

SCHEDULE 1

Article 9

Modification of provisions of the Apprenticeships, Skills, Children and Learning Act 2009 in their application to the Combined Authority

1. Section 86 has effect as if—
 - (a) in subsection (1), for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”;
 - (b) subsection (1)(b) were omitted but not “and” at the end;
 - (c) in subsection (1)(c), for “paragraphs (a) and (b)”, there were substituted “paragraph (a)”;
 - (d) in subsection (5), the words “(except so far as relating to facilities for persons subject to adult detention)” were omitted;
 - (e) in subsection (6), paragraph (c) in the definition of “training” were omitted; and
 - (f) in subsection (7), the words “or (b)” were omitted.
2. Section 87 has effect as if for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
3. Section 88 has effect as if in subsections (1), (2)(b), (2A), (3), (4)(b) and (6)(a) for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
4. Section 90 has effect as if—
 - (a) in subsection (1), for the first reference to “Secretary of State”, there were substituted a reference to “Combined Authority”;
 - (b) in subsection (1)(a), for “section 86(1)(a) and (b)”, there were substituted “section 86(1)(a)”; and
 - (c) in subsection (1)(a), (b) and (c) for each reference to “Secretary of State’s remit” there were substituted the words “Combined Authority’s remit”.
5. Section 100 has effect as if—
 - (a) in subsection (1), for the reference to “Secretary of State” there were substituted “Combined Authority”;
 - (b) in subsection (1)(a), for the reference to “Secretary of State’s remit” there were substituted “Combined Authority’s remit”;
 - (c) in subsection (3), for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (d) in subsection (4), for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
6. Section 101(1) has effect as if for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
7. Section 103(2) has effect as if—
 - (a) for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (b) the words “or (1A)” were omitted.
8. Section 115(3) has effect as if—

(1) Section 101 was amended by paragraphs 3 and 14 of Part 1 of Schedule 14 to the Deregulation Act 2015.

(2) Section 103 was amended by paragraphs 4 and 16 of Part 1 of Schedule 14 to the Deregulation Act 2015.

(3) Section 115 was amended by paragraph 23 of Part 1 of Schedule 14 to the Deregulation Act 2015; and by paragraphs 88 and 93 of Part 2 of Schedule 3 to the Children and Families Act 2014 (c. 6).

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- (a) for the reference to “Secretary of State”, there were substituted “Combined Authority”;
 - (b) in subsection (2)(a), the word “, and” were omitted; and
 - (c) in subsection (2), paragraph (b) were omitted.
9. Section 121(4) has effect as if—
- (a) in subsection (1), there were added at the appropriate place—
 - ““Combined Authority” means the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority, a body corporate established under the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014;”;
 - (b) in subsection (2)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted the words “Combined Authority’s remit”; and
 - (ii) in paragraph (a), the words “or (b)” were omitted; and
 - (c) in subsection (3)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted the words “Combined Authority’s remit”; and
 - (ii) paragraphs (a) and (aa) were omitted.

SCHEDULE 2

Article 10

PART 1

Modification of the application of Chapter 2 of Part 1 of the 2008 Act

1.—(1) Chapter 2 of Part 1 of the 2008 Act applies in relation to the Combined Authority as modified in accordance with the following provisions.

(2) Sections 5 (powers to provide housing or other land), 6 (powers for regeneration, development or effective use of land), 7 (powers in relation to infrastructure), 8 (powers to deal with land etc), 9 (acquisition of land), 10 (restrictions on disposal of land), 11 (main powers in relation to acquired land) of, and Schedules 2 to 4 to, the 2008 Act, have effect as if for each reference to—

- (a) “the HCA” there were substituted a reference to “the Combined Authority”;
- (b) “Part 1” of that Act there were substituted a reference to “Part 4 of the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020”; and
- (c) land acquired or held by the HCA there were substituted a reference to land acquired or held by the Combined Authority.

(3) Sections 5, 6, 8, 9 and 10 of the 2008 Act have effect as if for every reference to “land” there were substituted a reference to “land in the area of the Combined Authority”;

- (4) Section 57(1) of the 2008 Act is to have effect as if before “develop” there were inserted—
 - ““Combined Authority” means the body corporate established by the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014;”.

