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STATUTORY INSTRUMENTS

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**2018 No. 1133**

The Newcastle Upon Tyne, North Tyneside and Northumberland  
Combined Authority (Establishment and Functions) Order 2018

PART 4

Housing and regeneration

**Housing and regeneration**

**13.**—(1) The functions of the constituent councils described in the following provisions are exercisable by the Combined Authority in relation to the combined area—

- (a) section 1 of the 2011 Act (local authority’s general power of competence) so far as those functions are exercisable for the purpose of economic development and regeneration;
- (b) section 8 of the 1985 Act<sup>(1)</sup> (periodical review of housing needs);
- (c) section 11 of the 1985 Act<sup>(2)</sup> (provision of board and laundry facilities);
- (d) section 12 of the 1985 Act (provision of shops, recreation grounds, etc)<sup>(3)</sup>;
- (e) section 17 of the 1985 Act<sup>(4)</sup> (acquisition of land for housing purposes); and
- (f) section 18 of the 1985 Act (duties with respect to buildings acquired for housing purposes).

(2) The exercise of the functions in paragraphs (1)(c) to (e) requires the consent of—

- (a) all members of the Combined Authority appointed by the constituent councils whose area contains any part of the land in relation to which the function is to be exercised; or
- (b) substitute members acting in place of those members,

to be provided at a meeting of the Combined Authority

(3) The functions in paragraph (1) are exercisable by the Combined Authority concurrently with the constituent councils.

(4) Any requirement in any enactment for a constituent council to exercise any of the functions described in paragraph (1) may be fulfilled by the exercise of that function by the Combined Authority.

(5) The provisions referred to in paragraph (1) apply to the Combined Authority as they apply to a constituent council.

(6) For the purposes of paragraph (1)(b) to (f) the Combined Authority is to be treated as a local housing authority for the combined area.

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(1) 1985 c. 68. Section 8 was amended by paragraph 62 of Schedule 11 to the 1989 Act and section 124 of the Housing and Planning Act 2016 (c. 22).  
(2) Section 11 was amended by section 198 of and paragraph 103 of Schedule 6 to the Licensing Act 2003 (c. 17).  
(3) Section 12 was amended by S.I. 2010/844.  
(4) Section 17 was amended by section 222 of and paragraph 24 of Schedule 18 to the Housing Act 1996 (c. 52).

## **Conferral of functions the Homes and Communities Agency has in relation to the combined area**

**14.**—(1) The functions of the Homes and Communities Agency (“HCA”) which are specified in the following provisions of the 2008 Act are to be functions of the Combined Authority that are exercisable in relation to the combined area—

- (a) section 5 (powers to provide housing or other land);
- (b) section 6 (powers for regeneration, development or effective use of land);
- (c) section 7 (powers in relation to infrastructure);
- (d) section 8 (powers to deal with land etc);
- (e) section 9 (acquisition of land);
- (f) section 10 (restrictions on disposal of land);
- (g) section 11 (main powers in relation to acquired land)(**5**);
- (h) section 12 (powers in relation to, and for, statutory undertakers);
- (i) paragraphs 19 and 20 of Schedule 3 (powers in relation to burial grounds and consecrated land etc); and
- (j) paragraphs 1, 2, 3, 4, 6, 10 and 20 of Schedule 4 (extinguishment or removal powers for the HCA).

(2) The Combined Authority must exercise the functions described in the provisions specified in paragraph (1) for the purposes of, or for purposes incidental to the objective of—

- (a) improving the supply and quality of housing in the combined area;
- (b) securing the regeneration or development of land or infrastructure in the combined area;
- (c) supporting in other ways the creation, regeneration or development of communities in the combined area or their continued well-being; and
- (d) contributing to the achievement of sustainable development and good design in the combined area,

with a view to meeting the needs of people living in the combined area.

(3) The functions described in the provisions specified in paragraph (1) are—

- (a) exercisable concurrently with the HCA; and
- (b) subject to Schedules 2 (acquisition of land) and 3 (main powers in relation to land acquired by the HCA) to the 2008 Act.

(4) In paragraph (2) “good design” and “needs” have the meanings given by section 2(2) of the 2008 Act and the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing.

(5) Chapters 1 and 2 of Part 1 of and Schedules 2 to 4 to, the 2008 Act apply in relation to the powers of the Combined Authority to acquire land for housing and infrastructure under the functions specified in paragraph (1) and land acquired by the Combined Authority under those functions as they apply to the HCA and land acquired by the HCA with the modifications made by Parts 1 and 2 of Schedule 3.

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(5) Section 11 was amended by section 32(1) and (2) of the Infrastructure Act 2015 (c. 7).