

Levelling-up and Regeneration Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

After Clause 5

LORD BERKELEY

After Clause 5, insert the following new Clause –

“Levelling Up Fund: transport projects

A grant may not be awarded under the Levelling Up Fund for funding for capital costs of transport projects where the match funding is over 10% of the total direct capital costs associated with the delivery of the projects unless the project complies with the guidance issued by the Secretary of State under section 79 of the Subsidy Control Act 2022.”

Schedule 1

BARONESS SCOTT OF NEEDHAM MARKET

Schedule 1, page 255, line 25, at end insert –

- “(j) for the appointment of a representative from parish councils within the CCA area to the membership of an overview and scrutiny committee.”

Member's explanatory statement

This amendment would require the Secretary of State to make provision in regulations for the appointment of a representative from parish councils in the CCA area to the membership of an overview and scrutiny committee.

Clause 19

BARONESS HAYMAN OF ULLOCK

Clause 19, page 16, line 11, at end insert –

- “(6) The Secretary of State must prepare and publish an annual report setting out –
- (a) any differences in integrated transport authority functions conferred on CCAs,

- (b) the reasons for those differences, and
- (c) the extent to which economic, social and environmental well-being factors were considered in coming to decisions to confer different powers.”

Member's explanatory statement

This amendment would require the Secretary of State to publish an annual report explaining any differences in integrated transport authority functions conferred on CCAs.

After Clause 22

BARONESS TAYLOR OF STEVENAGE

After Clause 22, insert the following new Clause—

“Designation of key routes: railways, bus routes and cycle paths

The Secretary of State may by regulations confer on a CCA a power to designate railways, bus routes and cycle paths as key routes.”

Member's explanatory statement

This is to probe whether provisions may be introduced to designate railways, bus routes and cycle paths as key routes, in a similar way to Clause 22.

BARONESS TAYLOR OF STEVENAGE

After Clause 22, insert the following new Clause—

“Transport infrastructure in need of government regeneration

- (1) The Secretary of State may by regulations confer on a CCA a power to designate transport infrastructure within their area as in need of regeneration.
- (2) If infrastructure is designated as in need of regeneration, the Secretary of State must publish a statement within 120 days.
- (3) The statement must include a strategy on how the Government will support regeneration of the infrastructure.
- (4) For the purposes of this section, infrastructure includes but is not limited to pavements, roads, railways, bus routes and cycle paths.”

Member's explanatory statement

This is to probe whether CCAs will be able to ask the government for support in regenerating transport infrastructure.

Clause 23

BARONESS TAYLOR OF STEVENAGE

Clause 23, page 19, line 31, at end insert –

“(c) the public have been consulted.”

Member's explanatory statement

This amendment would require public consultation to take place before the amendment of a CCA area.

BARONESS TAYLOR OF STEVENAGE

Clause 23, page 20, line 21, at end insert –

“(14) Where the Secretary of State makes provision under subsection (1)(b) to remove a local government area from a CCA, they must publish a statement setting out how that local government area will have access to the powers they have lost in the future.”

Member's explanatory statement

This amendment would require the Secretary of State to explain how a local government area will in future have access to the powers they have lost as a result of removal from a CCA.

Clause 24

BARONESS TAYLOR OF STEVENAGE

Clause 24, page 21, line 3, at end insert –

“(c) the public have been consulted.”

Member's explanatory statement

This amendment would require public consultation to take place before the dissolution of a CCA.

BARONESS TAYLOR OF STEVENAGE

Clause 24, page 21, line 3, at end insert –

“(5) Where the Secretary of State makes provision under subsection (1) to dissolve a CCA's area, they must publish a statement setting out how the relevant local government area or areas will have access to the powers they have lost in the future.”

Member's explanatory statement

This amendment would require the Secretary of State to explain how a local government area will in future have access to the powers they have lost as a result of the dissolution or abolition of a CCA.

Clause 28

BARONESS HAYMAN OF ULLOCK

Clause 28, page 24, line 34, at end insert –

“(14) If the Secretary of State makes regulations under this section, he or she must publish a statement within 90 days setting out if any additional funds will be made available to the mayor.”

Member's explanatory statement

This means that the Secretary of State must publish a statement confirming what additional funds will be made available to a Mayor when making regulations under this section.

After Clause 30

BARONESS HAYMAN OF ULLOCK

After Clause 30, insert the following new Clause –

“Annual summit of CCA mayors

The Secretary of State must make arrangements for an annual summit of each mayor for the area of a CCA.”

Member's explanatory statement

This probes whether there should be an annual summit of CCA mayors.

