



Localism Act 2011

CHAPTER 20

LOCALISM ACT 2011

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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SCHEDULE 1 — General power of competence: consequential amendments

- 1 Local Government Act 1972 (c. 70)
- 2 Local Government Act 2000 (c. 22)
- 3 In section 2(1) (power to promote well-being) after “Every local...
- 4 In section 3(3) to (6) (limits on power of well-being)...

SCHEDULE 2 — New arrangements with respect to governance of English local authorities

PART 1 — NEW PART 1A OF THE LOCAL GOVERNMENT ACT 2000

- 1 After Part 1 of the Local Government Act 2000 insert—...

PART 2 — NEW SCHEDULE A1 TO THE LOCAL GOVERNMENT ACT 2000

- 2 Before Schedule 1 to the Local Government Act 2000 (executive...

SCHEDULE 3 — Minor and consequential amendments relating to local authority governance in England

- 1 Local Government Act 1972 (c. 70)
- 2 In section 2 (constitution of principal councils in England) in...
- 3 (1) Section 101 (arrangements for discharge of functions by local...
- 4 In section 102 (appointment of committees) in subsection (1A)—
- 5 In section 245 (status of certain districts, parishes and communities)...
- 6 (1) Section 270(1) (general provisions as to interpretation) is amended...
- 7 Crime and Disorder Act 1998 (c. 37)
- 8 Local Government Act 2000 (c. 22)
- 9 In the heading of Part 2 (arrangements with respect to...
- 10 In section 10 (executive arrangements) after “local authority” (in both...
- 11 (1) Section 11 (forms of local authority executives) is amended...
- 12 (1) Section 12 (additional forms of executive) is amended as...
- 13 (1) Section 13 (functions which are the responsibility of an...
- 14 (1) Section 14 (discharge of functions: general) is amended as...
- 15 In section 17 (discharge of functions: section 11(5) executive) in...
- 16 (1) Section 18 (discharge of functions by area committees) is...
- 17 (1) Section 19 (discharge of functions of and by another...
- 18 In section 20 (joint exercise of functions) in subsection (1)...
- 19 (1) Section 21 (overview and scrutiny committees) is amended as...
- 20 Omit section 21ZA (scrutiny officers).
- 21 (1) Section 21A (reference of matters to overview and scrutiny...
- 22 Omit section 21C (reports and recommendations of overview and scrutiny...
- 23 (1) Section 21D (publication etc of reports, recommendations and responses:...
- 24 Omit section 21E (overview and scrutiny committees of certain district...
- 25 (1) Section 21F (as inserted by the Local Government (Wales)...
- 26 Omit section 21F (as inserted by the Flood and Water...
- 27 In the title of section 21G (Wales: designated persons) for...
- 28 (1) Section 22 (access to information) is amended as follows....
- 29 Omit section 22A (overview and scrutiny committees of certain authorities...
- 30 In section 25 (proposals) in subsections (1)(b), (5), (6)(a), (7)...
- 31 (1) Section 27 (referendum in case of proposals involving elected...

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- 32 (1) Section 28 (approval of outline fall-back proposals) is amended...
- 33 Omit section 31 (alternative arrangements).
- 34 Omit section 32 (alternative arrangements).
- 35 (1) Section 33ZA (Wales: changing governance arrangements) is amended as...
- 36 Omit section 33A (executive arrangements).
- 37 Omit section 33B (executive arrangements: other variations of arrangements).
- 38 Omit section 33C (alternative arrangements: move to executive arrangements).
- 39 Omit section 33D (alternative arrangements: variation of arrangements).
- 40 Omit section 33E (proposals by local authority).
- 41 Omit section 33F (resolution of local authority).
- 42 Omit section 33G (implementation: new executive or move to executive...
- 43 Omit section 33H (implementation: other change in governance arrangements).
- 44 Omit section 33I (general).
- 45 Omit section 33J (new form of executive or move to...
- 46 Omit section 33K (changes subject to approval in referendum: additional...
- 47 Omit section 33L (change not subject to approval in a...
- 48 Omit section 33M (cases in which change is subject to...
- 49 Omit section 33N (variation of mayoral executive).
- 50 Omit section 33O (interpretation) and the italic heading immediately before...
- 51 (1) Section 34 (referendum following petition) is amended as follows....
- 52 (1) Section 35 (referendum following direction) is amended as follows....
- 53 (1) Section 36 (referendum following order) is amended as follows....
- 54 In section 37 (local authority constitution) in subsection (1)(a) for...
- 55 In section 38 (guidance) in subsection (1) for “Secretary of...
- 56 (1) Section 39 (elected mayors etc) is amended as follows....
- 57 In section 41 (time of elections etc) for “Secretary of...
- 58 Omit section 44A (election of leader: whole-council elections) and the...
- 59 Omit section 44B (election of leader: partial-council elections).
- 60 Omit section 44C (removal of leader).
- 61 Omit section 44D (term of office of leader: whole-council elections)....
- 62 Omit section 44E (term of office of leader: partial council...
- 63 Omit section 44F (leader to continue to hold office as...
- 64 Omit section 44G (no other means of electing or removing...
- 65 Omit section 44H (regulations).
- 66 (1) Section 45 (provisions with respect to referendums) is amended...
- 67 (1) Section 47 (power to make incidental, consequential provision etc)...
- 68 (1) Section 48 (interpretation of Part 2) is amended as...
- 69 In section 48A (functions of the Lord President of the...
- 70 (1) Section 105 (orders and regulations) is amended as follows....
- 71 In section 106 (Wales) in subsection (1) omit paragraph (a)....
- 72 (1) Schedule 1 (executive arrangements: further provision) is amended as...
- 73 National Health Service Act 2006 (c. 41)
- 74 In section 244 (functions of overview and scrutiny committees) after...
- 75 (1) Section 245 (joint overview and scrutiny committees etc) is...

