

## SCHEDULE 4

Article 13

### Modification of the application of the 2011 Act

1.—(1) Part 8 of the 2011 Act (Mayoral development corporation) is modified in accordance with the following provisions.

(2) Section 196 of the 2011 Act (interpretation of Chapter) is to be read as if—

(a) ““the Mayor” means the Mayor of London” were omitted; and

(b) at the appropriate place there were inserted —

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

““the Combined Authority” means the West Midlands Combined Authority established by the West Midlands Combined Authority Order 2016;”;

““constituent council” means the councils for the local government areas of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton;”;

and  
““Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 of the Localism Act 2011, as modified by Schedule 4 to the West Midlands Combined Authority (Functions and Amendment) Order 2017, following the designation of an area of land by the Combined Authority.”

(3) Sections 196 to 222 of the 2011 Act shall have effect as if for every reference to—

“the Greater London Authority” there were substituted “the Combined Authority”;

“the Mayor” there were substituted “the Combined Authority”; and

“an MDC” or “the MDC” there were substituted “a Corporation” or “the Corporation”, as the case may be.

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

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

(b) in subsection (3)—

(i) in paragraph (a) for “any one or more of the Greater London Authority’s principal purposes” there were substituted “economic development and regeneration in the combined area<sup>(1)</sup>”;

(ii) in paragraph (d) for “the London Assembly or” there were substituted “the Combined Authority” and for “subsection (4)(d), (e), (f) or (g)” there were substituted “subsection 4(d)”;

(iii) in subsection (e)—

(aa) for “the London Assembly” there were substituted “each constituent council whose local government area contains any part of the combined area to be designated as a mayoral development area”; and

(bb) for “the Greater London Authority” substitute “that constituent council”;

(c) in subsection (4)—

(i) paragraph (a) were omitted;

(ii) paragraph (b) were omitted;

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(1) Article 10 of, and Schedule 3 to, the West Midlands Combined Authority Order 2016 confer on the Combined Authority functions exercisable for the purpose of economic development and regeneration.

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- (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) paragraphs (e) to (g) were omitted;
  - (d) in subsection (5)—
    - (i) in paragraph (a) for “the London Assembly in accordance with standing orders of the Greater London Authority” there were substituted “each constituent council whose local government area contains any part of the combined area to be designated as a mayoral development area in accordance with standing orders of each council”;
    - (ii) in paragraph (b) for “the London Assembly” there were substituted “a constituent council”;
    - (iii) in paragraph (b)(i) for “the Assembly” there were substituted “the constituent council”;
    - (iv) in paragraph (b)(ii) for “Assembly members voting” there were substituted “members of the constituent council present and voting on that motion”;
    - (v) for “the London Assembly rejects a proposal if it” substitute “the constituent councils reject a proposal if it”;
  - (e) in subsection (6)(c) for “Mayoral development corporation” there were substituted “Corporation”; and
  - (f) subsection (7) were omitted.
- (5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) shall have effect as if—
- (a) in the heading for “Mayoral development corporation” there were substituted “Corporation”; and
  - (b) for every other reference to “Mayoral development corporation” there were substituted “Corporation”.
- (6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) shall have effect as if in subsection (2) for “the London Assembly” there were substituted “the Combined Authority”.
- (7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) shall have effect as if—
- (a) in subsection (3)—
    - (i) in paragraph (a), for “a London borough council” there were substituted “a district council or county council wholly or partly in the combined area”;
    - (ii) paragraph (b) were omitted;
    - (iii) in paragraphs (d) and (e), for “in Greater London” there were substituted “in the combined area”;
    - (iv) paragraphs (f) to (h) were omitted; and
    - (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) shall have effect as if subsection (8)(b) were omitted.

(9) Section 202 of the 2011 Act (functions in relation to town and country planning) shall have effect as if in subsection (7)—

- (a) in paragraph (c) for “the London Assembly or an affected local authority” there were substituted “the Combined Authority”; and
- (b) in the definition of “affected authority” for “subsection 197(4)(d), (e), (f) or (g)” there were substituted “section 197(4)(d)”.

(10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) shall have effect as if for each reference to “a London borough council or the Common Council of the City of London” there were substituted “a district council or a county council wholly or partly within the combined area”.

(11) Section 207 of the 2011 Act (acquisition of land) shall have effect as if—

- (a) in subsection (2) for “in Greater London” there were substituted a reference to “in the combined area”; and
- (b) in subsection (3) for the words “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) shall have effect as if—

- (a) in subsection (4)(c) for “the London Assembly or an affected local authority” there were substituted “each district council or county council whose local government area contains any part of the area”; and
- (b) 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) shall have 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 combined area”; and
    - (cc) paragraph (e) were omitted.

(14) Schedule 21 to the 2011 Act (Mayoral development corporations) shall have effect as if—

- (a) for each reference to “the Mayor” there were substituted “the Combined Authority”, except for the reference in paragraph 1(1);
- (b) for each reference to “an MDC” or “the MDC” there were substituted “a Corporation” or “the Corporation”, as the case may be;
- (c) in paragraph 1(1)—
  - (i) for the reference to “Mayoral development corporation (“MDC”)” there were substituted “the Corporation”;
  - (ii) for the reference to “the Mayor of London (“the Mayor”)” there were substituted “the Combined Authority”;

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- (d) in paragraph 1(2) for the reference to “each relevant London council” there were substituted “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 2(5)(d) for “a relevant London council” there were substituted “a relevant district council or county council”;
- (g) in paragraph 4(4) for the reference to “the London Assembly” there were substituted “the Combined Authority”;
- (h) in paragraph 9(c) for “each relevant London council” there were substituted “each relevant district council or county council”; and
- (i) in paragraph 10(1)(c) the words “and to the London Assembly” were omitted.