

*Status: Point in time view as at 28/07/2020.*

*Changes to legislation: Housing and Regeneration Act 2008, Paragraph 19 is up to date with all changes known to be in force on or before 18 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**

### PART 3

#### POWERS IN RELATION TO BURIAL GROUNDS AND CONSECRATED LAND ETC.

##### *Burial grounds*

- 19 (1) This paragraph applies in relation to any land of the HCA which consists in, or forms part of, a burial ground.
- (2) The HCA may use the land in any way which accords with planning permission despite—
- anything in any enactment relating to burial grounds, or
  - any obligation or restriction imposed under ecclesiastical law or otherwise in respect of burial grounds.
- (3) But sub-paragraph (2) does not apply in relation to any land which has been used for the burial of the dead until prescribed requirements about the removal and reinterment of human remains and the disposal of monuments have been complied with in relation to the land.

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#### **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. 19 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. 19 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)**

#### **Commencement Information**

- I1** Sch. 3 para. 19 in force at 1.12.2008 by [S.I. 2008/3068](#), **art. 2(1)(f)** (with arts. 6-13)

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