- 76 In section 246 (overview and scrutiny committees: exempt information) in...
- 77 (1) Section 247 (application to the City of London) is...
- 78 After section 247 (application to the City of London) insert—...
- 79 Police and Justice Act 2006 (c. 48)
- 80 (1) Section 19 (local authority scrutiny of crime and disorder...
- 81 In Schedule 8 (further provision about crime and disorder committees...

SCHEDULE 4 — Conduct of local government members

PART 1 — AMENDMENTS OF EXISTING PROVISIONS

- 1 Parliamentary Commissioner Act 1967 (c. 13)
- 2 House of Commons Disqualification Act 1975 (c. 24)
- 3 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 4 Local Government and Housing Act 1989 (c. 42)
- 5 Audit Commission Act 1998 (c. 18)
- 6 Data Protection Act 1998 (c. 29)
- 7 Local Government Act 2000 (c. 22)
- 8 (1) Section 49 (principles governing conduct of members of relevant...
- 9 (1) Section 50 (model code of conduct) is amended as...
- 10 (1) Section 51 (duty of relevant authorities to adopt codes...
- 11 In section 52(2) (power for prescribed form of declaration of...
- 12 (1) Section 53 (standards committees) is amended as follows.
- 13 (1) Section 54 (functions of standards committees) is amended as...
- 14 (1) Section 54A (sub-committees of standards committees) is amended as...
- 15 Omit section 55 (standards committees for parish councils).
- 16 Omit section 56A (joint committees of relevant authorities in England)....
- 17 Omit section 57 (Standards Board for England).
- 18 Omit section 57A (written allegations: right to make, and initial...
- 19 Omit section 57B (right to request review of decision not...
- 20 Omit section 57C (information to be given to subject of...
- 21 Omit section 57D (power to suspend standards committee's functions).
- 22 Omit section 58 (allegations referred to Standards Board).
- 23 Omit section 59 (functions of ethical standards officers).
- 24 Omit section 60 (conduct of investigations).
- 25 Omit section 61 (procedure in respect of investigations).
- 26 Omit section 62 (investigations: further provisions).
- 27 Omit section 63 (restrictions on disclosure of information).
- 28 Omit section 64 (reports etc).
- 29 Omit section 65 (interim reports).
- 30 Omit section 65A (disclosure by monitoring officers of ethical standards...
- 31 Omit section 66 (matters referred to monitoring officers).
- 32 Omit section 66A (references to First-tier Tribunal).
- 33 Omit section 66B (periodic returns).
- 34 Omit section 66C (information requests).
- 35 Omit section 67 (consultation with ombudsmen).
- 36 In section 68(2) (guidance by Public Services Ombudsman for Wales) —...
- 37 (1) Section 69 (investigations by the Public Services Ombudsman for...
- 38 (1) Section 70 (investigations: further provisions) is amended as follows....

Status: This is the original version (as it was originally enacted).

- 39 In section 71(4) (reports etc) omit “in Wales”.
- 40 In section 72(6) (interim reports) omit “in Wales”.
- 41 In section 73 (matters referred to monitoring officers) omit subsection...
- 42 In section 77(7) (offence of failure to comply with regulations...
- 43 (1) Section 78 (decisions of the First-tier Tribunal or interim...
- 44 Omit section 78A (decisions of First-tier Tribunal).
- 45 Omit section 78B (section 78A: supplementary).
- 46 In section 79(13) (decisions of case tribunals: Wales) in subsection...
- 47 (1) Section 80 (recommendations by First-tier Tribunal or case tribunals)...
- 48 (1) Section 81 (disclosure and registration of members’ interests) is...
- 49 (1) Section 82 (code of conduct for local government employees)...
- 50 In section 82A (monitoring officers: delegation of functions under Part...
- 51 (1) Section 83 (interpretation of Part 3) is amended as...
- 52 In section 105(6) (orders and regulations) omit “, 49, 63(1)(j)”....
- 53 Omit Schedule 4 (Standards Board for England).
- 54 Freedom of Information Act 2000 (c. 36)
- 55 Local Government and Public Involvement in Health Act 2007 (c. 28)
PART 2 — PROVISION SUPPLEMENTARY TO PART 1
- 56 Codes of conduct under the Local Government Act 2000
- 57 Power to make provision in connection with the abolition of Standards Board for England
- 58 Power to give directions in connection with the abolition of Standards Board for England
- 59 Final statement of accounts
- 60 Disclosure of information
- 61 Interpretation

SCHEDULE 5 — New Chapter 4ZA of Part 1 of the Local Government Finance Act 1992

SCHEDULE 6 — Council tax referendums: further amendments

- 1 Local Government Finance Act 1992 (c. 14)
- 2 (1) Section 31 (substituted amounts) is amended as follows.
- 3 In section 42(1) (substituted precepts) before “52J” insert “52ZU,”.
- 4 In section 52A (interpretation of Chapter 4A) in each of...
- 5 (1) Section 52B (power to designate authorities) is amended as...
- 6 (1) Section 52C (alternative notional amounts) is amended as follows....
- 7 (1) Section 52D (designation or nomination) is amended as follows....
- 8 (1) Section 52E (designation) is amended as follows.
- 9 (1) Section 52F (challenge of maximum amount) is amended as...
- 10 (1) Section 52G (acceptance of maximum amount) is amended as...
- 11 (1) Section 52H (no challenge or acceptance) is amended as...
- 12 In section 52I(5)(a) (duty of designated billing authority) for “general”...
- 13 (1) Section 52J (duty of designated precepting authority) is amended...
- 14 (1) Section 52K (failure to substitute) is amended as follows....
- 15 (1) Section 52L (nomination) is amended as follows.
- 16 (1) Section 52M (designation after nomination) is amended as follows....
- 17 (1) Section 52N (no designation after nomination) is amended as...
- 18 (1) Section 52P (designation after previous designation) is amended as...
- 19 (1) Section 52Q (challenge of maximum amount) is amended as...
- 20 (1) Section 52R (acceptance of maximum amount) is amended as...
- 21 (1) Section 52S (no challenge or acceptance) is amended as...

