

Status: Point in time view as at 06/04/2017.

Changes to legislation: Housing and Regeneration Act 2008, Cross Heading: Duty to consider objections 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 4

POWERS IN RELATION TO, AND FOR, STATUTORY UNDERTAKERS

Modifications etc. (not altering text)

- C1** Sch. 4 applied (with modifications) by 1999 c. 29, s. 333ZB(3)(4) (as inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 187(3)**, 240(2); S.I. 2012/57, art. 4(1)(w) (with arts. 6, 7, 9-11))
- C1** Sch. 4 applied (with modifications) (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 208(4)(5)**, 240(1)(l)
- C1** 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**

PART 3

EXTENSION OR MODIFICATION OF FUNCTIONS OF UNDERTAKERS

Duty to consider objections

- 21 (1) The Secretary of State and the appropriate Minister must proceed under paragraph 22 if—
- (a) an objection to the making of an order under paragraph 16 or 17 is properly made and not withdrawn, and
 - (b) the matter is not otherwise dealt with.
- (2) For the purposes of sub-paragraph (1) an objection is properly made if (and only if)—
- (a) it is made—
 - (i) within the time, and
 - (ii) in the manner,stated in the notice under paragraph 19(1) or (as the case may be) 20(1), and
 - (b) a written statement of the grounds of the objection is comprised in, or submitted with, the objection.
- (3) For the purposes of sub-paragraph (1) the matter is otherwise dealt with if (and only if) the Secretary of State and the appropriate Minister—
- (a) decide, irrespective of the objection, not to make the order, or
 - (b) decide to make a modification which is agreed to by the objector as meeting the objection.

Commencement Information

- I1** Sch. 4 para. 21 in force at 1.12.2008 by [S.I. 2008/3068](#), **art. 2(1)(g)** (with arts. 6-13)

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- 22 (1) The Secretary of State and the appropriate Minister must, before making a final decision, consider the grounds of the objection as set out in the statement comprised in, or submitted with, the objection.
- (2) The Secretary of State and the appropriate Minister may require the objector to submit within a specified period a further written statement as to any of the matters to which the objection relates.

Commencement Information

I2 Sch. 4 para. 22 in force at 1.12.2008 by S.I. 2008/3068, art. 2(1)(g) (with arts. 6-13)

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