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# Localism Act 2011

## CHAPTER 20

### LOCALISM ACT 2011

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#### CHAPTER 1

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##### FIRE AND RESCUE AUTHORITIES

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- 10 Fire and rescue authorities: charging

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- 62 Designation of Welsh public authorities
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- 66 Final notices
- 67 Interpretation of Part: general

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- 111 Local development schemes
- 112 Adoption and withdrawal of development plan documents
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- 160 Succession to secure tenancies
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199 Exclusion of land from Mayoral development areas  
200 Transfers of property etc to a Mayoral development corporation

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- 201 Object and powers

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204 Removal or restriction of planning functions  
205 Powers in relation to infrastructure

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207 Acquisition of land  
208 Powers in relation to acquired land  
209 Restrictions on disposal of land  
210 Power to enter and survey land

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- 226 Abolition of Mayor's duty to prepare state of the environment reports
- 227 Mayoral strategies: general duties
- 228 Simplification of the consultation process for the Mayor's strategies
- 229 London Assembly's power to reject draft strategies
- 230 Sharing of administrative etc services by London authorities
- 231 Transport for London: access to meetings and documents etc

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- 241 Short title

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## SCHEDULES

### SCHEDULE 1 — General power of competence: consequential amendments

#### *Local Government Act 1972 (c. 70)*

- 1 In section 137(9)(a) (“local authority” means a parish council which...

#### *Local Government Act 2000 (c. 22)*

- 2 The Local Government Act 2000 is amended as follows.
- 3 In section 2(1) (power to promote well-being) after “Every local...
- 4 In section 3(3) to (6) (limits on power of well-being)...

### SCHEDULE 2 — New arrangements with respect to governance of English local authorities

#### PART 1 — NEW PART 1A OF THE LOCAL GOVERNMENT ACT 2000

- 1 After Part 1 of the Local Government Act 2000 insert—...

#### PART 2 — NEW SCHEDULE A1 TO THE LOCAL GOVERNMENT ACT 2000

- 2 Before Schedule 1 to the Local Government Act 2000 (executive...

### SCHEDULE 3 — Minor and consequential amendments relating to local authority governance in England

#### *Local Government Act 1972 (c. 70)*

- 1 The Local Government Act 1972 is amended as follows.
- 2 In section 2 (constitution of principal councils in England) in...
- 3 (1) Section 101 (arrangements for discharge of functions by local...
- 4 In section 102 (appointment of committees) in subsection (1A)—
- 5 In section 245 (status of certain districts, parishes and communities)...
- 6 (1) Section 270(1) (general provisions as to interpretation) is amended...

#### *Crime and Disorder Act 1998 (c. 37)*

- 7 In section 5 of the Crime and Disorder Act 1998...

#### *Local Government Act 2000 (c. 22)*

- 8 The Local Government Act 2000 is amended as follows.
- 9 In the heading of Part 2 (arrangements with respect to...
- 10 In section 10 (executive arrangements) after “local authority” (in both...
- 11 (1) Section 11 (forms of local authority executives) is amended...
- 12 (1) Section 12 (additional forms of executive) is amended as...
- 13 (1) Section 13 (functions which are the responsibility of an...
- 14 (1) Section 14 (discharge of functions: general) is amended as...
- 15 In section 17 (discharge of functions: section 11(5) executive) in...
- 16 (1) Section 18 (discharge of functions by area committees) is...
- 17 (1) Section 19 (discharge of functions of and by another...
- 18 In section 20 (joint exercise of functions) in subsection (1)...
- 19 (1) Section 21 (overview and scrutiny committees) is amended as...
- 20 Omit section 21ZA (scrutiny officers).
- 21 (1) Section 21A (reference of matters to overview and scrutiny...

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- 22 Omit section 21C (reports and recommendations of overview and scrutiny...
- 23 (1) Section 21D (publication etc of reports, recommendations and responses:...
- 24 Omit section 21E (overview and scrutiny committees of certain district...
- 25 (1) Section 21F (as inserted by the Local Government (Wales)...
- 26 Omit section 21F (as inserted by the Flood and Water...
- 27 In the title of section 21G (Wales: designated persons) for...
- 28 (1) Section 22 (access to information) is amended as follows....
- 29 Omit section 22A (overview and scrutiny committees of certain authorities...
- 30 In section 25 (proposals) in subsections (1)(b), (5), (6)(a), (7)...
- 31 (1) Section 27 (referendum in case of proposals involving elected...
- 32 (1) Section 28 (approval of outline fall-back proposals) is amended...
- 33 Omit section 31 (alternative arrangements).
- 34 Omit section 32 (alternative arrangements).
- 35 (1) Section 33ZA (Wales: changing governance arrangements) is amended as...
- 36 Omit section 33A (executive arrangements).
- 37 Omit section 33B (executive arrangements: other variations of arrangements).
- 38 Omit section 33C (alternative arrangements: move to executive arrangements).
- 39 Omit section 33D (alternative arrangements: variation of arrangements).
- 40 Omit section 33E (proposals by local authority).
- 41 Omit section 33F (resolution of local authority).
- 42 Omit section 33G (implementation: new executive or move to executive...
- 43 Omit section 33H (implementation: other change in governance arrangements).
- 44 Omit section 33I (general).
- 45 Omit section 33J (new form of executive or move to...
- 46 Omit section 33K (changes subject to approval in referendum: additional...
- 47 Omit section 33L (change not subject to approval in a...
- 48 Omit section 33M (cases in which change is subject to...
- 49 Omit section 33N (variation of mayoral executive).
- 50 Omit section 33O (interpretation) and the italic heading immediately before...
- 51 (1) Section 34 (referendum following petition) is amended as follows....
- 52 (1) Section 35 (referendum following direction) is amended as follows....
- 53 (1) Section 36 (referendum following order) is amended as follows....
- 54 In section 37 (local authority constitution) in subsection (1)(a) for...
- 55 In section 38 (guidance) in subsection (1) for “Secretary of...
- 56 (1) Section 39 (elected mayors etc) is amended as follows....
- 57 In section 41 (time of elections etc) for “Secretary of...
- 58 Omit section 44A (election of leader: whole-council elections) and the...
- 59 Omit section 44B (election of leader: partial-council elections).
- 60 Omit section 44C (removal of leader).
- 61 Omit section 44D (term of office of leader: whole-council elections)....
- 62 Omit section 44E (term of office of leader: partial council...

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- 63 Omit section 44F (leader to continue to hold office as...
- 64 Omit section 44G (no other means of electing or removing...
- 65 Omit section 44H (regulations).
- 66 (1) Section 45 (provisions with respect to referendums) is amended...
- 67 (1) Section 47 (power to make incidental, consequential provision etc)...
- 68 (1) Section 48 (interpretation of Part 2) is amended as...
- 69 In section 48A (functions of the Lord President of the...
- 70 (1) Section 105 (orders and regulations) is amended as follows....
- 71 In section 106 (Wales) in subsection (1) omit paragraph (a)....
- 72 (1) Schedule 1 (executive arrangements: further provision) is amended as...

*National Health Service Act 2006 (c. 41)*

- 73 The National Health Service Act 2006 is amended as follows....
- 74 In section 244 (functions of overview and scrutiny committees) after...
- 75 (1) Section 245 (joint overview and scrutiny committees etc) is...
- 76 In section 246 (overview and scrutiny committees: exempt information) in...
- 77 (1) Section 247 (application to the City of London) is...
- 78 After section 247 (application to the City of London) insert—...