- 22 In section 52T(7)(a) (duty of designated billing authority) for “general”...
- 23 (1) Section 52U (duty of designated precepting authority) is amended...
- 24 (1) Section 52V (failure to make or substitute calculation) is...
- 25 (1) Section 52W (meaning of budget requirement) is amended as...
- 26 (1) Section 52X (calculations to be net of precepts) is...
- 27 (1) Section 52Y (information for purposes of Chapter 4A) is...
- 28 Omit section 52Z (separate administration of Chapter 4A for England...
- 29 In section 66(2)(c) (matters that may not be questioned except...
- 30 In section 67(2)(b) (functions to be discharged only by authority)—...
- 31 In section 106(2)(a) (council tax: restrictions on voting) after “IV”...
- 32 In section 113(3) (orders and regulations to be subject to...
- 33 Police Act 1996 (c. 16)
- 34 Greater London Authority Act 1999 (c. 29)
- 35 In section 95 (minimum budget for Metropolitan Police Authority) after...
- 36 In section 96 (provisions supplementary to section 95) after subsection...
- 37 (1) Schedule 6 (procedure for determining the authority’s consolidated budget...
- 38 (1) Schedule 7 (procedure for making of substitute calculations by...

SCHEDULE 7 — Council tax: minor and consequential amendments

- 1 Local Government Finance Act 1988 (c. 41)
- 2 In section 74(4) (levies)— (a) in paragraph (a) after “section”...
- 3 In section 75(6)(a) (special levies) after “section” insert “31A or”....
- 4 In section 97(1) (principal transfers between funds)—
- 5 In section 99(4) (regulations about funds) for “32(4)” substitute “31A(4)”....
- 6 In Schedule 7 (non-domestic rating: multipliers) in paragraph 9(4) in...
- 7 Local Government Finance Act 1992 (c. 14)
- 8 (1) Section 30 (amounts of council tax for different categories...
- 9 In section 31(1)(a) (substituted amounts) after “section” insert “36A,”.
- 10 (1) Section 32 (calculation of budget requirement by billing authority)...
- 11 (1) Section 33 (calculation of basic amount of tax by...
- 12 In section 34(2) (additional calculation where special items relate to...
- 13 In section 35(1)(a) (special item for the purposes of section...
- 14 In section 36(1) (calculation of tax for different valuation bands)...
- 15 After section 36 insert— Substitute calculations: England (1) An authority in England which has made calculations in...
- 16 In section 37(1) (substitute calculations) after “authority” insert “in Wales”....
- 17 (1) Section 40 (issue of precepts by major precepting authorities)...
- 18 (1) Section 41 (precepts by local precepting authorities) is amended...
- 19 In section 42(1)(b) (substituted precepts) after “49,” insert “49A,”.
- 20 (1) Section 43 (calculation of budget requirement by major precepting...
- 21 (1) Section 44 (calculation of basic amount of tax by...
- 22 In section 45(2) (additional calculation where special items relate to...
- 23 In section 46(1) (special item for the purposes of section...
- 24 In section 47(1) (calculation of tax for different valuation bands)...
- 25 (1) Section 48 (calculation of amount payable by each billing...
- 26 (1) Section 49 (substitute calculations) is amended as follows.
- 27 (1) Section 50 (calculation of budget requirement by major precepting...
- 28 In section 65(4)(a) (duty to consult ratepayers: timing) after “under”...

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- 29 In section 66(2)(c) (matters that may not be questioned except...
- 30 (1) Section 67 (functions to be discharged only by authority)...
- 31 In section 69 (interpretation of Part 1) omit subsection (2A)....
- 32 Environment Act 1995 (c. 25)
- 33 Police Act 1996 (c. 16)
- 34 Greater London Authority Act 1999 (c. 29)
- 35 In section 87 (procedure for determining the budget requirement) for...
- 36 (1) Section 95 (minimum budget for Metropolitan Police Authority) is...
- 37 In section 97 (emergencies and disasters) in both of the...
- 38 In section 99— (a) at the appropriate place insert ““BID...
- 39 In section 102(2) (distribution of grants between authority and functional...
- 40 In Schedule 6 (procedure for determining the Authority’s consolidated budget...
- 41 In Schedule 7 (procedure for making of substitute calculations by...
- 42 Local Government Act 2003 (c. 26)
- 43 In section 25(1) (budget calculation: report on robustness of estimates...
- 44 In section 26(1) (minimum reserves)— (a) in paragraph (a)—
- 45 In section 27(1) (budget calculation: report on inadequacy of controlled...
- 46 (1) Section 28 (budget monitoring: general) is amended as follows....
- 47 London Local Authorities Act 2004 (2004 c. i)
- 48 Local Government and Public Involvement in Health Act 2007 (c. 28)
- 49 In section 24(1)(d) (authorities dissolved by orders: control of reserves)...
- 50 In section 25(1)(a) (directions: further provisions about reserves) for “32(3)...
- 51 (1) Section 28 (contraventions of direction) is amended as follows....
- 52 Police Reform and Social Responsibility Act 2011 (c. 13)
- 53 In section 18(7)(f) (function of calculating budget requirement may not...
- 54 In section 22(2) (minimum budget for police and crime commissioner:...

SCHEDULE 8 — Regional strategies: consequential amendments

- 1 Town and Country Planning Act 1990 (c. 8)
- 2 Regional Development Agencies Act 1998 (c. 45)
- 3 Greater London Authority Act 1999 (c. 29)
- 4 In section 337(6)(a) (conflict between regional spatial strategy and spatial...
- 5 In section 342(1) (matters to which the Mayor is to...
- 6 In Schedule 10 (Transport for London) in paragraph 2—
- 7 Planning and Compulsory Purchase Act 2004 (c. 5)
- 8 In section 15(3) (preparation of local development scheme) omit paragraph...
- 9 In section 19(2) (preparation of local development documents) omit paragraphs...
- 10 (1) Section 24 (conformity with regional strategy) is amended as...
- 11 In section 28 (joint local development documents) omit subsection (4)....
- 12 In section 37 (interpretation) omit subsections (6) and (6A).
- 13 (1) In section 38(3) (development plan for areas in England...
- 14 (1) Section 45 (simplified planning zones) is amended as follows....
- 15 In section 62(5) (preparation of local development plan) omit paragraph...