(4) Subsection (1) is amended by paragraphs 1 and 30 of Schedule 1 to the Technical and Further Education Act 2017 (c. 19) on a date to be appointed. Section 121 was amended by paragraph 22 of Part 1 of Schedule 1 and paragraph 27 of Part 1 of Schedule 14 to the Deregulation Act 2015; and by paragraphs 1 and 12 of Schedule 18 to the Education Act 2011 (c.21).

PART 2

Modification of the application of Schedules 2 to 4 to the 2008 Act

2.—(1) Schedules 2 to 4 to the 2008 Act apply in relation to the Combined Authority as modified in accordance with the following provisions.

(2) Part 1 of Schedule 2 to the 2008 Act (compulsory acquisition of land) has effect as if for every reference to “section 9” of that Act there were substituted a reference to “article 10 of the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020”.

(3) Schedule 3 to the 2008 Act (main powers in relation to land acquired by the HCA) is to have effect as if for references to land which has been vested in or acquired by the HCA there were substituted references to land which has been vested in or acquired by the Combined Authority.

(4) Schedule 4 to the 2008 Act (powers in relation to, and for, statutory undertakers) has effect as if for every reference to the HCA under Part 1 of that Act there were substituted a reference to the functions conferred on the Combined Authority under article 10 of the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020.

SCHEDULE 3

Article 12

Modification of the application of Part 8 of the 2011 Act

1.—(1) Chapter 2 of Part 8 of the 2011 Act (Mayoral development corporations) applies in relation to the Combined Authority as modified in accordance with the following provisions.

(2) Section 196 of the 2011 Act (interpretation of Chapter) has effect as if for the definitions of “the Mayor” and “MDC” there were substituted—

““the Area” means the area of the Combined Authority;

“the Combined Authority” means the Combined Authority, established by the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014;

“Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 following the designation of an area of land by the Combined Authority;

“National Park” means a National Park mentioned in column 1 of Part 1 of Schedule 1 to the National Park Authorities (England) Order 2015; and

“National Park authority” means a National Park authority for a National Park.”.

(3) Sections 197 to 222 of the 2011 Act have effect as if for each reference to—

(a) “the Greater London Authority” there were substituted “the Combined Authority”;

(b) “the Mayor” there were substituted “the Combined Authority” except for the occurrences in sections 197(3)(d) and (e), 199(2), 202(7)(a) and 214(4)(a); and

(c) “MDC” there were substituted “Corporation”.

(4) Section 197 of the 2011 Act (designation of Mayoral development areas) has effect as if—

(a) in subsection (1) for “Greater London” there were substituted “the Area”;

(b) in subsection (3)(a) for, “any one or more of the Greater London Authority’s principal purposes”, there were substituted “economic development and regeneration in the Area”;

(c) in subsection (3)(d)—

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- (i) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (ii) for “the Mayor” there were substituted “the Mayor for the Area”; and
 - (iii) for “subsection (4)(d), (e), (f) or (g)” there were substituted “subsection (4)(d) or (e)”; and
- (d) in subsection (3)(e)—
- (i) for “the Mayor” there were substituted “the Mayor for the Area”; and
 - (ii) for “the London Assembly” there were substituted “the Combined Authority”;
- (e) in subsection (3)(f) for “the London Assembly” there were substituted “the Combined Authority”;
- (f) in subsection (4)—
- (i) in paragraph (a) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraph (d) for “each London borough council whose borough” there were substituted “each district council or county council whose local government area”;
 - (iv) in paragraph (e) for “the Common Council of the City of London if any part of the area is within the City” there were substituted “a National Park authority if any part of the area is within a National Park.”;
 - (v) paragraphs (f) and (g) were omitted;
- (g) in subsection (5)—
- (i) in paragraph (a) for “the London Assembly” there were substituted “the Combined Authority”;
 - (ii) in paragraph (b) for “the London Assembly” there were substituted “the Combined Authority”;
 - (iii) in paragraph (b)(i) for “the Assembly” there were substituted “the Combined Authority”;
 - (iv) in paragraph (b)(ii) for “the Assembly members voting” there were substituted “all members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members) present and voting on that motion”;
- (h) in subsection (6)(c) for “Mayoral development corporation” there were substituted “Corporation”; and
- (i) subsection (7) were omitted.
- (5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) has effect as if—
- (a) in the heading for “Mayoral development corporations” there were substituted “Corporations”; and
 - (b) for every reference to “Mayoral development corporation” there were substituted “Corporation”.
- (6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) has effect as if—

