
STATUTORY INSTRUMENTS

2024 No. 402

The North East Mayoral Combined Authority
(Establishment and Functions) Order 2024

PART 7

Housing, regeneration and planning

Acquisition and appropriation of land for planning and public purposes

35.—(1) The functions of the constituent councils specified in the following provisions of the HA 1985 and the 1990 Act as applied by article 36(3) and (4) are exercisable by the Combined Authority in relation to the Combined Area—

- (a) section 8 of the HA 1985 (periodic review of housing needs);
- (b) section 11 of the HA 1985 (provision of board and laundry facilities);
- (c) section 12 of the HA 1985 (provision of shops, recreation and grounds etc.);
- (d) section 17 of the HA 1985 (acquisition of land for housing purposes)(**1**);
- (e) section 18 of the HA 1985 (duties with respect to buildings acquired for housing purposes);
- (f) section 226 of the 1990 Act (compulsory acquisition of land for development and other planning purposes)(**2**);
- (g) section 227 of the 1990 Act (acquisition of land by agreement);
- (h) section 229 of the 1990 Act (appropriation of land forming part of common, etc);
- (i) section 230(1)(a) of the 1990 Act (acquisition of land for purposes of exchange);
- (j) section 232 of the 1990 Act (appropriation of land held for planning purposes);
- (k) section 233 of the 1990 Act (disposal by local authorities of land held for planning purposes)(**3**);
- (l) section 235 of the 1990 Act (development of land held for planning purposes);
- (m) section 236 of the 1990 Act (extinguishment of rights over land compulsorily acquired)(**4**);
- (n) section 238 of the 1990 Act (use and development of consecrated land);
- (o) section 239 of the 1990 Act (use and development of burial grounds); and
- (p) section 241 of the 1990 Act (use and development of open spaces).

(2) The exercise of the functions in paragraphs (1)(b) to (d) and (f) requires the consent of each Constituent Council Member whose constituent council’s area contains any part of the land in relation to which the function is to be exercised.

(1) Section 17 was amended by section 222 of, and paragraph 24 of Schedule 18 to, the Housing Act 1996 (c. 52).

(2) Section 226 was amended by sections 79, 99 and 120 of, and paragraph 3 of Schedule 3 and paragraph 1 of Schedule 9 to, the Planning and Compulsory Purchase Act 2004 (c. 5) (“the 2004 Act”).

(3) Section 233 was amended by section 8 of the Growth and Infrastructure Act 2013 (c. 27).

(4) Section 236 was amended by section 406 of, and paragraph 103 of Schedule 17 to, the Communications Act 2003 (c. 21).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (3) The functions are exercisable 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.