- 16 In section 78 (interpretation of Part 6) omit subsection (5)....
- 17 (1) Section 113 (validity of strategies, plans and documents) is...
- 18 Local Democracy, Economic Development and Construction Act 2009
(c. 20)
- 19 In section 82(2) (during the interim period, a regional strategy...
- 20 Marine and Coastal Access Act 2009 (c. 23)

SCHEDULE 9 — Neighbourhood planning

PART 1 — NEIGHBOURHOOD DEVELOPMENT ORDERS

- 1 The Town and Country Planning Act 1990 is amended as...
- 2 After section 61D insert— Neighbourhood development orders
Neighbourhood development orders...
- 3 In section 5(3) (provisions for the purposes of which the...
- 4 In Schedule 1 (local planning authorities: distribution of functions),
after...

PART 2 — NEIGHBOURHOOD DEVELOPMENT PLANS

- 5 The Planning and Compulsory Purchase Act 2004 is amended as...
- 6 In section 38 (development plan)— (a) in subsection (2), omit...
- 7 After that section insert— Meaning of “neighbourhood development
plan” (1) Any qualifying body is entitled to initiate a process...

SCHEDULE 10 — Process for making of neighbourhood development orders

SCHEDULE 11 — Neighbourhood planning: community right to build orders

SCHEDULE 12 — Neighbourhood planning: consequential amendments

- 1 Town and Country Planning Act 1990
- 2 In section 56(3) (time when development begun)—
- 3 In section 57(3) (extent of permission granted by development order),...
- 4 In section 58(1)(a) (grant of planning permission by development
order),...
- 5 In section 62 (applications for planning permission), after
subsection (2)...
- 6 In section 65 (notice etc of applications for planning permission),...
- 7 (1) Section 69 (register of applications etc) is amended as...
- 8 (1) Section 71 (consultations in connection with determinations under
s.70)...
- 9 In section 74 (directions etc as to method of dealing...
- 10 In section 77(1) (certain applications to be referred to the...
- 11 In section 78(1)(c) (right of appeal in relation to certain...
- 12 In section 88(9) (grant of planning permission in enterprise zone),...
- 13 In section 91(4)(a) (no limit to duration of planning permission...
- 14 In section 94(1) (termination of planning permission by reference to...
- 15 (1) Section 108 (compensation for refusal or conditional grant of...
- 16 In section 109(6) (apportionment of compensation for depreciation), in
the...
- 17 In section 171H(1)(a) (temporary stop notice: compensation), for “a
development...
- 18 In section 197 (planning permission to include appropriate provision
for...
- 19 In section 253(2)(c) (cases in which certain procedures may be...
- 20 In section 264(5) (land treated not as operational land)—
- 21 (1) Section 324 (rights of entry) is amended as follows....

- 22 (1) Section 333 (regulations and orders) is amended as follows....
- 23 In paragraph 1A of Schedule 13 (blighted land: land allocated...
- 24 Planning (Listed Buildings and Conservation Areas) Act 1990
- 25 In section 66 (general duty as respects listed buildings in...
- 26 In section 72 (general duty as respects conservation areas in...
- 27 Planning and Compulsory Purchase Act 2004
- 28 In section 18 (statement of community involvement), after subsection (2)...
- 29 In section 40(2) (local development orders), omit paragraphs (b) to...
- 30 In section 116(2)(b) (Isles of Scilly), after “Part 2” insert...
- 31 Housing and Regeneration Act 2008

SCHEDULE 13 — Infrastructure Planning Commission: transfer of functions to Secretary of State

PART 1 — AMENDMENTS OF THE PLANNING ACT 2008

- 1 Introductory
- 2 Abolition of Infrastructure Planning Commission
- 3 Fees
- 4 Directions referring applications for other consents to Commission
- 5 Applications for orders granting development consent
- 6 Model provisions for incorporation in draft orders
- 7 Register of applications
- 8 Notification of proposed application
- 9 Guidance about pre-application procedure
- 10 Advice for potential applicants and others
- 11 Information about, and entry onto, land
- 12 (1) Amend section 53 (rights of entry) as follows.
- 13 Acceptance of applications
- 14 In section 56 (if Commission accepts application, applicant to notify...
- 15 In section 58(1) and (2) (applicant must certify to Commission...
- 16 In section 59(1) and (2) (applicant must notify Commission of...
- 17 (1) Amend section 60 (Commission’s duty to seek local impact...
- 18 Deciding how application is to be handled
- 19 (1) Amend section 62 (switching from single Commissioner to Panel)...
- 20 Delegation of functions conferred on person appointed to chair Commission
- 21 Handling of applications by a Panel
- 22 (1) Amend section 65 (appointment of members, and lead member,...
- 23 (1) Amend section 66 (ceasing to be member, or lead...
- 24 Omit section 67 (Panel member continuing though ceasing to be...
- 25 (1) Amend section 68 (additional appointments to Panel) as follows....
- 26 (1) Amend section 69 (replacement of lead member of Panel)...
- 27 Omit section 70 (membership of Panel where application relates to...
- 28 (1) Amend section 71 (supplementary provision where Panel replaces single...
- 29 (1) Amend section 74 (Panel to decide, or make recommendations...
- 30 Single-Commissioner procedure to become single-appointed-person procedure
- 31 For section 79 (Commission chair must appoint single Commissioner) substitute—...
- 32 (1) Amend section 80 (person ceasing to be single Commissioner)...
- 33 Omit section 81 (single Commissioner continuing though ceasing to be...