*Police and Justice Act 2006 (c. 48)*

- 79 The Police and Justice Act 2006 is amended as follows....
- 80 (1) Section 19 (local authority scrutiny of crime and disorder...
- 81 In Schedule 8 (further provision about crime and disorder committees...

SCHEDULE 4 — Conduct of local government members  
PART 1 — AMENDMENTS OF EXISTING PROVISIONS

*Parliamentary Commissioner Act 1967 (c. 13)*

- 1 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*House of Commons Disqualification Act 1975 (c. 24)*

- 2 In Part 2 of Schedule 1 to the House of...

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 3 In Part 2 of Schedule 1 to the Northern Ireland...

*Local Government and Housing Act 1989 (c. 42)*

- 4 (1) Section 3A of the Local Government and Housing Act...

*Audit Commission Act 1998 (c. 18)*

- 5 In section 49(1)(de) of the Audit Commission Act 1998 (disclosure...

*Data Protection Act 1998 (c. 29)*

- 6 In section 31 of the Data Protection Act 1998 (exemptions...

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*Local Government Act 2000 (c. 22)*

- 7 The Local Government Act 2000 is amended as follows.
- 8 (1) Section 49 (principles governing conduct of members of relevant...
- 9 (1) Section 50 (model code of conduct) is amended as...
- 10 (1) Section 51 (duty of relevant authorities to adopt codes...
- 11 In section 52(2) (power for prescribed form of declaration of...
- 12 (1) Section 53 (standards committees) is amended as follows.
- 13 (1) Section 54 (functions of standards committees) is amended as...
- 14 (1) Section 54A (sub-committees of standards committees) is amended  
as...
- 15 Omit section 55 (standards committees for parish councils).
- 16 Omit section 56A (joint committees of relevant authorities in  
England)....
- 17 Omit section 57 (Standards Board for England).
- 18 Omit section 57A (written allegations: right to make, and initial...
- 19 Omit section 57B (right to request review of decision not...
- 20 Omit section 57C (information to be given to subject of...
- 21 Omit section 57D (power to suspend standards committee's functions).
- 22 Omit section 58 (allegations referred to Standards Board).
- 23 Omit section 59 (functions of ethical standards officers).
- 24 Omit section 60 (conduct of investigations).
- 25 Omit section 61 (procedure in respect of investigations).
- 26 Omit section 62 (investigations: further provisions).
- 27 Omit section 63 (restrictions on disclosure of information).
- 28 Omit section 64 (reports etc).
- 29 Omit section 65 (interim reports).
- 30 Omit section 65A (disclosure by monitoring officers of ethical  
standards...
- 31 Omit section 66 (matters referred to monitoring officers).
- 32 Omit section 66A (references to First-tier Tribunal).
- 33 Omit section 66B (periodic returns).
- 34 Omit section 66C (information requests).
- 35 Omit section 67 (consultation with ombudsmen).
- 36 In section 68(2) (guidance by Public Services Ombudsman for Wales)  
—...
- 37 (1) Section 69 (investigations by the Public Services Ombudsman for...
- 38 (1) Section 70 (investigations: further provisions) is amended as  
follows....
- 39 In section 71(4) (reports etc) omit “in Wales”.
- 40 In section 72(6) (interim reports) omit “in Wales”.
- 41 In section 73 (matters referred to monitoring officers) omit subsection...
- 42 In section 77(7) (offence of failure to comply with regulations...
- 43 (1) Section 78 (decisions of the First-tier Tribunal or interim...
- 44 Omit section 78A (decisions of First-tier Tribunal).
- 45 Omit section 78B (section 78A: supplementary).
- 46 In section 79(13) (decisions of case tribunals: Wales) in subsection...
- 47 (1) Section 80 (recommendations by First-tier Tribunal or case  
tribunals)...
- 48 (1) Section 81 (disclosure and registration of members' interests) is...
- 49 (1) Section 82 (code of conduct for local government employees)...
- 50 In section 82A (monitoring officers: delegation of functions under Part...
- 51 (1) Section 83 (interpretation of Part 3) is amended as...

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- 52 In section 105(6) (orders and regulations) omit “, 49, 63(1)(j)”....  
53 Omit Schedule 4 (Standards Board for England).

*Freedom of Information Act 2000 (c. 36)*

- 54 In Part 6 of Schedule 1 to the Freedom of...

*Local Government and Public Involvement in Health Act 2007 (c. 28)*

- 55 (1) Section 183 of the Local Government and Public Involvement...  
PART 2 — PROVISION SUPPLEMENTARY TO PART 1

*Codes of conduct under the Local Government Act 2000*

- 56 (1) A code of conduct adopted by a relevant authority...

*Power to make provision in connection with the abolition of Standards Board for England*

- 57 (1) The Secretary of State may by order make provision...

*Power to give directions in connection with the abolition of Standards Board for England*

- 58 (1) The Secretary of State may direct the Board to...

*Final statement of accounts*

- 59 (1) As soon as is reasonably practicable after the abolition...

*Disclosure of information*

- 60 (1) Section 63 of the Local Government Act 2000 applies...

*Interpretation*

- 61 In this Part of this Schedule— “the abolition date” means...

SCHEDULE 5 — New Chapter 4ZA of Part 1 of the Local Government Finance Act 1992

This is the Chapter referred to in section 72(1)— CHAPTER...

SCHEDULE 6 — Council tax referendums: further amendments

*Local Government Finance Act 1992 (c. 14)*

- 1 The Local Government Finance Act 1992 is amended as follows....  
2 (1) Section 31 (substituted amounts) is amended as follows.  
3 In section 42(1) (substituted precepts) before “52J” insert “ 52ZU,...  
4 In section 52A (interpretation of Chapter 4A) in each of...  
5 (1) Section 52B (power to designate authorities) is amended as...  
6 (1) Section 52C (alternative notional amounts) is amended as follows....  
7 (1) Section 52D (designation or nomination) is amended as follows....  
8 (1) Section 52E (designation) is amended as follows.  
9 (1) Section 52F (challenge of maximum amount) is amended as...  
10 (1) Section 52G (acceptance of maximum amount) is amended as...  
11 (1) Section 52H (no challenge or acceptance) is amended as...  
12 In section 52I(5)(a) (duty of designated billing authority) for “general”...  
13 (1) Section 52J (duty of designated precepting authority) is amended...

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- 14 (1) Section 52K (failure to substitute) is amended as follows....
- 15 (1) Section 52L (nomination) is amended as follows.
- 16 (1) Section 52M (designation after nomination) is amended as follows....
- 17 (1) Section 52N (no designation after nomination) is amended as...
- 18 (1) Section 52P (designation after previous designation) is amended as...
- 19 (1) Section 52Q (challenge of maximum amount) is amended as...
- 20 (1) Section 52R (acceptance of maximum amount) is amended as...
- 21 (1) Section 52S (no challenge or acceptance) is amended as...
- 22 In section 52T(7)(a) (duty of designated billing authority) for “general”...
- 23 (1) Section 52U (duty of designated precepting authority) is amended...
- 24 (1) Section 52V (failure to make or substitute calculation) is...
- 25 (1) Section 52W (meaning of budget requirement) is amended as...
- 26 (1) Section 52X (calculations to be net of precepts) is...
- 27 (1) Section 52Y (information for purposes of Chapter 4A) is...
- 28 Omit section 52Z (separate administration of Chapter 4A for England...
- 29 In section 66(2)(c) (matters that may not be questioned except...
- 30 In section 67(2)(b) (functions to be discharged only by authority)—...
- 31 In section 106(2)(a) (council tax: restrictions on voting) after “IV”...
- 32 In section 113(3) (orders and regulations to be subject to...

