

# Levelling-up and Regeneration Bill

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## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

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#### Clause 2

LORD LUCAS

Clause 2, page 3, line 25, at end insert –

- “(8) A Minister of the Crown must appoint a body that is independent of government and Parliament to review the reports referred to in subsection (1), to interview ministers, officials and other parties they consider relevant, and to report to Parliament on the delivery of the missions as a whole and in particular on the cross-departmental collaboration that has taken place, or might have taken place, in respect of them.”

#### After Clause 77

BARONESS PINNOCK

After Clause 77, insert the following new Clause –

#### “Disposal of land held by public bodies

- (1) The Local Government Act 1972 is amended in accordance with subsections (2) and (3).
- (2) In section 123 (disposal of land by principal councils), after subsection (2) insert –

“(2ZA) But the Secretary of State must give consent if the disposal is in accordance with section (*Disposal of land held by public bodies*) of the Levelling-up and Regeneration Act 2023.”
- (3) In section 127(3) (disposal of land held by parishes and communities), after “subsections” insert “(2ZA),”.
- (4) The National Health Service Act 2006 is amended in accordance with subsection (5).

- (5) After section 211 (acquisition, use and maintenance of property) insert –

**“211A Disposal of land held by NHS bodies**

Any power granted by this Act to an NHS body to dispose of land is exercisable in accordance with section (*Disposal of land held by public bodies*) of the Levelling-up and Regeneration Act 2023 as if the NHS body were a local authority.”

- (6) Subject to subsection (8), a disposal of land is in accordance with this section if it is in accordance with the Local Government Act 1972: General Disposal Consent (England) 2003 published in Department for Communities and Local Government Circular 06/03, as amended by subsection (7).
- (7) The amendments to the Local Government Act 1972: General Disposal Consent (England) 2003 are –
- (a) after paragraph 1 insert –
- “1A This consent also applies to any NHS body in England as if it were a local authority in accordance with section 211A of the National Health Service Act 2006.”
- (b) in paragraph 2(b), for “£2,000,000 (two million pounds)” substitute “£3,000,000 (three million pounds) or 40% of the unrestricted market value, whichever is greater”;
- (c) for paragraph 3(1)(viii) substitute –
- “(viii) a Police and Crime Commissioner established under the Police Reform and Social Responsibility Act 2011;”;
- (d) for paragraph 3(1)(ix) substitute –
- “(ix) the Mayor’s Office for Policing and Crime;”;
- (e) after paragraph 3(1)(xii) insert –
- “(xiii) the Greater London Authority;  
(xiv) any successor body established by or under an Act of Parliament to any body listed in this sub-paragraph.”
- (8) The Secretary of State may, to reflect inflation, further amend the cash value that the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal must not exceed.”

***Member's explanatory statement***

*This new clause would bring an amended and updated version of the Local Government Act 1972: General Disposal Consent (England) 2003 into primary legislation and extend its application to NHS bodies.*

**After Clause 93**

LORD BERKELEY

After Clause 93, insert the following new Clause –

**“Cycling, walking and rights of way plans: incorporation in development plans**

- (1) A local planning authority must ensure that the development plan incorporates, so far as relevant to the use or development of land in the local planning authority’s area, the policies and proposals set out in –
  - (a) any local cycling and walking infrastructure plan or plans prepared by a local transport authority;
  - (b) any rights of way improvement plan.
- (2) In dealing with an application for planning permission or permission in principle the local planning authority shall also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any rights of way improvement plan which have not been included as part of the development plan, so far as is material to the application.
- (3) In this section –
  - (a) “local planning authority” has the same meaning as in section 15LF of PCPA 2004;
  - (b) “local transport authority” has the same meaning as in section 108 of the Transport Act 2000;
  - (c) a “rights of way improvement plan” is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.”

***Member's explanatory statement***

*This new Clause would require development plans to incorporate policies and proposals for cycling and walking infrastructure plans and rights of way improvement plans. Local planning authorities would be required to have regard to any such policies and proposals where they have not been incorporated in a development plan.*

**After Clause 123**

BARONESS PINNOCK

After Clause 123, insert the following new Clause –

**“Strengthening local powers on new home standards and affordable housing**

- (1) The Secretary of State must make Building Regulations under section 1 of the Building Act 1984 (Power to make building regulations) providing that new homes in England must meet the full requirements of the Future Homes Standard from 1 June 2023.
- (2) A local authority in England may choose to require and enforce minimum carbon compliance standards for new homes in its area which exceed the Future Homes Standard from that date.

- (3) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area is affordable.
- (4) A local planning authority may define “affordable” for the purposes of subsection (3).”

***Member's explanatory statement***

*This new Clause would bring forward the date for which the Future Homes Standard for carbon compliance of new homes would apply and give local authorities the option of imposing higher standards locally and would enable local authorities to mandate that new housing under their jurisdiction is affordable.*

BARONESS PINNOCK

After Clause 123, insert the following new Clause –

**“Public consultation on planning and women’s safety**

- (1) The Secretary of State must, within 90 days of the day on which this Act is passed, open a public consultation to establish the impact of proposed changes to the planning system on women’s safety.
- (2) Section 70 of the Town and Country Planning Act 1990 (Determination of applications: general considerations) is amended in accordance with subsection (3).
- (3) After subsection (2A), insert –
  - “(2B) In dealing with an application for planning permission for public development, a local planning authority must establish a review of how the proposed development would impact women’s safety. The review must, in particular, consider the impact of proposed development on –
    - (a) open spaces,
    - (b) layout of buildings,
    - (c) unlit or hidden spaces,
    - (d) visibility of entranceways, and
    - (e) blind spots.
  - (2C) The local planning authority must prepare and publish a report setting out the results of the review.””

***Member's explanatory statement***

*This amendment would require the Secretary of State to open a public consultation to establish the impact of proposed changes to the planning system on women’s safety and would require local planning authorities to review the impact of new developments on women’s safety.*

**Schedule 11**

LORD TEVERSON

Schedule 11, page 365, line 34, leave out “or are not to be used”

***Member's explanatory statement***

*This amendment seeks to retain section 106 of Town & Country Planning Act 1990 in the planning system, whilst allowing modification through regulations. This is for the purpose of maintaining site specific obligations for strategic biodiversity mitigation measures and nature's recovery.*

**Schedule 18**

LORD HOLMES OF RICHMOND

Schedule 18, page 389, leave out line 13 and insert ““28”.”

***Member's explanatory statement***

*This amendment would extend the public consultation period for pavement licences to 28 days, in line with the Highways Act.*

LORD HOLMES OF RICHMOND

Schedule 18, page 389, line 15, leave out “14” and insert “28”

***Member's explanatory statement***

*This amendment would extend the public consultation period for pavement licences to 28 days, in line with the Highways Act.*

LORD HOLMES OF RICHMOND

Schedule 18, page 389, line 15, at end insert –

“7A In section 3 of the 2020 Act (determination) in subsection (9), for “granted” substitute “rejected”.”

***Member's explanatory statement***

*This amendment would remove the automatic approval of licences after the determination period has concluded.*

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*19 January 2023*

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