- 34 In section 82 (appointment of replacement single Commissioner) for “Commissioner”...
- 35 (1) Amend section 83 (single Commissioner to examine and report...
- 36 Omit sections 84 and 85 (procedure where single Commissioner’s report...
- 37 Examination of applications
- 38 Omit section 87(2)(b) (Examining authority to have regard to guidance...
- 39 In section 92 (notifying Commission that compulsory acquisition hearing wanted)...
- 40 In section 93 (notifying Commission that open-floor hearing wanted) for...
- 41 In section 94(2)(b) (Panel member or single Commissioner to preside...
- 42 After section 95 insert— Hearings: defence and national security (1) Subsection (2) applies if the Secretary of State is...
- 43 In section 96(1)(c) (which refers to representations received by the...
- 44 (1) Amend section 98 (timetable for examining, and reporting on,...
- 45 (1) Amend section 100 (Commission chair may appoint assessors at...
- 46 In section 101(1) (Commission chair may appoint lawyer to assist...
- 47 In section 102(4) (meaning of “relevant representation”) for “Commission” (in...
- 48 Decisions on applications
- 49 (1) Amend section 104 (decisions of Panel and Council) as...
- 50 (1) Amend section 105 (decisions of Secretary of State) as...
- 51 In section 106(1) (representations which decision-maker may disregard) for “decision-maker”...
- 52 (1) Section 107 (timetable for decisions) is amended as follows....
- 53 Suspension of decision-making process
- 54 Intervention by Secretary of State
- 55 Grant or refusal
- 56 Omit section 115(6) (Panel or Council to have regard to...
- 57 (1) Amend section 116 (reasons) as follows.
- 58 (1) Amend section 117 (orders granting consent: formalities) as follows....
- 59 (1) Amend section 118 (legal challenges) as follows.
- 60 Orders granting development consent
- 61 Omit section 121 (Secretary of State’s control of exercise of...
- 62 In sections 122(1) and 123(1) (compulsory acquisition may be authorised...
- 63 Omit section 124 (guidance to Panels and Council about authorising...
- 64 (1) Amend section 127 (statutory undertakers’ land) as follows.
- 65 Omit sections 131(10)(b) and 132(10)(b) (Secretary of State to notify...
- 66 (1) Amend section 136 (public rights of way) as follows....
- 67 In section 138(4)(a) (decision-maker must be satisfied) for “decision-maker” substitute...
- 68 (1) Amend section 147 (Green Belt land) as follows.
- 69 In section 235(1) (interpretation of Act) omit the definitions of—...
- 70 (1) Amend Schedule 4 (corrections of errors in development consent...
- 71 (1) Amend Schedule 5 (provisions relating to, or to matters...
- 72 (1) Amend Schedule 6 (changes to, and revocation of, orders)...
- 73 In Schedule 12 (application of Act to Scotland: modifications) in...
PART 2 — OTHER AMENDMENTS
- 74 Parliamentary Commissioner Act 1967 (c. 13)

Status: This is the original version (as it was originally enacted).

- 75 House of Commons Disqualification Act 1975 (c. 24)
- 76 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 77 Town and Country Planning Act 1990 (c. 8)
- 78 Freedom of Information Act 2000 (c. 36)
- 79 Government of Wales Act 2006 (c. 32)

SCHEDULE 14 — Grounds on which landlord may refuse to surrender and grant tenancies under section 158

- 1 Ground 1
- 2 Ground 2
- 3 Ground 3
- 4 Ground 4
- 5 Ground 5
- 6 Ground 6
- 7 Ground 7
- 8 Ground 8
- 9 Ground 9
- 10 Ground 10
- 11 Ground 11
- 12 Ground 12
- 13 Ground 13
- 14 Ground 14

SCHEDULE 15 — Abolition of Housing Revenue Account subsidy in England

- 1 Part 6 of the Local Government and Housing Act 1989...
- 2 (1) Section 79 (Housing Revenue Account subsidy) is amended as...
- 3 (1) Section 80 (calculation of Housing Revenue Account Subsidy) is...
- 4 (1) Section 80ZA (negative amounts of subsidy payable to appropriate...
- 5 (1) Section 80A (final decision on amount of Housing Revenue...
- 6 (1) Section 80B (agreements to exclude certain authorities or property)...
- 7 Omit sections 82 to 84 (residual debt subsidy and housing...
- 8 (1) Section 85 (power to obtain information) is amended as...
- 9 In section 86(1) (recoupment of subsidy in certain cases)—
- 10 (1) Section 88 (construction and application of Part 6) is...
- 11 (1) Schedule 4 (the keeping of the Housing Revenue Account)...

SCHEDULE 16 — Transfer of functions from the Office for Tenants and Social Landlords to the Homes and Communities Agency

PART 1 — AMENDMENTS TO THE HOUSING AND REGENERATION ACT 2008

- 1 The Housing and Regeneration Act 2008 is amended as follows....
- 2 In section 2 (the HCA: objects) after subsection (1) insert—...
- 3 In section 4 (powers of the HCA: general) in subsection...
- 4 (1) Section 31 (duties in relation to social housing) is...
- 5 In section 32 (recovery etc of social housing assistance) omit...
- 6 In section 34(2) (determinations under sections 32 and 33)—
- 7 Omit section 37 (duty to co-operate with Regulator of Social...
- 8 (1) Section 42 (agency arrangements with UDCs) is amended as...
- 9 In section 46 (guidance by the Secretary of State) after...
- 10 In section 47 (directions by the Secretary of State) after...
- 11 In the Table in section 58 (Part 1: index of...
- 12 In the Table in section 60(4) (structural overview of Part...
- 13 Omit section 78 (the Regulator of Social Housing).