*Police Act 1996 (c. 16)*

- 33 In section 41(2) of the Police Act 1996 (direction as...

*Greater London Authority Act 1999 (c. 29)*

- 34 The Greater London Authority Act 1999 is amended as follows....
- 35 In section 95 (minimum budget for Metropolitan Police Authority) after...
- 36 In section 96 (provisions supplementary to section 95) after subsection...
- 37 (1) Schedule 6 (procedure for determining the authority's consolidated budget...
- 38 (1) Schedule 7 (procedure for making of substitute calculations by...

SCHEDULE 7 — Council tax: minor and consequential amendments

*Local Government Finance Act 1988 (c. 41)*

- 1 The Local Government Finance Act 1988 is amended as follows....
- 2 In section 74(4) (levies)— (a) in paragraph (a) after “section”...
- 3 In section 75(6)(a) (special levies) after “section” insert “ 31A...
- 4 In section 97(1) (principal transfers between funds)—
- 5 In section 99(4) (regulations about funds) for “32(4)” substitute “...
- 6 In Schedule 7 (non-domestic rating: multipliers) in paragraph 9(4) in...

*Local Government Finance Act 1992 (c. 14)*

- 7 The Local Government Finance Act 1992 is amended as follows....
- 8 (1) Section 30 (amounts of council tax for different categories...
- 9 In section 31(1)(a) (substituted amounts) after “ section ” insert...
- 10 (1) Section 32 (calculation of budget requirement by billing authority)...
- 11 (1) Section 33 (calculation of basic amount of tax by...
- 12 In section 34(2) (additional calculation where special items relate to...
- 13 In section 35(1)(a) (special item for the purposes of section...



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- 14 In section 36(1) (calculation of tax for different valuation bands)...
- 15 After section 36 insert— Substitute calculations: England (1) An authority in England which has made calculations in...
- 16 In section 37(1) (substitute calculations) after “ authority ” insert...
- 17 (1) Section 40 (issue of precepts by major precepting authorities)...
- 18 (1) Section 41 (precepts by local precepting authorities) is amended...
- 19 In section 42(1)(b) (substituted precepts) after “49,” insert “ 49A,...
- 20 (1) Section 43 (calculation of budget requirement by major precepting...
- 21 (1) Section 44 (calculation of basic amount of tax by...
- 22 In section 45(2) (additional calculation where special items relate to...
- 23 In section 46(1) (special item for the purposes of section...
- 24 In section 47(1) (calculation of tax for different valuation bands)...
- 25 (1) Section 48 (calculation of amount payable by each billing...
- 26 (1) Section 49 (substitute calculations) is amended as follows.
- 27 (1) Section 50 (calculation of budget requirement by major precepting...
- 28 In section 65(4)(a) (duty to consult ratepayers: timing) after “under”...
- 29 In section 66(2)(c) (matters that may not be questioned except...
- 30 (1) Section 67 (functions to be discharged only by authority)...
- 31 In section 69 (interpretation of Part 1) omit subsection (2A)....

*Environment Act 1995 (c. 25)*

- 32 In section 71(6) of the Environment Act 1995 (National Park...

*Police Act 1996 (c. 16)*

- 33 In section 41(1) of the Police Act 1996 (directions as...

*Greater London Authority Act 1999 (c. 29)*

- 34 The Greater London Authority Act 1999 is amended as follows....
- 35 In section 87 (procedure for determining the budget requirement) for...
- 36 (1) Section 95 (minimum budget for Metropolitan Police Authority) is...
- 37 In section 97 (emergencies and disasters) in both of the...
- 38 In section 99— (a) at the appropriate place insert “BID...
- 39 In section 102(2) (distribution of grants between authority and functional...
- 40 In Schedule 6 (procedure for determining the Authority's consolidated budget...
- 41 In Schedule 7 (procedure for making of substitute calculations by...

*Local Government Act 2003 (c. 26)*

- 42 The Local Government Act 2003 is amended as follows.
- 43 In section 25(1) (budget calculation: report on robustness of estimates...
- 44 In section 26(1) (minimum reserves)— (a) in paragraph (a)—
- 45 In section 27(1) (budget calculation: report on inadequacy of controlled...
- 46 (1) Section 28 (budget monitoring: general) is amended as follows....

*London Local Authorities Act 2004 (2004 c. i)*

- 47 In section 23 of the London Local Authorities Act 2004...

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*Local Government and Public Involvement in Health Act 2007 (c. 28)*

- 48 The Local Government and Public Involvement in Health Act 2007...  
49 In section 24(1)(d) (authorities dissolved by orders: control of reserves)...  
50 In section 25(1)(a) (directions: further provisions about reserves) for “32(3)...  
51 (1) Section 28 (contraventions of direction) is amended as follows....

*Police Reform and Social Responsibility Act 2011 (c. 13)*

- 52 The Police Reform and Social Responsibility Act 2011 is amended...  
53 In section 18(7)(f) (function of calculating budget requirement may not...  
54 In section 22(2) (minimum budget for police and crime commissioner:...

SCHEDULE 8 — Regional strategies: consequential amendments

*Town and Country Planning Act 1990 (c. 8)*

- 1 In Schedule 1 to the Town and Country Planning Act...

*Regional Development Agencies Act 1998 (c. 45)*

- 2 In the Regional Development Agencies Act 1998 omit section 7...

*Greater London Authority Act 1999 (c. 29)*

- 3 The Greater London Authority Act 1999 is amended as follows....  
4 In section 337(6)(a) (conflict between regional spatial strategy and spatial...  
5 In section 342(1) (matters to which the Mayor is to...  
6 In Schedule 10 (Transport for London) in paragraph 2—

*Planning and Compulsory Purchase Act 2004 (c. 5)*

- 7 The Planning and Compulsory Purchase Act 2004 is amended as...  
8 In section 15(3) (preparation of local development scheme) omit paragraph...  
9 In section 19(2) (preparation of local development documents) omit paragraphs...  
10 (1) Section 24 (conformity with regional strategy) is amended as...  
11 In section 28 (joint local development documents) omit subsection (4)...  
12 In section 37 (interpretation) omit subsections (6) and (6A).  
13 (1) In section 38(3) (development plan for areas in England...  
14 (1) Section 45 (simplified planning zones) is amended as follows....  
15 In section 62(5) (preparation of local development plan) omit paragraph...  
16 In section 78 (interpretation of Part 6) omit subsection (5)...  
17 (1) Section 113 (validity of strategies, plans and documents) is...

*Local Democracy, Economic Development and Construction Act 2009 (c. 20)*

- 18 In section 70(5) (which provides for how a regional strategy...  
19 In section 82(2) (during the interim period, a regional strategy...

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*Marine and Coastal Access Act 2009 (c. 23)*

20 In Schedule 6 to the Marine and Coastal Access Act...

SCHEDULE 9 — Neighbourhood planning

PART 1 — NEIGHBOURHOOD DEVELOPMENT ORDERS

- 1 The Town and Country Planning Act 1990 is amended as...
- 2 After section 61D insert— Neighbourhood development orders  
Neighbourhood development orders...
- 3 In section 5(3) (provisions for the purposes of which the...
- 4 In Schedule 1 (local planning authorities: distribution of functions),  
after...

