
STATUTORY INSTRUMENTS

2017 No. 510

The West Midlands Combined Authority
(Functions and Amendment) Order 2017

PART 3

Housing and regeneration

Conferral of functions corresponding to functions that the HCA has in relation to the combined area

10.—(1) The functions of the HCA which are specified in the following provisions in the 2008 Act that are exercisable in relation to the combined area are to be functions of the Combined Authority—

- (a) section 5 (powers to provide housing or other land);
- (b) section 6 (powers for regeneration, development or effective use of land);
- (c) section 7 (powers in relation to infrastructure);
- (d) section 8 (powers to deal with land etc);
- (e) section 9 (acquisition of land);
- (f) section 10 (restrictions on disposal of land);
- (g) section 11 (main powers in relation to acquired land)⁽¹⁾; and
- (h) section 12 (powers in relation to, and for, statutory undertakers).

(2) The Combined Authority is to exercise the functions contained in the provisions specified in paragraph (1) for the purposes of or for purposes incidental to the following objects—

- (a) to improve the supply and quality of housing in the combined area;
- (b) to secure the regeneration or development of land or infrastructure in the combined area;
- (c) to support in other ways the creation, regeneration or development of communities in the combined area or their continued well-being; and
- (d) to contribute to the achievement of sustainable development and good design in the combined area,

with a view to meeting the needs of people living in the combined area.

(3) The functions contained in the provisions specified in paragraph (1) are—

- (a) exercisable concurrently with the HCA; and
- (b) subject to Schedules 2 and 3 to the 2008 Act.

(4) In paragraph (2) “good design” and “needs” have the meanings given by section 2(2) of the 2008 Act and the reference to improving the supply of housing includes a reference to improving the supply of particular kinds of housing.

⁽¹⁾ Section 11 was amended by section 32(1) and (2) of the Infrastructure Act 2015.

Status: This is the original version (as it was originally made).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

(5) Section 23(3) of the Land Compensation Act 1961 (compensation where planning decision made after acquisition)(2) applies in relation to an acquisition by the Combined Authority as it applies in relation to the HCA.

Application of provisions of the 2008 Act

11.—(1) This article has effect in consequence of article 10.

(2) Chapters 1 and 2 of Part 1 of the 2008 Act apply in relation to the powers of the Combined Authority to acquire land for housing and infrastructure under the functions specified in article 10(1) and land acquired by the Combined Authority under those functions as they apply to the HCA and land acquired by the HCA, with the modifications made by Schedule 3.

(2) 1961 c. 33. Section 23 was amended by section 66 of, and Schedule 14 to, the Planning and Compensation Act 1991 (c. 34), sections 181 and 187 of, and Schedule 22 to, the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) and by section 56 of, and Schedule 8 to, the Housing and Regeneration Act 2008 (c. 17). There are other amendments which are not relevant.