
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Barnsley, Doncaster, Rotherham and Sheffield Combined
Authority (Functions and Amendment) Order 2020

PART 5

Mayoral development corporation

Application of provisions in the 2011 Act

12.—(1) Chapter 2 of Part 8 of the 2011 Act (Mayoral development corporations) applies in relation to the Combined Authority as it applies in relation to the Mayor of London, with the modifications made by Schedule 3.

(2) Chapter 2 of Part 8 of the 2011 Act applies in relation to a Corporation as it applies in relation to a Mayoral development corporation, with the modifications made by Schedule 3.

(3) Subject to paragraph (6), in any enactment (whenever passed or made)—

(a) any reference to a Mayoral development corporation; or

(b) any reference which falls to be read as a reference to a Mayoral development corporation, is to be treated as including a reference to a Corporation.

(4) For the purposes of any transfer scheme relating to a Corporation, paragraph 9 of Schedule 24 to the 2011 Act (transfers under scheme under section 200(1) or (4) or 216(1)) applies in relation to—

(a) any property, rights or liabilities transferred to or from a Corporation in accordance with a transfer scheme; or

(b) anything done for the purposes of, or in relation to, or in consequence of, the transfer of any property, rights or liabilities to or from a Corporation in accordance with such a transfer scheme,

as it applies in relation to a Mayoral development corporation.

(5) For the purposes of establishing a Corporation, giving the Corporation a name, giving effect to any decisions notified to the Secretary of State under sections 199(4) (exclusion of land from Mayoral development areas), 202(8) (decisions about planning functions), or 214(6) (powers in relation to discretionary relief from non-domestic rates) of the 2011 Act or in relation to the transfer of land to or from a Corporation under any provision of the 2011 Act, applied with modifications by this Order, section 235 of the 2011 Act (orders and regulations) applies in relation to—

(a) the power of a Minister of the Crown to make an order under sections 198(2) (mayoral development corporations: establishment) and 200(6) (transfers of property etc to a Mayoral development corporation) of that Act; and

(b) the power of the Treasury to make regulations under paragraph 9(2) of Schedule 24 to that Act,

as it applies in relation to the establishment of a Mayoral development corporation, giving the corporation a name, giving effect to any decisions notified to the Secretary of State (under sections

199(4), 202(8) and 214(6) of the 2011 Act) or in relation to the transfer of land to or from a Mayoral development corporation.

(6) Paragraph (3) does not apply to—

- (a) paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel Rail Link Act 1996 (works: further and supplementary provisions)(1);
- (b) section 31(1A) of the 1999 Act (limits of the general power)(2);
- (c) section 38 of the 1999 Act (delegation)(3);
- (d) section 60A(3) of the 1999 Act (confirmation hearings etc for certain appointments by the Mayor)(4);
- (e) section 68(6) of the 1999 Act (disqualification and political restriction)(5);
- (f) section 73 of the 1999 Act (monitoring officer)(6);
- (g) section 403B of the 1999 Act (acquisition of land by MDC and TFL for shared purposes)(7);
- (h) section 424 of the 1999 Act (interpretation)(8);
- (i) section 24(4) of the Planning and Compulsory Purchase Act 2004 (conformity with spatial development strategy)(9); and
- (j) paragraph 8(8)(a) of Schedule 2 to the Crossrail Act 2008 (works: further and supplementary provisions)(10).

(7) In this article “transfer scheme” means a transfer scheme under section 200(1) or (4) or 216(1) of the 2011 Act.

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- (1) 1996 c. 61. Paragraph 9(8) of Schedule 2 was amended by paragraph 43 of Schedule 22 to the 2011 Act.
 - (2) Section 31 was amended by section 186 of, and paragraphs 44 and 45 of Schedule 22 and Parts 31 and 32 of Schedule 25 to, the 2011 Act, section 33 of the Infrastructure Act 2015 and by S.I. 2012/1530.
 - (3) Section 38 was amended by paragraphs 36 and 37 of Schedule 19, paragraphs 4 and 5 of Schedule 20, paragraphs 44 and 46 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act, section 28 of the Growth and Infrastructure Act 2013 (c. 27) and article 2 of S.I. 2012/1530.
 - (4) Section 60A was inserted by section 4 of the Greater London Authority Act 2007 (c. 24) and amended by section 224 of the Planning Act 2008 (c. 29), section 20 of the Police Reform and Social Responsibility Act 2011, paragraphs 44 and 47 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act and articles 1, 2 and 36 of S.I. 2008/2038.
 - (5) Section 68 was amended by paragraphs 44 and 48 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act.
 - (6) Section 73 was amended by sections 7 and 9 of, and Schedule 2 to, the Greater London Authority Act 2007, paragraph 16 of Part 2 of Schedule 12 to the Local Government and Public Involvement in Health Act 2007, paragraphs 36 and 38 of Schedule 19, paragraphs 44 and 49 of Schedule 22, Part 32 of Schedule 25 to the 2009 Act and paragraphs 1 and 5 of Part 1 to the Schedule to S.I. 2000/1435.
 - (7) Section 403B was inserted by section 36(1) and (2) of the Neighbourhood Planning Act 2017.
 - (8) Section 424 was amended by section 1159 of the Companies Act 2006 (c. 46), sections 11, 12, 21, 22 of the Greater London Authority Act 2007, section 3 of the Police Reform and Social Responsibility Act 2011 and paragraphs 44 and 52 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act.
 - (9) 2004 c. 5. Section 24 was amended by paragraph 15 of Schedule 5 and paragraph 1 of Part 4 of Schedule 7 to the 2009 Act and by paragraphs 54 and 55 of Schedule 22 to the 2011 Act.
 - (10) 2008 c. 18. Paragraph 8 of Schedule 2 to the Crossrail Act 2008 was amended by paragraph 58 of Schedule 22 to the 2011 Act.