

Status: Point in time view as at 20/12/2023.

Changes to legislation: Housing and Regeneration Act 2008, Paragraph 20 is up to date with all changes known to be in force on or before 17 June 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

SCHEDULE 3

MAIN POWERS IN RELATION TO ^[F1]LAND ACQUIRED BY THE HCA

Textual Amendments

- F1** Words in Sch. 3 title substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), **ss. 32(3)**, 57(5)(e) (with s. 32(11)(12))

Modifications etc. (not altering text)

- C1** Sch. 3 applied by 1999 c. 29, s. 333ZB(1) (as substituted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 19 para. 12(2)**; S.I. 2016/733, reg. 3(m) (with reg. 10))
- C1** Sch. 3 applied by 2011 c. 20, s. 208(1) (as substituted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 19 para. 17**; S.I. 2016/733, reg. 3(m))
- C4** Schs. 2-4 applied (with modifications) (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), 9(3), **Sch. 3 Pt. 2**
- C5** Schs. 2-4 applied (with modifications) (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, 14(5), **Sch. 3** (with art. 28)
- C8** Schs. 2-4 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 10(5), **Sch. 2 Pt. 2**
- C10** Schs. 2-4 applied (with modifications) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **13(5)**, **Sch. 2 Pts. 1, 2**
- C12** Sch. 3 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 9(5), **Sch. 2 Pt. 2**

PART 3

POWERS IN RELATION TO BURIAL GROUNDS AND CONSECRATED LAND ETC.

Consecrated land other than burial grounds

- 20 (1) This paragraph applies in relation to any land of the HCA which—
- is consecrated land (whether or not including a building), and
 - does not consist in, or form part of, a burial ground.
- (2) The HCA or any other person may use the land in any way which accords with planning permission despite any obligation or restriction imposed under ecclesiastical law or otherwise in respect of consecrated land.
- (3) But any such use of the land is subject to—
- prescribed requirements about the disposal of monuments, and
 - prescribed provisions for prohibiting or restricting the use of the land while—

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- (i) any church or other building used, or formerly used, for religious worship remains on the land, or
 - (ii) any part of any such church or other building remains on the land.
- (4) Prohibitions or restrictions prescribed under sub-paragraph (3)(b) may be absolute or until a prescribed consent is obtained.

Modifications etc. (not altering text)

- C1** Sch. 3 paras. 19, 20 functions made exercisable concurrently (23.12.2016) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2016 \(S.I. 2016/1267\)](#), arts. 1(2), **5(1)(i)(2)(3)**
- C2** Sch. 3 paras. 19, 20 functions made exercisable concurrently (9.2.2017) by [The West of England Combined Authority Order 2017 \(S.I. 2017/126\)](#), arts. 1(3), **18(1)(i)** (with art. 18(3)(b))
- C3** Sch. 3 para. 20 functions made exercisable (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), **6(1)-(4)**
- C6** Sch. 3 para. 20 functions made exercisable concurrently (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, **14** (with art. 28)
- C7** Sch. 3 paras. 19, 20 functions made exercisable concurrently (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, **10(1)(i)(2)-(4)**
- C9** Sch. 3 para. 20 functions made exercisable concurrently (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **10(1)(i)(2)-(4)**
- C11** Sch. 3 para. 20: functions made exercisable concurrently (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **7**

Commencement Information

- I1** Sch. 3 para. 20 in force at 1.12.2008 by [S.I. 2008/3068](#), **art. 2(1)(f)** (with arts. 6-13)

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