

SCHEDULE 3

Article 11

Modification of the application of Chapters 1 and 2 of Part 1 of the 2008 Act

1.—(1) Chapters 1 and 2 of Part 1 of the 2008 Act are modified in accordance with the following provisions.

(2) Sections 5 (powers to provide housing or other land), 6 (powers for regeneration, development or effective use of land), 7 (powers in relation to infrastructure), 8 (powers to deal with land etc), 9 (acquisition of land), 10 (restrictions on disposal of land), 11 (main powers in relation to acquired land), and Schedules 2 to 4 to, the 2008 Act as applied by article 11 shall have effect as if for every reference to—

- (a) “the HCA” there were substituted a reference to “the West Midlands Combined Authority”;
- (b) “Part 1” of that Act there were substituted a reference to “Part 3 of the West Midlands Combined Authority (Functions and Amendment) Order 2017”;
- (c) “the HCA’s land” or land acquired or held by the HCA there were substituted a reference to “the West Midlands Combined Authority’s land” or land acquired or held by the West Midlands Combined Authority.

(3) Sections 5, 6, 8, 9 and 10 of the 2008 Act shall have effect as if for every reference to “land” there were substituted a reference to “land in the combined area of the West Midlands Combined Authority”.

(4) Section 57(1) of the 2008 Act shall have effect as if there were inserted at the appropriate place—

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

(5) Part 1 of Schedule 2 to the 2008 Act (compulsory acquisition of land) shall have effect as if for every reference to “section 9” of that Act there were substituted a reference to “article 10” of this Order.

(6) Schedule 3 to the 2008 Act (main powers in relation to land acquired by the HCA) shall have effect as if for references to land which has been vested in or acquired by the HCA there were substituted references to land which has been vested in or acquired by the Combined Authority.

(7) Schedule 4 to the 2008 Act (powers in relation to, and for, statutory undertakers) shall have effect as if for every reference to the HCA under Part 1 of that Act there were substituted a reference to the functions conferred on the Combined Authority under article 10.