

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

MAIN POWERS IN RELATION TO [F1]LAND ACQUIRED BY THE HCA]

Textual Amendments

- F1** Words in Sch. 3 title substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), **ss. 32(3)**, 57(5)(e) (with s. 32(11)(12))

Modifications etc. (not altering text)

- C1** Sch. 3 applied by 1999 c. 29, s. 333ZB(1) (as substituted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 19 para. 12(2)**; S.I. 2016/733, reg. 3(m) (with reg. 10))
- C1** Sch. 3 applied by 2011 c. 20, s. 208(1) (as substituted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 19 para. 17**; S.I. 2016/733, reg. 3(m))
- C1** Schs. 2-4 applied (with modifications) (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), 9(3), **Sch. 3 Pt. 2**
- C1** Schs. 2-4 applied (with modifications) (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, 14(5), **Sch. 3** (with art. 28)
- C1** Schs. 2-4 applied (with modifications (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 10(5), **Sch. 2 Pt. 2**
- C1** Schs. 2-4 applied (with modifications) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **13(5)**, **Sch. 2 Pts. 1, 2**
- C1** Sch. 3 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 9(5), **Sch. 2 Pt. 2**
- C1** Schs. 2-4 applied (with modifications) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), 10(5), **Sch. 2 Pt. 2**

PART 2

POWERS TO EXTINGUISH PUBLIC RIGHTS OF WAY

Duty to give opportunity to appear

- 7 (1) The Secretary of State must, before making a final decision, give the objector an opportunity to appear before, and be heard by, a person appointed for the purpose by the Secretary of State.
- (2) Sub-paragraph (3) applies if the objector takes advantage of this opportunity.
- (3) The Secretary of State must give an opportunity of appearing and being heard on the same occasion as the objector to—
- (a) the HCA, and

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) any other persons whom the Secretary of State considers ought to be given the opportunity.

(4) Sub-paragraphs (1) to (3) do not apply so far as the Secretary of State has the power to proceed under paragraph 8 or 9.

Commencement Information

II Sch. 3 para. 7 in force at 1.12.2008 by [S.I. 2008/3068](#), [art. 2\(1\)\(f\)](#) (with arts. 6-13)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [Sch. 2-4 applied \(with modifications\) by S.I. 2024/402 art. 36\(4\)Sch. 4](#)

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. 14\(6A\) inserted by 2023 c. 55 s. 138](#)
- [s. 107\(2A\) inserted by 2023 c. 36 s. 3\(2\)\(c\)](#)
- [s. 107\(4A\)\(4B\) inserted by 2023 c. 36 s. 3\(2\)\(f\)](#)
- [s. 107\(6A\) inserted by 2023 c. 36 s. 3\(2\)\(i\)](#)
- [s. 115\(6A\) inserted by 2023 c. 36 s. 8\(d\)](#)
- [s. 117\(1A\) inserted by 2023 c. 36 s. 4\(3\)](#)
- [s. 117\(4A\) inserted by 2023 c. 36 s. 4\(5\)](#)
- [s. 126A-126D inserted by 2023 c. 36 s. 10\(2\)](#)
- [s. 146\(2B\) inserted by 2023 c. 36 s. 12\(3\)\(e\)](#)
- [s. 153\(1\)\(ba\) inserted by 2023 c. 36 s. 12\(6\)\(a\)](#)
- [s. 153\(1A\) inserted by 2023 c. 36 s. 12\(6\)\(b\)](#)
- [s. 154\(2\)\(ab\) inserted by 2023 c. 36 Sch. 1 para. 18](#)
- [s. 161A inserted by 2023 c. 36 s. 18\(2\)](#)
- [s. 163A applied \(with modifications by S.I. 2023/1311 reg. 9](#)
- [s. 163A inserted by 2023 c. 36 s. 17\(3\)](#)
- [s. 163B inserted by 2023 c. 36 s. 18\(3\)](#)
- [s. 169CA inserted by 2023 c. 36 s. 19\(4\)](#)
- [s. 169CB-169CD and cross-heading inserted by 2023 c. 36 s. 20\(2\)](#)
- [s. 169ZA inserted by 2023 c. 36 Sch. 5 para. 14](#)
- [s. 199\(9\) inserted by 2023 c. 36 s. 28\(2\)\(c\)](#)
- [s. 199A-199B inserted by 2023 c. 36 s. 28\(3\)](#)
- [s. 200\(4A\) inserted by 2023 c. 36 s. 28\(4\)\(d\)](#)
- [s. 201A inserted by 2023 c. 36 s. 29\(2\)](#)
- [s. 203A inserted by 2023 c. 36 s. 30\(4\)](#)
- [s. 215\(1A\) inserted by 2023 c. 36 s. 29\(3\)](#)
- [s. 218\(2\)\(e\) inserted by 2023 c. 36 Sch. 5 para. 26\(b\)](#)
- [s. 218A-218D and cross-heading inserted by 2023 c. 36 s. 31\(2\)](#)
- [s. 220\(11B\) inserted by 2023 c. 36 s. 10\(3\)](#)
- [s. 220\(11D\)\(11E\) inserted by 2023 c. 36 s. 31\(3\)](#)
- [s. 225A-225H and cross-heading inserted by 2023 c. 36 s. 32](#)
- [s. 227\(7B\) inserted by 2023 c. 36 s. 10\(4\)](#)
- [s. 227\(7D\)\(7E\) inserted by 2023 c. 36 s. 31\(4\)](#)
- [s. 237\(5\)\(6\) inserted by 2023 c. 36 s. 31\(5\)](#)
- [s. 247\(1\)\(c\) and word inserted by 2023 c. 36 s. 31\(6\)](#)
- [s. 247\(1\)\(ab\)\(ac\) inserted by 2023 c. 36 s. 10\(5\)](#)
- [s. 249\(1\)\(c\) and word inserted by 2023 c. 36 Sch. 3 para. 7\(b\)](#)
- [s. 251\(1\)\(c\) and word inserted by 2023 c. 36 s. 31\(7\)](#)
- [s. 251\(1\)\(ab\)\(ac\) inserted by 2023 c. 36 s. 10\(6\)](#)
- [s. 252\(2A\) inserted by 2023 c. 36 Sch. 3 para. 9\(b\)](#)
- [s. 252A\(2\)\(c\)\(d\) inserted by 2023 c. 36 s. 10\(7\)\(b\)](#)
- [s. 252A\(2\)\(e\) inserted by 2023 c. 36 Sch. 3 para. 10\(b\)](#)
- [s. 252A\(2\)\(f\) and word inserted by 2023 c. 36 s. 31\(8\)](#)
- [s. 253\(1\)\(c\) and word inserted by 2023 c. 36 Sch. 3 para. 11\(b\)](#)

- s. 255(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 12(b)
- s. 259(3A) inserted by 2023 c. 36 Sch. 3 para. 15(d)
- s. 266(9) inserted by 2023 c. 36 Sch. 3 para. 17(b)
- s. 269(1)(ba)(bb) inserted by 2023 c. 36 Sch. 3 para. 18(c)
- s. 269(1A) inserted by 2023 c. 36 Sch. 3 para. 18(d)