Clause 39

BARONESS HAYMAN OF ULLOCK

Clause 39, page 34, line 32, at end insert –

(c) about the laying of draft budgets before Parliament”

Member's explanatory statement

This probes whether Parliament will be able to scrutinise CCA budgets.

Clause 41

BARONESS HAYMAN OF ULLOCK

Clause 41, page 37, line 11, at end insert –

(aa) the resolution must be communicated to all residents in the area,”

Member's explanatory statement

This means that a change in Mayoral title must be communicated to residents.

Clause 43

BARONESS HAYMAN OF ULLOCK

Clause 43, page 39, line 14, at end insert –

“(c) prepare and publish a report setting out the results of the consultation.”

Member's explanatory statement

This amendment would require the authority or authorities submitting a proposal for a new Combined County Authority to make the results of the public consultation publicly available before submission.

Clause 53

BARONESS TAYLOR OF STEVENAGE

Clause 53, page 46, line 16, leave out “may” and insert “must within 6 months of the day on which this Act is passed”

Member's explanatory statement

This amendment would require the Secretary of State to produce guidance on the establishment and operation of CCAs within 6 months of this Act receiving Royal Assent.

BARONESS TAYLOR OF STEVENAGE

Clause 53, page 46, line 31, at end insert –

“(6) The Secretary of State must publish guidance to the residents of CCAs explaining the functions of their CCA.”

Member's explanatory statement

This is to probe whether the public will be informed of their CCA's functions.

After Clause 70

BARONESS SCOTT OF NEEDHAM MARKET

After Clause 70, insert the following new Clause –

“Councillor conduct: suspension of a parish councillor

- (1) The monitoring officer of a local authority in England may suspend a parish councillor where that monitoring officer has determined through an investigation that the parish councillor has breached the parish council's code of conduct.
- (2) In section (1) a “local authority” is defined as being a –
 - (a) district council;
 - (b) unitary council;
 - (c) London borough council;

(d) metropolitan borough council.”

Member's explanatory statement

This new Clause would introduce a new sanction of suspension to the ethical standards regime which applies to parish councils in England.

BARONESS SCOTT OF NEEDHAM MARKET

After Clause 70, insert the following new Clause—

“Dependants’ carers’ allowance for parish councillors

- (1) The Local Authorities (Members’ Allowances) (England) Regulations 2003 are amended as follows.
- (2) In regulation 3 (application of these Regulations), after paragraph (1)(j), insert—
 - “(k) a parish council”

Member's explanatory statement

This new Clause would add parish councils to the list of local authorities in England which may have a scheme to provide for the payment to members of that authority. The allowance would be in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in the performance of their duties such as attending meetings.

BARONESS SCOTT OF NEEDHAM MARKET

After Clause 70, insert the following new Clause—

“Review of neighbourhood governance in England

- (1) The Secretary of State must undertake a review of neighbourhood governance in England.
- (2) The review must include—
 - (a) how to make it easier for local people and community groups to come together, set local priorities and shape the future of their neighbourhoods;
 - (b) the role and functions of parish councils in England;
 - (c) how to make parish councils in England quicker and easier to establish.
- (3) The review must commence within one month of the day on which this Act is passed and be completed within six months.
- (4) The Secretary of State must provide a report to Parliament on the review within one month of the completion of the review.”

Member's explanatory statement

This amendment would require the Secretary of State to undertake a review of neighbourhood governance in England and sets out a timescale for its commencement, completion and reporting to Parliament.

Clause 75

BARONESS HAYMAN OF ULLOCK

After Clause 75, insert the following new Clause—

“Long-term empty dwellings: England - estimates

The Secretary of State must publish an annual estimate of the number of long-term empty dwellings in England.”

Member's explanatory statement

This means that the Secretary of State must publish an annual estimate of how many long-term empty dwellings exist.

Clause 76

BARONESS HAYMAN OF ULLOCK

Clause 76, page 85, line 28, at end insert—

- “(3A) The Secretary of State must by regulations make provision—
- (a) to ensure that, where a dwelling is occupied periodically as the result of dilapidation, the higher rate of council tax is not charged for at least one year from the change in ownership of the property, and
 - (b) about appeals against determinations under this section.”

Member's explanatory statement

This amendment would give owners of dilapidated properties up to a year after acquiring the property to refurbish before additional council tax rates are incurred.

BARONESS HAYMAN OF ULLOCK

After Clause 76, insert the following new Clause—

“Restrictions on short-term lettings

The Secretary of State may by regulations confer on a CCA a power to restrict the letting of dwellings for a period of under 30 days.”