PART 2 — NEIGHBOURHOOD DEVELOPMENT PLANS

- 5 The Planning and Compulsory Purchase Act 2004 is amended as...
- 6 In section 38 (development plan)— (a) in subsection (2), omit...
- 7 After that section insert— Meaning of “neighbourhood development  
plan” (1) Any qualifying body is entitled to initiate a process...

SCHEDULE 10 — Process for making of neighbourhood development orders  
This is the Schedule to be inserted as Schedule 4B...

SCHEDULE 11 — Neighbourhood planning: community right to build orders  
This is the Schedule to be inserted as Schedule 4C...

SCHEDULE 12 — Neighbourhood planning: consequential amendments

*Town and Country Planning Act 1990*

- 1 The Town and Country Planning Act 1990 is amended as...
- 2 In section 56(3) (time when development begun)—
- 3 In section 57(3) (extent of permission granted by development order),...
- 4 In section 58(1)(a) (grant of planning permission by development  
order),...
- 5 In section 62 (applications for planning permission), after  
subsection (2)...
- 6 In section 65 (notice etc of applications for planning permission),...
- 7 (1) Section 69 (register of applications etc) is amended as...
- 8 (1) Section 71 (consultations in connection with determinations under  
s.70)...
- 9 In section 74 (directions etc as to method of dealing...
- 10 In section 77(1) (certain applications to be referred to the...
- 11 In section 78(1)(c) (right of appeal in relation to certain...
- 12 In section 88(9) (grant of planning permission in enterprise zone),...
- 13 In section 91(4)(a) (no limit to duration of planning permission...
- 14 In section 94(1) (termination of planning permission by reference to...
- 15 (1) Section 108 (compensation for refusal or conditional grant of...
- 16 In section 109(6) (apportionment of compensation for depreciation), in  
the...
- 17 In section 171H(1)(a) (temporary stop notice: compensation), for “a  
development...
- 18 In section 197 (planning permission to include appropriate provision  
for...
- 19 In section 253(2)(c) (cases in which certain procedures may be...
- 20 In section 264(5) (land treated not as operational land)—

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- 21 (1) Section 324 (rights of entry) is amended as follows....
- 22 (1) Section 333 (regulations and orders) is amended as follows....
- 23 In paragraph 1A of Schedule 13 (blighted land: land allocated...

*Planning (Listed Buildings and Conservation Areas) Act 1990*

- 24 The Planning (Listed Buildings and Conservation Areas) Act 1990 is...
- 25 In section 66 (general duty as respects listed buildings in...
- 26 In section 72 (general duty as respects conservation areas in...

*Planning and Compulsory Purchase Act 2004*

- 27 The Planning and Compulsory Purchase Act 2004 is amended as...
- 28 In section 18 (statement of community involvement), after subsection (2)...
- 29 In section 40(2) (local development orders), omit paragraphs (b) to...
- 30 In section 116(2)(b) (Isles of Scilly), after “Part 2” insert...

*Housing and Regeneration Act 2008*

- 31 In section 13(5) of the Housing and Regeneration Act 2008...

SCHEDULE 13 — Infrastructure Planning Commission: transfer of functions to Secretary of State

PART 1 — AMENDMENTS OF THE PLANNING ACT 2008

*Introductory*

- 1 The Planning Act 2008 is amended as follows.

*Abolition of Infrastructure Planning Commission*

- 2 Omit sections 1 to 3 and Schedule 1 (establishment and...

*Fees*

- 3 (1) Amend section 4 (regulations setting fees for performance of...

*Directions referring applications for other consents to Commission*

- 4 In section 35(6) (relevant authority must refer application to Commission)...

*Applications for orders granting development consent*

- 5 (1) Amend section 37 (applications to be made to Commission,...

*Model provisions for incorporation in draft orders*

- 6 Omit section 38 (Secretary of State may prescribe non-compulsory model...

*Register of applications*

- 7 (1) Amend section 39 (Commission to maintain and give access...

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*Notification of proposed application*

- 8 (1) Amend section 46 (duty to notify Commission of proposed...

*Guidance about pre-application procedure*

- 9 In section 50(2) (guidance may be issued by Commission or...

*Advice for potential applicants and others*

- 10 (1) Section 51 (giving of advice by Commission and disclosure...

*Information about, and entry onto, land*

- 11 In section 52(2) and (4) (authorisation by Commission to serve...  
12 (1) Amend section 53 (rights of entry) as follows.

*Acceptance of applications*

- 13 (1) Amend section 55 (acceptance by Commission of applications) as...  
14 In section 56 (if Commission accepts application, applicant to notify...  
15 In section 58(1) and (2) (applicant must certify to Commission...  
16 In section 59(1) and (2) (applicant must notify Commission of...  
17 (1) Amend section 60 (Commission's duty to seek local impact...

*Deciding how application is to be handled*

- 18 (1) Amend section 61 (initial choice of Panel or single...  
19 (1) Amend section 62 (switching from single Commissioner to Panel)...

*Delegation of functions conferred on person appointed to chair Commission*

- 20 Omit section 63 (power for Commission's chair to delegate functions...

*Handling of applications by a Panel*

- 21 In section 64(1)(a) (which refers to an application accepted by...  
22 (1) Amend section 65 (appointment of members, and lead member,...  
23 (1) Amend section 66 (ceasing to be member, or lead...  
24 Omit section 67 (Panel member continuing though ceasing to be...  
25 (1) Amend section 68 (additional appointments to Panel) as follows...  
26 (1) Amend section 69 (replacement of lead member of Panel)...  
27 Omit section 70 (membership of Panel where application relates to...  
28 (1) Amend section 71 (supplementary provision where Panel replaces  
single...  
29 (1) Amend section 74 (Panel to decide, or make recommendations...

*Single-Commissioner procedure to become single-appointed-person procedure*

- 30 (1) Amend section 78 (single Commissioner to handle application) as...  
31 For section 79 (Commission chair must appoint single Commissioner)  
substitute—...  
32 (1) Amend section 80 (person ceasing to be single Commissioner)...  
33 Omit section 81 (single Commissioner continuing though ceasing to  
be...  
34 In section 82 (appointment of replacement single Commissioner) for  
“Commissioner”...

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- 35 (1) Amend section 83 (single Commissioner to examine and report...  
36 Omit sections 84 and 85 (procedure where single Commissioner's report...

*Examination of applications*

- 37 In section 86 (Chapter applies to examination by Panel or...  
38 Omit section 87(2)(b) (Examining authority to have regard to guidance...  
39 In section 92 (notifying Commission that compulsory acquisition hearing wanted)...  
40 In section 93 (notifying Commission that open-floor hearing wanted) for...  
41 In section 94(2)(b) (Panel member or single Commissioner to preside...  
42 After section 95 insert— Hearings: defence and national security (1) Subsection (2) applies if the Secretary of State is...  
43 In section 96(1)(c) (which refers to representations received by the...  
44 (1) Amend section 98 (timetable for examining, and reporting on,...  
45 (1) Amend section 100 (Commission chair may appoint assessors at...  
46 In section 101(1) (Commission chair may appoint lawyer to assist...  
47 In section 102(4) (meaning of “relevant representation”) for “Commission” (in...

*Decisions on applications*

- 48 (1) Amend section 103 as follows. (2) In subsection (1)...  
49 (1) Amend section 104 (decisions of Panel and Council) as...  
50 (1) Amend section 105 (decisions of Secretary of State) as...  
51 In section 106(1) (representations which decision-maker may disregard) for “decision-maker”...  
52 (1) Section 107 (timetable for decisions) is amended as follows....

*Suspension of decision-making process*

- 53 In section 108(2) (suspension of proceedings on application) for the...