- 14 Omit section 81 (the regulator: establishment).
 - 15 Omit section 82 (the regulator: membership).
 - 16 Omit section 83 (the regulator: tenure of office of members)....
 - 17 Omit section 84 (the regulator: chief executive).
 - 18 Omit section 85 (the regulator: other staff).
 - 19 Omit section 86 (the regulator: fundamental objectives).
 - 20 Omit section 87 (the regulator: procedure).
 - 21 Omit section 88 (the regulator: conflict of interest).
 - 22 Omit section 89 (the regulator: committees).
 - 23 Omit section 90 (the regulator: delegation).
 - 24 Omit section 91 (the regulator: seal).
 - 25 Omit section 92 (the regulator: annual report).
 - 26 After that section insert— The regulator and the Regulation Committee...
 - 27 In section 93(1) (the regulator: general functions) for “conferred on...
 - 28 Omit section 99 (the regulator: remuneration).
 - 29 In section 100 (charging)— (a) at the beginning insert “(1)”,...
 - 30 Omit section 101 (the regulator: assistance by Secretary of State)....
 - 31 Omit section 102 (the regulator: borrowing).
 - 32 Omit section 103 (the regulator: accounts).
 - 33 Omit section 104 (the regulator: financial year).
 - 34 Omit section 105 (the regulator: co-operation with the HCA).
 - 35 Omit section 106 (the regulator: direction to the HCA).
 - 36 In section 112(4) (duty to consult before setting criteria for...
 - 37 (1) Section 117 (the regulator: fees) is amended as follows....
 - 38 In section 145 (moratorium) omit subsection (4).
 - 39 (1) Section 146 (duration of moratorium) is amended as follows....
 - 40 In section 147(4) (further moratorium)— (a) at the end of...
 - 41 In section 174(5) (procedure for consent to disposal of social...
 - 42 In section 196(1) (consultation on standards and codes of practice)...
 - 43 In section 197(4) (direction by Secretary of State) omit paragraph...
 - 44 In section 202 (inspections: supplemental) after subsection (7) insert—
 - 45 In section 216 (consultation on use of intervention powers) omit...
 - 46 In section 222 (notification of use of enforcement notice) omit...
 - 47 In section 230(2) (pre-penalty warning) omit paragraph (a).
 - 48 Omit section 232 (duty to notify HCA of penalty notice)....
 - 49 In section 242(3) (pre-compensation warning) omit paragraph (a).
 - 50 (1) Section 248 (supplemental provisions about management tenders) is amended...
 - 51 (1) Section 250 (supplemental provisions about management transfers) is amended...
 - 52 (1) Section 252 (supplemental provisions about appointment of managers) is...
 - 53 (1) The Table in section 276 (Part 2: index of...
 - 54 (1) Schedule 1 (constitution of the Homes and Communities Agency)...
- PART 2 — AMENDMENTS CONSEQUENTIAL ON PART 1
- 55 Public Records Act 1958 (c. 51)
 - 56 Parliamentary Commissioner Act 1967 (c. 13)
 - 57 House of Commons Disqualification Act 1975 (c. 24)
 - 58 Freedom of Information Act 2000 (c. 36)
 - 59 Housing (Scotland) Act 2010 (asp 17)
 - 60 In section 18(2) (co-operation with other regulators: definition of “relevant...

Status: This is the original version (as it was originally enacted).

- 61 In section 68(3) (determination of accounting requirements for registered social...
- 62 Equality Act 2010 (c. 15)
 - PART 3 — TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES
- 63 Transfer of property, rights and liabilities
- 64 Employment contracts: transfer of rights and liabilities
- 65 Continuity
- 66 Interpretation
 - PART 4 — TRANSITIONAL AND SAVING PROVISIONS
- 67 Final annual report
- 68 Final accounts
- 69 General transitional and saving provisions
- 70 Interpretation

SCHEDULE 17 — Regulation of social housing

- 1 Part 2 of the Housing and Regeneration Act 2008 (regulation...
- 2 In section 122 (restriction on gifts and distributions by non-profit...
- 3 (1) Section 192 (overview of Chapter 6) is amended as...
- 4 (1) Section 193 (standards as to provision of social housing)...
- 5 (1) Section 194 (management of financial and other affairs of...
- 6 (1) Section 195 (code of practice relating to standards) is...
- 7 In section 197(1) (directions by Secretary of State as to...
- 8 In section 198 (supplemental provision about standards) omit subsection (1)....
- 9 After that section insert— Failure to meet standard under section...
- 10 (1) Section 201 (inspections) is amended as follows.
- 11 (1) Section 202 (inspections: supplemental) is amended as follows.
- 12 In section 203 (inspector’s powers) for subsection (12) substitute—
- 13 Omit section 204 (performance information).
- 14 Omit section 205 (publication of performance information).
- 15 (1) Section 215 (guidance on use of intervention powers) is...
- 16 In section 216 (consultation)— (a) before paragraph (a) insert—
- 17 (1) Section 218 (exercise of enforcement powers) is amended as...
- 18 In section 320 of the Housing and Regeneration Act 2008...

SCHEDULE 18 — Home information packs: consequential amendments

- 1 Terrorism Act 2000 (c. 11)
- 2 Proceeds of Crime Act 2002 (c. 29)
- 3 Housing and Regeneration Act 2008 (c. 17)

SCHEDULE 19 — Housing and regeneration: consequential amendments

- 1 Public Health Act 1961 (c. 64)
- 2 Leasehold Reform Act 1967 (c. 88)
- 3 Land Compensation Act 1973 (c. 26)
- 4 Rent (Agriculture) Act 1976 (c. 80)
- 5 Rent Act 1977 (c. 42)
- 6 Protection from Eviction Act 1977 (c. 43)
- 7 Local Government, Planning and Land Act 1980 (c. 65)
- 8 Highways Act 1980 (c. 66)
- 9 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 10 Housing Act 1985 (c. 68)
- 11 In section 4(1)(g)(i) (definition of “new towns residuary body”) after...
- 12 In section 45(2) (restrictions on service charges payable after disposal...

