

EXPLANATORY MEMORANDUM TO
THE STOCKPORT TOWN CENTRE WEST MAYORAL DEVELOPMENT
CORPORATION (ESTABLISHMENT) ORDER 2019

2019 No. 1040

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Ministry of Housing Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 This Order establishes a mayoral development corporation (“the Corporation”) named the “Stockport Town Centre West Mayoral Development Corporation”.

3. Matters of special interest to Parliament

Matters of Special Interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial extent of this instrument is England and Wales as the relevant powers being exercised extend to England and Wales.
- 4.2 The territorial application of this instrument is England.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

- 6.1 The Greater Manchester Combined Authority (Functions and Amendment) Order 2017¹ conferred on the Greater Manchester Combined Authority (“the GMCA”) in relation to its area, functions that the Mayor of London has in relation to Greater London, including the power to designate any area of land as a mayoral development area. Part 2 of the 2017 Order modifies these functions and provides that these are to be exercised by the Mayor of the GMCA (“the Mayor”).

¹ <http://www.legislation.gov.uk/uksi/2017/612/contents/made>

- 6.2 Under section 197(1) of the Localism Act 2011 (“the 2011 Act”), as modified by the 2017 Order, the Mayor is given the power to designate any area of land in the combined authority as a mayoral development area, provided that:
- the Mayor considers that this is expedient for furthering economic development and regeneration in the combined authority area;
 - the Mayor has consulted the statutory consultees as well as others whom the Mayor has considered it appropriate to consult and has had regard to any comments made by these consultees;
 - if the Mayor disagrees and does not accept the comments made by statutory consultees, has published a statement giving reasons for non-acceptance; and
 - the Mayor has laid a document before the combined authority, stating that the Mayor proposes to designate an area as a mayoral development area, and a period of 21 days has elapsed without the combined authority rejecting the proposal.
- 6.3 Section 198 of the 2011 Act requires the Secretary of State, if notified by the Mayor that a mayoral development area has been designated, to make an Order establishing a corporation for this area. The Secretary of State is required to give the corporation the name proposed by the Mayor.

7. Policy background

What is being done and why?

- 7.1 In July 2015, the Government and the GMCA announced a devolution deal² in which the Government agreed to give the Mayor the power to establish mayoral development corporations to help drive regeneration. These powers were then devolved to the GMCA by S.I. 2017/612.
- 7.2 In November 2017, the Mayor launched a Town Centre Challenge to look at how Greater Manchester’s town centres might best be developed to enhance their housing and employment opportunities. Stockport’s response to this initiative resulted in the GMCA board endorsing the Mayor’s plan to undertake a consultation in respect of a mayoral development corporation for the western area of Stockport town centre that will regenerate the area and make the town centre a residential destination of choice.
- 7.3 On 29 March 2019, following this consultation, the Mayor laid a document before the GMCA stating that he was proposing to designate a mayoral development area. The document confirms that, as the 2017 Order requires, the Mayor had regard to the comments made through the consultation. The 21-day consideration period expired without the Mayor’s proposal being rejected by the GMCA.
- 7.4 On 3 May 2019, the Mayor formally publicised the designation of a mayoral development area and notified the Secretary of State of this designation and the name to be given to the corporation: Stockport Town Centre West Mayoral Development Corporation.
- 7.5 The Government is satisfied that the Mayor has fulfilled the requirements of section 197 of the 2011 Act. The Order therefore establishes a corporation for the Town

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/443087/Greater_Manchester_Further_Devolution.pdf

Centre West area of Stockport. The Corporation's boundary is depicted on the map that accompanies this Order and which is attached as an Annex to this Explanatory Memorandum. The principle objective of the Corporation will be to take strategic leadership in furthering economic development and regeneration of the area. Although legislation permits mayoral development corporations to have planning functions conferred upon them, in this case Stockport Metropolitan Borough Council as local planning authority for the proposed Corporation will retain these powers.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

- 8.1 This instrument does not relate to withdrawal from the European Union or trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 There are no plans for a consolidation exercise at present.

10. Consultation outcome

- 10.1 In accordance with section 197 of the 2011 Act, as modified by the 2017 Order, the Mayor consulted on the proposed Corporation. The consultation took place between 14 January and 10 March 2019 and the proposals covered the establishment of the Corporation and the potential this had to improve and regenerate the town centre, the boundary of the Corporation's area, its name, and whether or not it should have functions in connection with planning and business rates.
- 10.2 The statutory consultees were the GMCA, Stockport Metropolitan Borough Council and the four Members of Parliament whose constituencies are in the council's area. The Mayor also invited responses to the proposal from all the Greater Manchester MPs, Network Rail, Historic England, Homes England and the Environment Agency, as well as every property owner and tenant in the area where details were available.
- 10.3 Full details of the consultation are available on the GMCA website:
<https://www.gmconsult.org/communications-and-engagement-team/mdcstockport/>
- 10.4 A total of 204 consultation responses were received, of which 89% were from Stockport residents. The four Members of Parliament whose constituencies are in the local authority area chose not to respond to the consultation. 12 organisations also responded to the consultation. The responses to the key questions posed were as follows:
- 78% of the respondents agreed that a Corporation would be the best way to drive forward long-term regeneration for Stockport's Town Centre West. Of those that disagreed, they felt that transport links should have been considered before creating further problems with building work while others felt the Corporation would create another layer of bureaucracy.
 - 81% of the respondents agreed that the setting up of the Corporation would deliver regeneration that would support Stockport town centre as a whole. Those that disagreed felt that the Corporation wouldn't change anything and that there was a risk that it could lead to the building of unsuitable housing rather than what is needed in the town centre.

- 60% of the respondents agreed that the boundary was appropriate while 20% disagreed. Some of those who disagreed, suggested that it should be expanded to include other areas of the town.
- 48% of the respondents agreed that the Corporation should not have planning functions nor functions in gathering discretionary rate relief and 21% disagreed with this question.
- 151 people responded to the question in the consultation about the name of the corporation. Some respondents thought that the name was too long, whilst others thought that it did not demonstrate the aspiration of the proposals. Some respondents commented that whilst the name was not very exciting, it did go some way to explaining what the corporation was.

11. Guidance

11.1 No guidance is necessary to accompany this Order.

12. Impact

12.1 There is no, or no significant impact on business, charities or voluntary bodies.

12.2 The impact on the public sector is minimal. It establishes a new body that will exercise concurrent functions and powers of existing public bodies.

12.3 An Impact Assessment has not been prepared for this instrument because it has a low level of impact on the business sector.

13. Regulating small business

13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

14.1 The approach to monitoring of this legislation is as set out in Section 215 of the 2011 Act which requires the Mayor to review from time to time whether a Corporation should continue to exist.

14.2 The regulation does not include a statutory review clause.

15. Contact

15.1 Kathy Billington at the Ministry of Housing, Communities and Local Government, telephone: 0303 444 4353 or email: Kathy.billington@communities.gov.uk can be contacted with any queries regarding the instrument.

15.2 Paul Rowsell, Deputy Director and Head of the Governance Reform and Democracy Unit, at the Ministry of Housing, Communities and Local Government can confirm that this Explanatory Memorandum meets the required standard.

15.3 Jake Berry, Minister for the Northern Powerhouse, at the Ministry of Housing, Communities and Local Government can confirm that this Explanatory Memorandum meets the required standard.

Annex

Map referred to in the Stockport Town Centre West Mayoral Development Corporation (Establishment) Order 2019