Member's explanatory statement

This would allow the Secretary of State to give CCAs the power to restrict short-term holiday lets.

After Clause 76

BARONESS TAYLOR OF STEVENAGE

After Clause 76, insert the following new Clause—

“Fair funding review

The Secretary of State must publish the fair funding review within a year of this Act receiving Royal Assent.”

Member's explanatory statement

The Secretary of State must publish the fair funding review within a year of this Act receiving Royal Assent.

Clause 77

BARONESS TAYLOR OF STEVENAGE

Clause 77, page 86, line 23, at end insert “and it has considered the historical, cultural or archaeological significance of a name change”

Member's explanatory statement

This amendment requires cultural, historical and archaeological factors to be considered before making a name change.

After Clause 77

BARONESS TAYLOR OF STEVENAGE

After Clause 77, insert the following new Clause—

“Public support for alterations of street names

- (1) An alteration under section 77 can only be made if the local authority has published a report of a consultation in relation to the alteration and found significant public support for the alteration.
- (2) The consultation must include—
 - (a) community representatives;
 - (b) occupiers of residential premises in the street subject to the order;
 - (c) any businesses with premises in the affected street.”

Member's explanatory statement

This amendment would ensure that alterations of street names can only be made if the local authority consults and finds significant public support.

Clause 79

BARONESS HAYMAN OF ULLOCK

Baroness Hayman of Ullock gives notice of her intention to oppose the Question that Clause 79 stand part of the Bill.

After Clause 123

BARONESS JONES OF MOULSECOOMB

After Clause 123, insert the following new Clause –

“Ecological surveys prior to planning application & mitigation

- (1) TCPA 1990 is amended as follows.
- (2) After section 57 (planning permission required for development) insert –

“57A Ecological surveys prior to planning permission

- (1) Before making an application for planning permission the applicant must undertake an ecological survey of the proposed site to establish whether the proposed development threatens the habitat of a vulnerable species.
- (2) The Secretary of State must by regulations make provision about –
 - (a) such ecological surveys and requirements to undertake them,
 - (b) the definition of “vulnerable species” for the purposes of this section,
 - (c) the mitigation hierarchy being duly followed with avoidance, then mitigation on-site being prioritised over compensation, and
 - (d) as a last resort, the relocation of species to suitable alternative habitats where clearance or destruction of the habitat cannot be avoided or mitigated onsite.
- (3) A person who alters a potential development site –
 - (a) prior to the completion of an ecological survey under this section, and
 - (b) without due regard to potential habitats of vulnerable species on the site,commits an offence.
- (4) A person who commits an offence under subsection (3) is liable on summary conviction to a fine.
- (5) The Secretary of State may by regulations make provision about offences under subsection (3).”

- (3) After section 58A (permission in principle) insert—

“58B Duty of regard to wildlife habitats in granting permissions

In considering whether to grant planning permission or permission in principle for the development of land in England which threatens the habitat of a vulnerable species under section 57A, the local planning authority or (as the case may be) the Secretary of State must have special regard to the desirability of preserving or enhancing the habitat.”

Member's explanatory statement

This new Clause would make ecological surveys mandatory in all planning applications. This would ensure that data on vulnerable species is robust and accurate and prevent assumptions being made about the presence or absence of species.

After Clause 214

BARONESS HAYMAN OF ULLOCK

After Clause 214, insert the following new Clause—

“Letterbox height: England

- (1) In this section “local authority” means—
- (a) a district council in England;
 - (b) a county council in England for an area for which there is no district council;
 - (c) a London borough council;
 - (d) the Common Council of the City of London.
- (2) A local authority within subsection (1)(a) or (b) may, by order, direct that dwellings may not include a letterbox which is less than 70cm from the ground.”

Member's explanatory statement

This would allow local authorities in England to direct that dwellings may not include a letterbox which is less than 70cm from the ground.

BARONESS TAYLOR OF STEVENAGE

After Clause 214, insert the following new Clause—

“Devolution Bill

- (1) Within 120 days of the passing of this Act, a Minister of the Crown must publish draft legislation titled the Devolution Bill.
- (2) The Bill must include provisions for CCAs to request further powers for the purposes of supporting local economic growth, rebalancing the economy and equalising living standards across the United Kingdom.
- (3) The powers may relate to, but are not limited to—

- (a) housing;
 - (b) energy;
 - (c) childcare;
 - (d) buses;
 - (e) trains;
 - (f) skills, training and employment.
- (4) The Bill must also include provisions for a new framework of cooperation between CCAs and the Government based on mutual respect.”

Member's explanatory statement

This would ensure a Minister publishes draft legislation for a Devolution Bill.

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