- 13 (1) Section 80 (secure tenancies: the landlord condition) is amended...
- 14 In section 151B (right to buy: mortgage for securing redemption...
- 15 In section 156 (right to buy: liability to repay to...
- 16 (1) Section 450A (right to a loan in respect of...
- 17 In section 450B(1)(a) (power to make loans in other cases)...
- 18 In section 453(1)(b) (further advances in case of disposal on...
- 19 In section 458(1) (loans for acquisition or improvement of housing:...
- 20 In Schedule 4 (qualifying period for right to buy and...
- 21 In Schedule 5 (exceptions to the right to buy) in...
- 22 Landlord and Tenant Act 1985 (c. 70)
- 23 Landlord and Tenant Act 1987 (c. 31)
- 24 Income and Corporation Taxes Act 1988 (c. 1)
- 25 Housing Act 1988 (c. 50)
- 26 In section 35(4)(ba) (tenancies which are secure tenancies) after
“Agency”...
- 27 In section 38(5A)(b)(i) (definition of “new towns residuary body”)
after...
- 28 In section 52(9A) (recovery of grants: interpretation) in the definition...
- 29 Water Industry Act 1991 (c. 56)
- 30 Water Resources Act 1991 (c. 57)
- 31 Social Security Administration Act 1992 (c. 5)
- 32 Taxation of Chargeable Gains Act 1992 (c. 12)
- 33 Housing Act 1996 (c. 52)
- 34 (1) Section 51 (schemes for investigation of complaints against social...
- 35 In section 219(4)(a) (directions as to charges by social landlords:...
- 36 Greater London Authority Act 1999 (c. 29)
- 37 (1) Section 38 (delegation) is amended as follows.
- 38 (1) In section 73(6), in the substituted subsection (2) of...
- 39 Finance Act 2003 (c. 14)
- 40 In section 71(4) (stamp duty land tax: reliefs for acquisitions...
- 41 (1) Schedule 9 (stamp duty land tax: rights to buy,...
- 42 Finance Act 2004 (c. 12)
- 43 National Health Service Act 2006 (c. 41)
- 44 In section 256(2) (bodies to which PCTs may make payments...
- 45 In section 268(3) (bodies with whom arrangements may be made...
- 46 Housing and Regeneration Act 2008 (c. 17)
- 47 In section 4(6) (application of rules about the exercise of...
- 48 In section 112(4) (duty to consult before setting criteria for...
- 49 In section 145 (moratorium) before the table insert—
- 50 (1) Section 146 (duration of moratorium) is amended as follows....
- 51 In section 147 (further moratorium) after subsection (4) insert—
- 52 In section 148(1) (HCA may not, during a moratorium, give...
- 53 In section 174(5) (procedure for consent to disposal of social...
- 54 In section 178(3) (private registered provider’s use of proceeds from...
- 55 In section 196(1) (consultation on standards and codes of practice)...
- 56 In section 197(4) (direction by Secretary of State) after paragraph...
- 57 In section 216 (consultation on use of intervention powers) after...
- 58 In section 222 (notification of use of enforcement notice) before...
- 59 In section 230(2) (pre-penalty warning) before paragraph (b) insert—
- 60 Before section 233 insert— Notifying the Greater London Authority If
the regulator imposes a penalty on a registered provider...
- 61 In section 242(3) (pre-compensation warning) before paragraph (b)
insert—

Status: This is the original version (as it was originally enacted).

- 62 (1) Section 248 (supplemental provisions about management tenders) is amended...
- 63 (1) Section 250 (supplemental provisions about management transfer) is amended...
- 64 (1) Section 252 (supplemental provisions about appointment of managers) is...

SCHEDULE 20 — Abolition of London Development Agency: consequential amendments

- 1 Local Authorities (Goods and Services) Act 1970 (c. 39)
- 2 Local Government Finance Act 1988 (c. 41)
- 3 Audit Commission Act 1998 (c. 18)
- 4 Greater London Authority Act 1999 (c. 29)
- 5 In section 38(8) (application of section 101 of the Local...
- 6 In section 127(4) (“officers” in section 127(2)(b) includes, in the...
- 7 In section 362(3)(b) (air quality strategy to contain information about...
- 8 In section 380(10) (application of section 101 of the Local...
- 9 London Olympic Games and Paralympic Games Act 2006 (c. 12)

SCHEDULE 21 — Mayoral development corporations

- 1 Membership
- 2 Terms of appointment of members
- 3 Staff
- 4 Remuneration etc: members and staff
- 5 Status
- 6 Committees
- 7 Delegation
- 8 Proceedings and meetings
- 9 The validity of any proceeding of an MDC is not...
- 10 Annual report (and “financial year”)
- 11 Seal etc
- 12 House of Commons Disqualification Act 1975 (c. 24)

SCHEDULE 22 — Mayoral development corporations: consequential and other amendments

- 1 Leasehold Reform Act 1967 (c. 88)
- 2 Local Authorities (Goods and Services) Act 1970 (c. 39)
- 3 Local Government Act 1972 (c. 70)
- 4 Local Government Act 1974 (c. 7)
- 5 Rent Act 1977 (c. 42)
- 6 Protection from Eviction Act 1977 (c. 43)
- 7 Acquisition of Land Act 1981 (c. 67)
- 8 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 9 Housing Act 1985 (c. 68)
- 10 In section 45(2) in the definition of “public sector authority”...
- 11 In section 80(1) (secure tenancies: the landlord condition) before the...
- 12 In section 114(1) (meaning of “landlord authority”) before the entry...
- 13 In section 171(2) (section applies to interests held by certain...
- 14 In section 458(1) (Part 14: minor definitions) in the definition...
- 15 In paragraph 2(1) of Schedule 1 (tenancy not secure if...
- 16 In Part 1 of Schedule 2 (grounds on which court...
- 17 In Part 3 of Schedule 2 (grounds on which court...
- 18 In Schedule 3 (grounds for withholding consent to assignment by...

