



Localism Act 2011

2011 CHAPTER 20

PART 8

LONDON

CHAPTER 2

MAYORAL DEVELOPMENT CORPORATIONS

General

218 Transfer schemes: general provisions

(1) In this section—

“transfer scheme” means a scheme under section 200(1) or (4) or 216(1);

“transferee”, in relation to a transfer scheme, means the person to whom property, rights or liabilities are transferred by the scheme;

“transferor”, in relation to a transfer scheme, means the person from whom property, rights or liabilities are transferred by the scheme.

(2) The things that may be transferred under a transfer scheme include—

- (a) property, rights or liabilities that could not otherwise be transferred;
- (b) property acquired, and rights and liabilities arising, after the making of the scheme.

(3) A transfer scheme may make consequential, supplementary, incidental or transitional provision and may in particular—

- (a) make provision for certificates issued by the Secretary of State to be conclusive evidence that property has been transferred;
- (b) create rights, or impose liabilities, in relation to property or rights transferred;
- (c) make provision about the continuing effect of things done (or having effect as if done) by or in relation to the transferor in respect of anything transferred;

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- (d) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to the transferor in respect of anything transferred;
 - (e) make provision for references to the transferor in an instrument or other document in respect of anything transferred to be treated as references to the transferee;
 - (f) make provision for the shared ownership or use of property.
- (4) The Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) apply to a transfer under a transfer scheme where the transfer relates to rights or liabilities under a contract of employment (whether or not it is a relevant transfer for the purposes of those regulations).
- (5) A transfer scheme may provide—
- (a) for modification by agreement;
 - (b) for modifications to have effect from the date when the original scheme came into effect.
- (6) In this section “rights” and “liabilities” include rights, or (as the case may be) liabilities, in relation to a contract of employment.

Modifications etc. (not altering text)

C1 Pt. 8 Ch. 2 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **11(1)(2)**, **Sch. 3**

219 Guidance by the Mayor

- (1) The Mayor may give guidance to an MDC as to the exercise of any of the MDC's functions.
- (2) Before giving guidance under this section, the Mayor must consult such persons as the Mayor considers appropriate.
- (3) The Mayor must publish any guidance given under this section as soon as reasonably practicable after giving it.
- (4) The Mayor may revoke guidance given under this section.
- (5) The Mayor must—
 - (a) consult, before revoking guidance given under this section, such persons as the Mayor considers appropriate, and
 - (b) publish the fact that guidance given under this section has been revoked as soon as reasonably practicable after the revocation of the guidance.
- (6) An MDC must, in exercising its functions, have regard to any guidance given to it under this section that is for the time being in force.
- (7) References in this section to giving guidance include references to giving guidance by varying existing guidance.

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Modifications etc. (not altering text)

- C2** S. 219: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

220 Directions by the Mayor

- (1) The Mayor may give an MDC general or specific directions as to the exercise of any of the MDC's functions.
- (2) The Mayor must publish any directions given under this Chapter by the Mayor as soon as reasonably practicable after giving them.
- (3) The Mayor—
 - (a) may revoke any directions given under this Chapter by the Mayor, and
 - (b) must publish the fact that directions given under this Chapter have been revoked as soon as reasonably practicable after the revocation.
- (4) An MDC must comply with any directions given by the Mayor under this Chapter that are in force in relation to the MDC.
- (5) Subsections (2) and (3)(b) do not apply to directions given under paragraph 8(1) of Schedule 21.
- (6) References in this Chapter to the Mayor giving directions include references to the Mayor giving directions by varying existing directions.

Modifications etc. (not altering text)

- C3** S. 220: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

221 Consents

- (1) A relevant consent may be given—
 - (a) unconditionally or subject to conditions, and
 - (b) generally or specifically.
- (2) The Mayor may vary or revoke a relevant consent except in the case of anything already done, or agreed to be done, on the authority of it.
- (3) A variation or revocation under subsection (2) does not have effect until the Mayor has served notice of it on the person to whom the relevant consent was given.
- (4) In this section “relevant consent” means a consent of the Mayor required under this Chapter.

Modifications etc. (not altering text)

- C4** S. 221: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

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222 Consequential and other amendments

Schedule 22 (Mayoral development corporations: consequential and other amendments) has effect.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)