*Intervention by Secretary of State*

- 54 In Part 6, omit Chapter 7 (which consists of sections...

*Grant or refusal*

- 55 (1) Section 114 (decision-maker to grant or refuse consent) is...  
56 Omit section 115(6) (Panel or Council to have regard to...  
57 (1) Amend section 116 (reasons) as follows.  
58 (1) Amend section 117 (orders granting consent: formalities) as follows....  
59 (1) Amend section 118 (legal challenges) as follows.

*Orders granting development consent*

- 60 (1) Amend section 120 (what may be contained in order)...  
61 Omit section 121 (Secretary of State's control of exercise of...  
62 In sections 122(1) and 123(1) (compulsory acquisition may be authorised...  
63 Omit section 124 (guidance to Panels and Council about authorising...

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- 64 (1) Amend section 127 (statutory undertakers' land) as follows.
  - 65 Omit sections 131(10)(b) and 132(10)(b) (Secretary of State to notify...
  - 66 (1) Amend section 136 (public rights of way) as follows...
  - 67 In section 138(4)(a) (decision-maker must be satisfied) for “decision-maker” substitute...
  - 68 (1) Amend section 147 (Green Belt land) as follows.
  - 69 In section 235(1) (interpretation of Act) omit the definitions of—...
  - 70 (1) Amend Schedule 4 (corrections of errors in development consent...
  - 71 (1) Amend Schedule 5 (provisions relating to, or to matters...
  - 72 (1) Amend Schedule 6 (changes to, and revocation of, orders)...
  - 73 In Schedule 12 (application of Act to Scotland: modifications) in...
- PART 2 — OTHER AMENDMENTS

*Parliamentary Commissioner Act 1967 (c. 13)*

- 74 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*House of Commons Disqualification Act 1975 (c. 24)*

- 75 In Part 2 of Schedule 1 to the House of...

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 76 In Part 2 of Schedule 1 to the Northern Ireland...

*Town and Country Planning Act 1990 (c. 8)*

- 77 (1) The Town and Country Planning Act 1990 is amended...

*Freedom of Information Act 2000 (c. 36)*

- 78 In Part 6 of Schedule 1 to the Freedom of...

*Government of Wales Act 2006 (c. 32)*

- 79 In Part 1 of Schedule 7 to the Government of...

SCHEDULE 14 — Grounds on which landlord may refuse to surrender and grant tenancies under section 158

*Ground 1*

- 1 This ground is that any rent lawfully due from a...

*Ground 2*

- 2 This ground is that an obligation under one of the...

*Ground 3*

- 3 This ground is that any of the relevant tenants is...

*Ground 4*

- 4 (1) This ground is that either of the following conditions...

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*Ground 5*

- 5 (1) This ground is that either of the following conditions...

*Ground 6*

- 6 (1) This ground is that either of the following conditions...

*Ground 7*

- 7 This ground is that the accommodation afforded by the dwelling-house...

*Ground 8*

- 8 This ground is that the extent of the accommodation afforded...

*Ground 9*

- 9 (1) This ground is that the dwelling house proposed to...

*Ground 10*

- 10 This ground is that the landlord is a charity and...

*Ground 11*

- 11 (1) This ground is that both of the following conditions...

*Ground 12*

- 12 (1) This ground is that both of the following conditions...

*Ground 13*

- 13 (1) This ground is that all of the following conditions...

*Ground 14*

- 14 (1) This ground is that all of the following conditions...

**SCHEDULE 15 — Abolition of Housing Revenue Account subsidy in England**

- 1 Part 6 of the Local Government and Housing Act 1989...
- 2 (1) Section 79 (Housing Revenue Account subsidy) is amended as...
- 3 (1) Section 80 (calculation of Housing Revenue Account Subsidy) is...
- 4 (1) Section 80ZA (negative amounts of subsidy payable to appropriate...
- 5 (1) Section 80A (final decision on amount of Housing Revenue...
- 6 (1) Section 80B (agreements to exclude certain authorities or property)...
- 7 Omit sections 82 to 84 (residual debt subsidy and housing...
- 8 (1) Section 85 (power to obtain information) is amended as...
- 9 In section 86(1) (recoupment of subsidy in certain cases)—
- 10 (1) Section 88 (construction and application of Part 6) is...
- 11 (1) Schedule 4 (the keeping of the Housing Revenue Account)...

**SCHEDULE 16 — Transfer of functions from the Office for Tenants and Social Landlords to the Homes and Communities Agency**

**PART 1 — AMENDMENTS TO THE HOUSING AND REGENERATION ACT 2008**



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- 1 The Housing and Regeneration Act 2008 is amended as follows....
- 2 In section 2 (the HCA: objects) after subsection (1) insert—...
- 3 In section 4 (powers of the HCA: general) in subsection...
- 4 (1) Section 31 (duties in relation to social housing) is...
- 5 In section 32 (recovery etc of social housing assistance) omit...
- 6 In section 34(2) (determinations under sections 32 and 33)—
- 7 Omit section 37 (duty to co-operate with Regulator of Social...
- 8 (1) Section 42 (agency arrangements with UDCs) is amended as...
- 9 In section 46 (guidance by the Secretary of State) after...
- 10 In section 47 (directions by the Secretary of State) after...
- 11 In the Table in section 58 (Part 1: index of...
- 12 In the Table in section 60(4) (structural overview of Part...
- 13 Omit section 78 (the Regulator of Social Housing).
- 14 Omit section 81 (the regulator: establishment).
- 15 Omit section 82 (the regulator: membership).
- 16 Omit section 83 (the regulator: tenure of office of members)....
- 17 Omit section 84 (the regulator: chief executive).
- 18 Omit section 85 (the regulator: other staff).
- 19 Omit section 86 (the regulator: fundamental objectives).
- 20 Omit section 87 (the regulator: procedure).
- 21 Omit section 88 (the regulator: conflict of interest).
- 22 Omit section 89 (the regulator: committees).
- 23 Omit section 90 (the regulator: delegation).
- 24 Omit section 91 (the regulator: seal).
- 25 Omit section 92 (the regulator: annual report).
- 26 After that section insert— The regulator and the Regulation  
Committee...
- 27 In section 93(1) (the regulator: general functions) for “conferred on...
- 28 Omit section 99 (the regulator: remuneration).
- 29 In section 100 (charging)— (a) at the beginning insert “...
- 30 Omit section 101 (the regulator: assistance by Secretary of State)....
- 31 Omit section 102 (the regulator: borrowing).
- 32 Omit section 103 (the regulator: accounts).
- 33 Omit section 104 (the regulator: financial year).
- 34 Omit section 105 (the regulator: co-operation with the HCA).
- 35 Omit section 106 (the regulator: direction to the HCA).
- 36 In section 112(4) (duty to consult before setting criteria for...
- 37 (1) Section 117 (the regulator: fees) is amended as follows....
- 38 In section 145 (moratorium) omit subsection (4).
- 39 (1) Section 146 (duration of moratorium) is amended as follows....
- 40 In section 147(4) (further moratorium)— (a) at the end of...
- 41 In section 174(5) (procedure for consent to disposal of social...
- 42 In section 196(1) (consultation on standards and codes of practice)...
- 43 In section 197(4) (direction by Secretary of State) omit paragraph...
- 44 In section 202 (inspections: supplemental) after subsection (7) insert—
- 45 In section 216 (consultation on use of intervention powers) omit...
- 46 In section 222 (notification of use of enforcement notice) omit...
- 47 In section 230(2) (pre-penalty warning) omit paragraph (a).
- 48 Omit section 232 (duty to notify HCA of penalty notice)....
- 49 In section 242(3) (pre-compensation warning) omit paragraph (a).
- 50 (1) Section 248 (supplemental provisions about management tenders) is  
amended...