- (a) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”; and
 - (b) in subsection (2) for “the Mayor” there were substituted “the Mayor for the Area”.
- (7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) has effect as if—
- (a) in subsection (3)—
 - (i) in paragraph (a), for “a London borough council” there were substituted a reference to “a district council or county council wholly or partly in the Area”;
 - (ii) paragraph (b) were omitted;
 - (iii) in paragraphs (d) and (e), for “in Greater London” there were substituted a reference to “in the Area”;
 - (iv) paragraphs (f) to (h) were omitted;
 - (v) paragraph (k) were omitted;
 - (b) in subsection (4) paragraph (b) were omitted;
 - (c) subsection (7) were omitted;
 - (d) subsection (8) were omitted; and
 - (e) in subsection (10), the definitions of a “functional body” and “public authority” were omitted.
- (8) Section 201 of the 2011 Act (object and powers) has effect as if subsection (8)(b) were omitted.
- (9) Section 202 of the 2011 Act (functions in relation to town and country planning) has effect as if—
- (a) in subsection (7)(a) for “the Mayor” there were substituted “the Mayor for the Area”;
 - (b) in subsection (7)(c) for “the London Assembly” there were substituted “the members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members)”, and
 - (c) in subsection (7), in the definition of “affected authority”, “(f) or (g)” were omitted.
- (10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) has effect as if—
- (a) for each reference to “a London borough council or the Common Council of the City of London” there were substituted “a district council, county council or a National Park authority”; and
 - (b) in sub-sections (1) and (5), for each reference to “council” there were substituted “council or National Park Authority”.
- (11) Section 207 of the 2011 Act (acquisition of land) has effect as if—
- (a) in subsection (2) for “in Greater London” there were substituted a reference to “in the Area”; and
 - (b) in subsection (3) for “the Mayor of London” there were substituted “the Combined Authority”.
- (12) Section 214 of the 2011 Act (powers in relation to discretionary relief from non-domestic rates) has effect as if—
- (a) in subsection (4)(a) for “the Mayor” there were substituted “the Mayor for the Area”;
 - (b) in subsection (4)(c) for “the London Assembly or an affected local authority” there were substituted “the members of the Combined Authority who are appointed by the constituent

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- councils (including substitute members, acting in place of those members) or a district council or county council wholly or partly in the Area”; and
- (c) in subsection (4) the definition of “an affected local authority” were omitted.
- (13) Section 216 of the 2011 Act (transfers of property, rights and liabilities) has effect as if—
- (a) in subsection (2) “, (e)” were omitted; and
- (b) in subsection (4)—
- (i) the definition of “functional body” were omitted; and
- (ii) in the definition of “permitted recipient”—
- (aa) paragraph (b) were omitted,
- (bb) in paragraph (d) for “a London borough council” there were substituted “a district council or county council wholly or partly within the Area”, and
- (cc) paragraph (e) were omitted.
- (14) Schedule 21 of the 2011 Act (Mayoral development corporations) has effect as if—
- (a) for each reference to—
- (i) “the Mayor” there were substituted “the Combined Authority”, except for the reference in paragraph 1(1);
- (ii) “the Mayor’s” there were substituted “the Combined Authority’s”;
- (b) for each reference to “an MDC” there were substituted “the Corporation”;
- (c) in paragraph 1(1)—
- (i) for “Mayoral development corporation (“MDC”)” there were substituted “Corporation”;
- (ii) for the reference to “the Mayor of London (“the Mayor”)” there were substituted “the Combined Authority”;
- (d) in paragraph 1(2) for the reference to “each relevant London council” there were substituted a reference to “each relevant district council or county council”;
- (e) in paragraph 1(3)—
- (i) sub-paragraph (a) were omitted; and
- (ii) in sub-paragraph (b) for “a London council” there were substituted “a district council or county council”;
- (f) in paragraph 1(5), for “MDC’s” there were substituted “Corporation’s”;
- (g) in paragraph 2(5)(d) for “a relevant London council” there were substituted “a relevant district council or county council”;
- (h) in paragraph 3, for “MDC’s” there were substituted “Corporation’s”;
- (i) in paragraph 4(4) for “the London Assembly” there were substituted a reference to “the Combined Authority”;
- (j) in paragraph 9(c) for “each relevant London council” there were substituted “each relevant district council or county council”; and
- (k) in paragraph 10(1)(c) the reference to “and to the London Assembly” were omitted.