- 19 In Schedule 4 (qualifying period for right to buy etc)...
- 20 In Schedule 5 (exceptions to right to buy) in paragraph...
- 21 Landlord and Tenant Act 1985 (c. 70)
- 22 Landlord and Tenant Act 1987 (c. 31)
- 23 Local Government Act 1988 (c. 9)
- 24 Local Government Finance Act 1988 (c. 41)
- 25 Housing Act 1988 (c. 50)
- 26 In section 35(4) (tenancies which can be secure tenancies) after...
- 27 In section 38(5) (when landlord's interest is held by a...
- 28 In section 89(1) (housing action trust and urban development corporation...
- 29 In paragraph 12(1) of Schedule 1 (tenancy cannot be assured...
- 30 Town and Country Planning Act 1990 (c. 8)
- 31 In section 2A (power for Mayor to call in planning...
- 32 After section 7 insert— Mayoral development areas (1) Subsection (2) applies where an order under section 198(2)...
- 33 After section 165 (Secretary of State may acquire land blighted...
- 34 In section 169 (meaning of “appropriate authority”) after subsection (4)...
- 35 In section 170(5) (meaning of “appropriate enactment” in the case...
- 36 (1) Paragraph 5 of Schedule 1 (when local highway authority...
- 37 In Schedule 13 (blighted land) after paragraph 9 insert— Land which is within an area designated under section 197...
- 38 Planning (Hazardous Substances) Act 1990 (c. 10)
- 39 Water Industry Act 1991 (c. 56)
- 40 In section 41(2) (persons who may require provision of a...
- 41 In section 97(5) (performance of sewerage undertaker's functions by relevant...
- 42 In section 98(2) (persons who may require provision of a...
- 43 Channel Tunnel Rail Link Act 1996 (c. 61)
- 44 Greater London Authority Act 1999 (c. 29)
- 45 (1) Amend section 31 (limits of the general power) as...
- 46 (1) Amend section 38 (delegation) as follows.
- 47 In section 60A(3) (offices where confirmation process applies) after the...
- 48 (1) Amend section 68 (disqualification and political restriction) as follows....
- 49 (1) In section 73(6), in the substituted subsection (2) of...
- 50 In section 347 (functional bodies to have regard to spatial...
- 51 (1) Section 408 (transfers of property, rights and liabilities) is...
- 52 In section 424(1) (interpretation) in the definition of “functional body”...
- 53 Freedom of Information Act 2000 (c. 36)
- 54 Planning and Compulsory Purchase Act 2004 (c. 5)
- 55 In section 24 (if local planning authority are a London...
- 56 (1) Amend section 37 (interpretation of Part 2) as follows....
- 57 National Health Service Act 2006 (c. 41)
- 58 Crossrail Act 2008 (c. 18)
- 59 Planning Act 2008 (c. 29)
- 60 In section 129(1) (section 128(2) does not apply to acquisition...
- 61 (1) Amend section 206 (provision about charging community infrastructure levy)...
- 62 Equality Act 2010 (c. 15)

Status: This is the original version (as it was originally enacted).

SCHEDULE 23 — The London Environment Strategy: minor and consequential amendments of the Greater London Authority Act 1999

- 1 General
- 2 (1) Section 41 (general duties of the Mayor in relation...
- 3 Biodiversity
- 4 Municipal waste management
- 5 (1) Section 354 (directions by the Secretary of State) is...
- 6 In— (a) section 355(1), (3) and (7)(c) (duties of waste...
- 7 In section 355(7)(duties of waste collection authorities etc), in the...
- 8 Climate change mitigation and energy
- 9 Omit section 361C (directions by the Secretary of State to...
- 10 Adaptation to climate change
- 11 Omit section 361E (directions by the Secretary of State to...
- 12 Air quality
- 13 (1) Section 363 (directions by the Secretary of State) is...
- 14 In section 364 (duty of local authorities in Greater London),...
- 15 In section 365 (directions by the Mayor), for “London air...
- 16 Ambient noise

SCHEDULE 24 — Transfers and transfer schemes: tax provisions

PART 1 — TRANSFER UNDER PARAGRAPH 63 OF SCHEDULE 16

- 1 (1) For the purposes of any enactment about income tax...

PART 2 — CERTAIN TRANSFERS UNDER SCHEME UNDER SECTION 190 OR 191

- 2 Interpretation of Part 2 of Schedule
 - 3 Computation of profits and losses in respect of transfer of a trade
 - 4 Transfers of trading stock
 - 5 Continuity in relation to loan relationships
 - 6 Chargeable gains: disposal on transfer to be treated as no gain/no loss disposal
 - 7 Stamp duty
 - 8 Modifications of transfer schemes
- PART 3 — TRANSFERS UNDER SCHEME UNDER SECTION 17, 200(1) OR (4) OR 216(1)
- 9 (1) In this paragraph “transfer scheme” means a transfer scheme...

SCHEDULE 25 — Repeals and revocations

PART 1 — GENERAL POWER OF COMPETENCE

PART 2 — FIRE AND RESCUE AUTHORITIES

PART 3 — OTHER AUTHORITIES

PART 4 — LOCAL AUTHORITY GOVERNANCE

PART 5 — STANDARDS

PART 6 — DUTY TO PROMOTE DEMOCRACY

PART 7 — PETITIONS

PART 8 — WASTE REDUCTION SCHEMES

PART 9 — BUSINESS RATE SUPPLEMENTS

PART 10 — NON-DOMESTIC RATES: DISCRETIONARY RELIEF

PART 11 — SMALL BUSINESS RATE RELIEF

PART 12 — COUNCIL TAX REFERENDUMS

PART 13 — COUNCIL TAX

PART 14 — COUNCIL TAX REVALUATIONS IN WALES

PART 15 — REGIONAL STRATEGIES (COMMENCEMENT ON PASSING)

PART 16 — REGIONAL STRATEGIES (COMMENCEMENT BY ORDER)

- PART 17 — LOCAL DEVELOPMENT SCHEMES AND DOCUMENTS
- PART 18 — NEIGHBOURHOOD PLANNING
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