time to time in relation to the transfer of land to or from a Corporation under any provision of the 2011 Act, applied with modifications by this Order, the provisions in section 235 of the 2011 Act (orders and regulations) apply in relation to—

(a) the power of a Minister of the Crown to make an order under sections 198(2) (mayoral development corporations: establishment) and 200(6) (transfers of property etc to a Mayoral development corporation) of that Act; and

(b) the power of the Treasury to make regulations under paragraph 9(2) of Schedule 24 to that Act,

as they apply in relation to the establishment of a Mayoral development corporation, giving the corporation a name, giving effect to any decisions notified to the Secretary of State (under sections 199(4), 202(8) and 214(6) of the 2011 Act) and making provision for varying the way in which a relevant tax has effect from time to time in relation to a transfer of land to or from a Mayoral development corporation.

(6) Paragraph (3) does not apply to—

- (a) paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel Rail Link Act 1996⁽¹⁾;
- (b) section 31(1A) of the 1999 Act⁽²⁾;
- (c) section 38 of the 1999 Act⁽³⁾;
- (d) section 60A(3) of the 1999 Act⁽⁴⁾;
- (e) section 68(6) of the 1999 Act⁽⁵⁾;
- (f) section 73 of the 1999 Act⁽⁶⁾;
- (g) section 424 of the 1999 Act⁽⁷⁾;
- (h) section 24(4) of the Planning and Compulsory Purchase Act 2004⁽⁸⁾; and
- (i) paragraph 8(8)(a) of Schedule 2 to the Crossrail Act 2008⁽⁹⁾.

(1) 1996 c. 61. Paragraph 9(8) of Schedule 2 was amended by section 222 of, and Schedule 22 to, the 2011 Act.

(2) Section 31(1A) was inserted by section 22 of, and Schedule 22 to, the 2011 Act, section 33 of the Infrastructure Act 2015 (c. 7) and article 2 of S.I. 2012/1530.

(3) Section 38 was amended by S.I. 2001/2237, section 224 of the Planning Act 2008 (c. 29), sections 195, 222 and 237 of, and Schedules 19, 20, 22 and 25 to, the 2011 Act, and by section 28 of the Growth and Infrastructure Act 2013 (c. 27).

(4) Section 60A was inserted by section 4 of the Greater London Authority Act 2007 (c. 24) and subsection (3) was amended by S.I. 2008/2038, section 20 of the Police Reform and Social Responsibility Act 2011 (c. 13), and Schedules 22 and 25 to the 2011 Act.

(5) Section 68(6) was amended by sections 222 and 237 of, and Schedules 22 and 25 to, the 2011 Act.

(6) Section 73 was amended by S.I. 2000/1435, sections 7 and 9 of, and Schedule 2 to, the Greater London Authority Act 2007, section 182 of, and Schedule 12 to, the Local Government and Public Involvement in Health Act 2007 (c. 28), and by sections 195, 222 and 237 of, and Schedules 22 and 25 to the 2009 Act.

(7) Section 424 was amended by sections 11, 12, 21 and 22 of the Greater London Authority Act 2007, S.I. 2009/1941, section 3 of the Police Reform and Social Responsibility Act 2011, and sections 222 and 237 of, and Schedules 22 and 25 to, the 2011 Act.

(8) 2004 c. 5. Section 24(4) was amended by section 222 of, and Schedule 22 to, the 2011 Act.

(9) 2008 c. 18. Paragraph 8 of Schedule 2 was amended by section 222 of, and Schedule 22 to, the 2011 Act.