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- 51 (1) Section 250 (supplemental provisions about management transfers) is amended...
- 52 (1) Section 252 (supplemental provisions about appointment of managers) is...
- 53 (1) The Table in section 276 (Part 2: index of...
- 54 (1) Schedule 1 (constitution of the Homes and Communities Agency)...  
PART 2 — AMENDMENTS CONSEQUENTIAL ON PART 1

*Public Records Act 1958 (c. 51)*

- 55 In Schedule 1 to the Public Records Act 1958 (definition...

*Parliamentary Commissioner Act 1967 (c. 13)*

- 56 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*House of Commons Disqualification Act 1975 (c. 24)*

- 57 In Part 2 of Schedule 1 to the House of...

*Freedom of Information Act 2000 (c. 36)*

- 58 In Part 6 of Schedule 1 to the Freedom of...

*Housing (Scotland) Act 2010 (asp 17)*

- 59 The Housing (Scotland) Act 2010 is amended as follows.
- 60 In section 18(2) (co-operation with other regulators: definition of “relevant...
- 61 In section 68(3) (determination of accounting requirements for registered social...

*Equality Act 2010 (c. 15)*

- 62 In Schedule 19 to the Equality Act 2010 (public authorities)...  
PART 3 — TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES

*Transfer of property, rights and liabilities*

- 63 (1) The property, rights and liabilities to which the Office...

*Employment contracts: transfer of rights and liabilities*

- 64 (1) The rights and liabilities transferred by paragraph 63 include...

*Continuity*

- 65 (1) The transfer of property, rights and liabilities by virtue...

*Interpretation*

- 66 In this Part of this Schedule— “the Office” means the...  
PART 4 — TRANSITIONAL AND SAVING PROVISIONS

*Final annual report*

- 67 (1) As soon as is reasonably practicable after the abolition...

*Status: Point in time view as at 07/06/2012.*

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*Final accounts*

68 (1) As soon as is reasonably practicable after the abolition...

*General transitional and saving provisions*

69 (1) Section 92A of the Housing and Regeneration Act 2008...

*Interpretation*

70 In this Part of this Schedule— “the abolition date” means...

SCHEDULE 17 — Regulation of social housing

- 1 Part 2 of the Housing and Regeneration Act 2008 (regulation...
- 2 In section 122 (restriction on gifts and distributions by non-profit...
- 3 (1) Section 192 (overview of Chapter 6) is amended as...
- 4 (1) Section 193 (standards as to provision of social housing)...
- 5 (1) Section 194 (management of financial and other affairs of...
- 6 (1) Section 195 (code of practice relating to standards) is...
- 7 In section 197(1) (directions by Secretary of State as to...
- 8 In section 198 (supplemental provision about standards) omit subsection (1)....
- 9 After that section insert— Failure to meet standard under section...
- 10 (1) Section 201 (inspections) is amended as follows.
- 11 (1) Section 202 (inspections: supplemental) is amended as follows.
- 12 In section 203 (inspector's powers) for subsection (12) substitute—
- 13 Omit section 204 (performance information).
- 14 Omit section 205 (publication of performance information).
- 15 (1) Section 215 (guidance on use of intervention powers) is...
- 16 In section 216 (consultation)— (a) before paragraph (a) insert—
- 17 (1) Section 218 (exercise of enforcement powers) is amended as...
- 18 In section 320 of the Housing and Regeneration Act 2008...

SCHEDULE 18 — Home information packs: consequential amendments

*Terrorism Act 2000 (c. 11)*

1 In Schedule 3A to the Terrorism Act 2000 (regulated sector...

*Proceeds of Crime Act 2002 (c. 29)*

2 In Schedule 9 to the Proceeds of Crime Act 2002...

*Housing and Regeneration Act 2008 (c. 17)*

3 In section 290(2)(e) of the Housing and Regeneration Act 2008...

SCHEDULE 19 — Housing and regeneration: consequential amendments

*Public Health Act 1961 (c. 64)*

1 In Schedule 4 to the Public Health Act 1961 (attachment...

*Leasehold Reform Act 1967 (c. 88)*

2 In section 37(1)(ba)(i) of the Leasehold Reform Act 1967 (definition...

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*Land Compensation Act 1973 (c. 26)*

- 3 In section 39(9)(b)(i) of the Land Compensation Act 1973 (definition...

*Rent (Agriculture) Act 1976 (c. 80)*

- 4 In section 5(3A) of the Rent (Agriculture) Act 1976 (definition...

*Rent Act 1977 (c. 42)*

- 5 In section 14(2) of the Rent Act 1977 (definition of...

*Protection from Eviction Act 1977 (c. 43)*

- 6 In section 3A(8A)(a) of the Protection from Eviction Act 1977...

*Local Government, Planning and Land Act 1980 (c. 65)*

- 7 In section 93(1A) of the Local Government, Planning and Land...

*Highways Act 1980 (c. 66)*

- 8 In section 219(4B)(a) (definition of “new towns residuary body”) after...

*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

- 9 In Schedule 4 to the Local Government (Miscellaneous Provisions) Act...

*Housing Act 1985 (c. 68)*

- 10 The Housing Act 1985 is amended as follows.  
11 In section 4(1)(g)(i) (definition of “new towns residuary body”) after...  
12 In section 45(2) (restrictions on service charges payable after disposal...  
13 (1) Section 80 (secure tenancies: the landlord condition) is amended...  
14 In section 151B (right to buy: mortgage for securing redemption...  
15 In section 156 (right to buy: liability to repay to...  
16 (1) Section 450A (right to a loan in respect of...  
17 In section 450B(1)(a) (power to make loans in other cases)...  
18 In section 453(1)(b) (further advances in case of disposal on...  
19 In section 458(1) (loans for acquisition or improvement of housing:...  
20 In Schedule 4 (qualifying period for right to buy and...  
21 In Schedule 5 (exceptions to the right to buy) in...

*Landlord and Tenant Act 1985 (c. 70)*

- 22 In section 38 of the Landlord and Tenant Act 1985...

*Landlord and Tenant Act 1987 (c. 31)*

- 23 In section 58(1) of the Landlord and Tenant Act 1987...

*Income and Corporation Taxes Act 1988 (c. 1)*

- 24 In section 376(4) of the Income and Corporation Taxes Act...

*Housing Act 1988 (c. 50)*

- 25 The Housing Act 1988 is amended as follows.

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- 26 In section 35(4)(ba) (tenancies which are secure tenancies) after “Agency”...
- 27 In section 38(5A)(b)(i) (definition of “new towns residuary body”) after...
- 28 In section 52(9A) (recovery of grants: interpretation) in the definition...

*Water Industry Act 1991 (c. 56)*

- 29 In section 219(1) of the Water Industry Act 1991 (general...

*Water Resources Act 1991 (c. 57)*

- 30 In section 72(2A) of the Water Resources Act 1991 (definition...

*Social Security Administration Act 1992 (c. 5)*

- 31 In section 191 of the Social Security Administration Act 1992...

*Taxation of Chargeable Gains Act 1992 (c. 12)*

- 32 In section 219(1) of the Taxation of Chargeable Gains Act...

