

# Levelling-up and Regeneration Bill

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## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

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##### After Clause 93

LORD TEVERSON

After Clause 93, insert the following new Clause –

**“Planning: climate change**

- (1) The Secretary of State must aim to ensure consistency with the mitigation of, and adaptation to, climate change in preparing –
  - (a) national policy or advice relating to the development or use of land,
  - (b) a development management policy pursuant to section 38ZA of the Planning and Compulsory Purchase Act 2004.
- (2) A relevant planning authority when making a planning decision must aim to ensure the decision is consistent with the mitigation of, and adaptation to, climate change.
- (3) For the purposes of subsection (2), a relevant planning authority is as set out in section 81.
- (4) For the purposes of subsection (2) a planning decision is a decision relating to –
  - (a) development arising from an application for planning permission;
  - (b) the making of a development order granting planning permission;
  - (c) an approval pursuant to a development order granting planning permission.
- (5) For the purposes of this section –
  - (a) the mitigation of climate change must include the achievement of –
    - (i) the target for 2050 set out in section 1 of the Climate Change Act 2008, and
    - (ii) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008;
  - (b) adaptation to climate change must include the achievement of long-term resilience to all climate-related risks, such as risks to health, well-being, food supply and infrastructure, including but not limited to –

- (i) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
  - (ii) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.
- (6) The meaning of the mitigation of, and adaptation to, climate change given by subsection (5) applies for the purposes of –
- (a) Parts 2 and Part 3 of the Planning and Compulsory Purchase Act 2004,
  - (b) section 334 of the Greater London Authority Act 1999, and
  - (c) Part 10A of the Planning Act 2008.”

***Member's explanatory statement***

*This amendment would require the planning process to have regard to the mitigation of and adaptation to climate change.*

**Clause 99**

LORD YOUNG OF COOKHAM

Clause 99, page 108, line 34, at end insert –

- “(3) If there is conflict between street voting on development and the development plan, a determination must be made in favour of the development plan.”

***Member's explanatory statement***

*The outcome of a street vote may conflict with the development plan. The amendment provides guidance on how to resolve this conflict.*

**After Clause 106**

LORD YOUNG OF COOKHAM

After Clause 106, insert the following new Clause –

**“Local authorities and development management services**

- (1) A local planning authority may set a charging regime in relation to its development management services.
- (2) In setting the amount of a charge under subsection (1) a local planning authority must secure that, taking one financial year with another, the authority’s income from charges does not exceed the cost to the authority of delivering the development management services for which the charges are imposed.”

**Member's explanatory statement**

*The amendment would allow local authorities to develop a planning fees schedule that would enable the full costs of delivering its development management services, including the processing of planning applications, to be recovered.*

**Clause 174**

LORD CARRINGTON

*Lord Carrington gives notice of his intention to oppose the Question that Clause 174 stand part of the Bill.*

**Member's explanatory statement**

*This would ensure that land acquired through compulsory purchase continues to be compensated for at the full open market value when acquired.*

**Clause 175**

LORD CARRINGTON

*Lord Carrington gives notice of his intention to oppose the Question that Clause 175 stand part of the Bill.*

**Member's explanatory statement**

*This would ensure that land acquired through compulsory purchase continues to be compensated for at the full open market value when acquired.*

**Clause 210**

LORD FOSTER OF BATH

Clause 210, page 242, line 2, at end insert—

- “(4A) Regulations under this section must, subject to subsection (4C), include a requirement for a host to ensure that electrical safety inspection and testing for the property is carried out at least every five years by a competent and qualified person, which must include—
- (a) an electrical installation condition report (EICR), and
  - (b) portable appliance testing (PAT) on portable appliances provided as part of the let.
- (4B) The regulations must include provisions for completing any remedial work identified by the electrical safety inspection and testing.
- (4C) The regulations must include an exemption that the host is not required to have an EICR if there is in relation to the property an electrical installation certificate (EIC) for which the date of next inspection and test indicated on the certificate has not elapsed and does not exceed five years from the EIC date of issue.”

## LORD FOSTER OF BATH

Clause 210, page 243, line 10, at end insert –

““electrical installation certificate” is a certificate issued by a qualified person stating that a new installation (rewire) or new circuits in an existing installation are in accordance with BS 7671, current at the time of the installation work;

“electrical installation condition report” is a report on the condition and age of the whole fixed electrical installation, carried out within the previous five years and completed and issued by a skilled person, competent in such work according to BS 7671 (IET Wiring Regulations);”



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*2 February 2023*

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