*Housing Act 1996 (c. 52)*

- 33 The Housing Act 1996 is amended as follows.
- 34 (1) Section 51 (schemes for investigation of complaints against social...
- 35 In section 219(4)(a) (directions as to charges by social landlords:...

*Greater London Authority Act 1999 (c. 29)*

- 36 The Greater London Authority Act 1999 is amended as follows....
- 37 (1) Section 38 (delegation) is amended as follows.
- 38 (1) In section 73(6), in the substituted subsection (2) of...

*Finance Act 2003 (c. 14)*

- 39 The Finance Act 2003 is amended as follows.
- 40 In section 71(4) (stamp duty land tax: reliefs for acquisitions...
- 41 (1) Schedule 9 (stamp duty land tax: rights to buy,...

*Finance Act 2004 (c. 12)*

- 42 (1) Section 59 of the Finance Act 2004 (construction industry...

*National Health Service Act 2006 (c. 41)*

- 43 The National Health Service Act 2006 is amended as follows....
- 44 In section 256(2) (bodies to which PCTs may make payments...
- 45 In section 268(3) (bodies with whom arrangements may be made...

*Housing and Regeneration Act 2008 (c. 17)*

- 46 The Housing and Regeneration Act 2008 is amended as follows....
- 47 In section 4(6) (application of rules about the exercise of...
- 48 In section 112(4) (duty to consult before setting criteria for...
- 49 In section 145 (moratorium) before the table insert—
- 50 (1) Section 146 (duration of moratorium) is amended as follows....
- 51 In section 147 (further moratorium) after subsection (4) insert—

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- 52 In section 148(1) (HCA may not, during a moratorium, give...
- 53 In section 174(5) (procedure for consent to disposal of social...
- 54 In section 178(3) (private registered provider's use of proceeds from...
- 55 In section 196(1) (consultation on standards and codes of practice)...
- 56 In section 197(4) (direction by Secretary of State) after paragraph...
- 57 In section 216 (consultation on use of intervention powers) after...
- 58 In section 222 (notification of use of enforcement notice) before...
- 59 In section 230(2) (pre-penalty warning) before paragraph (b) insert—
- 60 Before section 233 insert— Notifying the Greater London Authority If  
the regulator imposes a penalty on a registered provider...
- 61 In section 242(3) (pre-compensation warning) before paragraph (b)  
insert—
- 62 (1) Section 248 (supplemental provisions about management tenders) is  
amended...
- 63 (1) Section 250 (supplemental provisions about management transfer) is  
amended...
- 64 (1) Section 252 (supplemental provisions about appointment of  
managers) is...

#### SCHEDULE 20 — Abolition of London Development Agency: consequential amendments

##### *Local Authorities (Goods and Services) Act 1970 (c. 39)*

- 1 In section 1(4) of the Local Authorities (Goods and Services)...

##### *Local Government Finance Act 1988 (c. 41)*

- 2 In section 115(4A) of the Local Government Finance Act 1988...

##### *Audit Commission Act 1998 (c. 18)*

- 3 In section 11(8A) of the Audit Commission Act 1998 (which...

##### *Greater London Authority Act 1999 (c. 29)*

- 4 The Greater London Authority Act 1999 is amended as follows....
- 5 In section 38(8) (application of section 101 of the Local...
- 6 In section 127(4) (“officers” in section 127(2)(b) includes, in the...
- 7 In section 362(3)(b) (air quality strategy to contain information about...
- 8 In section 380(10) (application of section 101 of the Local...

##### *London Olympic Games and Paralympic Games Act 2006 (c. 12)*

- 9 In section 10(4) of the London Olympic Games and Paralympic...

#### SCHEDULE 21 — Mayoral development corporations

##### *Membership*

- 1 (1) A Mayoral development corporation (“MDC”) is to consist of...

##### *Terms of appointment of members*

- 2 (1) Subject as follows, a member of an MDC holds...

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*Staff*

3 (1) Before an MDC appoints staff it must obtain the...

*Remuneration etc: members and staff*

4 (1) An MDC may pay to or in respect of...

*Status*

5 (1) An MDC (and any member of an MDC or...

*Committees*

6 (1) An MDC may establish committees. (2) A committee may...

*Delegation*

7 (1) An MDC may delegate any of its functions to...

*Proceedings and meetings*

8 (1) An MDC may, subject to any directions given by...

9 The validity of any proceeding of an MDC is not...

*Annual report (and “financial year”)*

10 (1) As soon as reasonably practicable after the end of...

*Seal etc*

11 (1) The application of an MDC's seal is to be...

*House of Commons Disqualification Act 1975 (c. 24)*

12 In Part 2 of Schedule 1 to the House of...

SCHEDULE 22 — Mayoral development corporations: consequential and other amendments

*Leasehold Reform Act 1967 (c. 88)*

1 In paragraph 2 of Schedule 4A to the Leasehold Reform...

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

2 In section 1(4) of the Local Authorities (Goods and Services...

*Local Government Act 1972 (c. 70)*

3 (1) The Local Government Act 1972 is amended as follows....

*Local Government Act 1974 (c. 7)*

4 In section 25(1) of the Local Government Act 1974 (authorities...

*Rent Act 1977 (c. 42)*

5 In section 14(1) of the Rent Act 1977 (tenancy not...

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*Protection from Eviction Act 1977 (c. 43)*

6 In section 3A(8) of the Protection from Eviction Act 1977...

*Acquisition of Land Act 1981 (c. 67)*

7 (1) The Acquisition of Land Act 1981 is amended as...

*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

8 In paragraph 2(5) of Schedule 4 to the Local Government...

*Housing Act 1985 (c. 68)*

9 The Housing Act 1985 is amended as follows.  
10 In section 45(2) in the definition of “public sector authority”...  
11 In section 80(1) (secure tenancies: the landlord condition) before the...  
12 In section 114(1) (meaning of “landlord authority”) before the entry...  
13 In section 171(2) (section applies to interests held by certain...  
14 In section 458(1) (Part 14: minor definitions) in the definition...  
15 In paragraph 2(1) of Schedule 1 (tenancy not secure if...  
16 In Part 1 of Schedule 2 (grounds on which court...  
17 In Part 3 of Schedule 2 (grounds on which court...  
18 In Schedule 3 (grounds for withholding consent to...  
19 In Schedule 4 (qualifying period for right to buy etc)...  
20 In Schedule 5 (exceptions to right to buy) in paragraph...

*Landlord and Tenant Act 1985 (c. 70)*

21 In section 14(4) of the Landlord and Tenant Act 1985...

*Landlord and Tenant Act 1987 (c. 31)*

22 In section 58(1) of the Landlord and Tenant Act 1987...

*Local Government Act 1988 (c. 9)*

23 In Schedule 2 to the Local Government Act 1988 in...

*Local Government Finance Act 1988 (c. 41)*

24 In the Local Government Finance Act 1988 after section 48...

*Housing Act 1988 (c. 50)*

25 The Housing Act 1988 is amended as follows.  
26 In section 35(4) (tenancies which can be secure tenancies) after...  
27 In section 38(5) (when landlord's interest is held by a...  
28 In section 89(1) (housing action trust and urban development  
corporation...  
29 In paragraph 12(1) of Schedule 1 (tenancy cannot be assured...

*Town and Country Planning Act 1990 (c. 8)*

30 The Town and Country Planning Act 1990 is amended as...  
31 In section 2A (power for Mayor to call in planning...  
32 After section 7 insert— Mayoral development areas (1) Subsection (2)  
applies where an order under section 198(2)...



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- 33 After section 165 (Secretary of State may acquire land blighted...
- 34 In section 169 (meaning of “appropriate authority”) after subsection (4)...
- 35 In section 170(5) (meaning of “appropriate enactment” in the case...
- 36 (1) Paragraph 5 of Schedule 1 (when local highway authority...
- 37 In Schedule 13 (blighted land) after paragraph 9 insert— Land which is within an area designated under section 197...

*Planning (Hazardous Substances) Act 1990 (c. 10)*

- 38 In section 3(4) of the Planning (Hazardous Substances) Act 1990...

*Water Industry Act 1991 (c. 56)*

- 39 The Water Industry Act 1991 is amended as follows.
- 40 In section 41(2) (persons who may require provision of a...
- 41 In section 97(5) (performance of sewerage undertaker's functions by relevant...
- 42 In section 98(2) (persons who may require provision of a...

*Channel Tunnel Rail Link Act 1996 (c. 61)*

- 43 In paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel...

*Greater London Authority Act 1999 (c. 29)*

- 44 The Greater London Authority Act 1999 is amended as follows....
- 45 (1) Amend section 31 (limits of the general power) as...
- 46 (1) Amend section 38 (delegation) as follows.
- 47 In section 60A(3) (offices where confirmation process applies) after the...
- 48 (1) Amend section 68 (disqualification and political restriction) as follows....
- 49 (1) In section 73(6), in the substituted subsection (2) of...
- 50 In section 347 (functional bodies to have regard to spatial...
- 51 (1) Section 408 (transfers of property, rights and liabilities) is...
- 52 In section 424(1) (interpretation) in the definition of “functional body”...

*Freedom of Information Act 2000 (c. 36)*

- 53 In Part 2 of Schedule 1 to the Freedom of...

*Planning and Compulsory Purchase Act 2004 (c. 5)*

- 54 The Planning and Compulsory Purchase Act 2004 is amended as...
- 55 In section 24 (if local planning authority are a London...
- 56 (1) Amend section 37 (interpretation of Part 2) as follows....

*National Health Service Act 2006 (c. 41)*

- 57 In section 256(2) of the National Health Service Act 2006...

*Crossrail Act 2008 (c. 18)*

- 58 In paragraph 8(8)(a) of Schedule 2 to the Crossrail Act...

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*Planning Act 2008 (c. 29)*

- 59 The Planning Act 2008 is amended as follows.  
60 In section 129(1) (section 128(2) does not apply to acquisition...  
61 (1) Amend section 206 (provision about charging community infrastructure levy)...

*Equality Act 2010 (c. 15)*

- 62 In Part 1 of Schedule 19 to the Equality Act...

SCHEDULE 23 — The London Environment Strategy: minor and consequential amendments of the Greater London Authority Act 1999

*General*

- 1 The Greater London Authority Act 1999 is amended as follows....  
2 (1) Section 41 (general duties of the Mayor in relation...

*Biodiversity*

- 3 (1) Section 352 (Mayor's biodiversity action plan) is amended as...

*Municipal waste management*

- 4 (1) Section 353 (municipal waste management strategy) is amended as...  
5 (1) Section 354 (directions by the Secretary of State) is...  
6 In— (a) section 355(1), (3) and (7)(c) (duties of waste...  
7 In section 355(7)(duties of waste collection authorities etc), in the...

*Climate change mitigation and energy*

- 8 (1) Section 361B (the London climate change mitigation and energy...  
9 Omit section 361C (directions by the Secretary of State to...

*Adaptation to climate change*

- 10 (1) Section 361D (the adaptation to climate change strategy for...  
11 Omit section 361E (directions by the Secretary of State to...

*Air quality*

- 12 (1) Section 362 (the Mayor's air quality strategy) is amended...  
13 (1) Section 363 (directions by the Secretary of State) is...  
14 In section 364 (duty of local authorities in Greater London),...  
15 In section 365 (directions by the Mayor), for “London air...

*Ambient noise*

- 16 (1) Section 370 (the London ambient noise strategy) is amended...

SCHEDULE 24 — Transfers and transfer schemes: tax provisions

PART 1 — TRANSFER UNDER PARAGRAPH 63 OF SCHEDULE 16

- 1 (1) For the purposes of any enactment about income tax...

PART 2 — CERTAIN TRANSFERS UNDER SCHEME UNDER SECTION 190 OR 191

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### *Interpretation of Part 2 of Schedule*

2 In this Part of this Schedule— “CTA 2009” means the...

#### *Computation of profits and losses in respect of transfer of a trade*

3 (1) This paragraph applies where a taxable public body (“the...

#### *Transfers of trading stock*

4 (1) This paragraph applies if— (a) under a relevant transfer,...

#### *Continuity in relation to loan relationships*

5 (1) For the purposes of the application of Part 5...

#### *Chargeable gains: disposal on transfer to be treated as no gain/no loss disposal*

6 (1) For the purposes of the Taxation of Chargeable Gains...

#### *Stamp duty*

7 Stamp duty is not chargeable on a transfer scheme under...

#### *Modifications of transfer schemes*

8 (1) This paragraph applies if— (a) a company delivers a...

PART 3 — TRANSFERS UNDER SCHEME UNDER SECTION 17, 200(1) OR (4)  
OR 216(1)

9 (1) In this paragraph “transfer scheme” means a transfer scheme...

### SCHEDULE 25 — Repeals and revocations

PART 1 — GENERAL POWER OF COMPETENCE

PART 2 — FIRE AND RESCUE AUTHORITIES

PART 3 — OTHER AUTHORITIES

PART 4 — LOCAL AUTHORITY GOVERNANCE

PART 5 — STANDARDS

PART 6 — DUTY TO PROMOTE DEMOCRACY

PART 7 — PETITIONS

PART 8 — WASTE REDUCTION SCHEMES

PART 9 — BUSINESS RATE SUPPLEMENTS

PART 10 — NON-DOMESTIC RATES: DISCRETIONARY RELIEF

PART 11 — SMALL BUSINESS RATE RELIEF

PART 12 — COUNCIL TAX REFERENDUMS

PART 13 — COUNCIL TAX

PART 14 — COUNCIL TAX REVALUATIONS IN WALES

PART 15 — REGIONAL STRATEGIES (COMMENCEMENT ON PASSING)

PART 16 — REGIONAL STRATEGIES (COMMENCEMENT BY ORDER)

PART 17 — LOCAL DEVELOPMENT SCHEMES AND DOCUMENTS

PART 18 — NEIGHBOURHOOD PLANNING

PART 19 — UNAUTHORISED ADVERTISEMENTS AND DEFACEMENT OF  
PREMISES

PART 20 — ABOLITION OF INFRASTRUCTURE PLANNING COMMISSION

PART 21 — NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

PART 22 — HOMELESSNESS

PART 23 — HOUSING TENURE

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- PART 24 — HOUSING FINANCE
- PART 25 — MUTUAL EXCHANGE
- PART 26 — OFFICE FOR TENANTS AND SOCIAL LANDLORDS
- PART 27 — REGULATION OF SOCIAL HOUSING
- PART 28 — HOUSING OMBUDSMAN
- PART 29 — HOME INFORMATION PACKS
- PART 30 — TENANTS' DEPOSITS
- PART 31 — LONDON (HOUSING AND REGENERATION)
- PART 32 — LONDON DEVELOPMENT AGENCY ETC
- PART 33 — GREATER LONDON AUTHORITY GOVERNANCE
- PART 34 — COMPENSATION FOR COMPULSORY ACQUISITION

**Status:**

Point in time view as at 07/06/2012.

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