

# Levelling-up and Regeneration Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

*The amendments have been marshalled in accordance with the Instruction of 17th January 2023, as follows –*

Clauses 1 to 13	Schedule 10
Schedule 1	Clauses 105 to 124
Clauses 14 to 25	Schedule 11
Schedule 2	Clauses 125 to 154
Clauses 26 to 31	Schedule 12
Schedule 3	Clauses 155 to 158
Clauses 32 to 54	Schedule 13
Schedule 4	Clauses 159 to 162
Clauses 55 to 77	Schedule 14
Schedule 5	Clauses 163 to 169
Clauses 78 to 86	Schedule 15
Schedule 6	Clauses 170 to 186
Clauses 87 to 90	Schedule 16
Schedule 7	Clauses 187 to 191
Clauses 91 to 94	Schedule 17
Schedule 8	Clauses 192 to 211
Clauses 95 to 101	Schedule 18
Schedule 9	Clauses 212 to 223
Clauses 102 to 104	Title

[Amendments marked ★ are new or have been altered]

**Amendment  
No.**

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**Clause 1**

BARONESS PINNOCK

1 Clause 1, page 1, line 6, leave out “levelling-up”

***Member's explanatory statement***

*This is a probing amendment to explore the meaning of the phrase “levelling-up” and whether this part is sufficient to support the aims of “levelling-up”.*

## BARONESS HAYMAN OF ULLOCK

- 2 Clause 1, page 1, line 6, after “missions” insert “within 10 days of this Act being passed.”

***Member's explanatory statement***

*This amendment means that the Levelling-Up missions must be published within 10 days of Royal Assent.*

LORD FOSTER OF BATH  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE  
THE EARL OF DEVON

- 3 Clause 1, page 1, line 9, after “disparities” insert “including between predominantly urban and predominantly rural areas”

***Member's explanatory statement***

*This amendment ensures that the objectives the Government intends to pursue to reduce geographical disparities will include the reduction of disparities between predominantly urban and predominantly rural areas.*

BARONESS LISTER OF BURTERSETT  
THE LORD BISHOP OF DURHAM  
BARONESS D'SOUZA  
BARONESS STROUD

- 4 Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling-up missions must include a mission to reduce the numbers and proportion of children in absolute poverty, relative poverty and deep poverty in each local authority and across the United Kingdom.”

***Member's explanatory statement***

*This would ensure that the levelling-up missions included a mission to reduce child poverty.*

BARONESS MCINTOSH OF PICKERING  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 5 Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling up missions must include a mission to reduce the disparities between rural and urban areas in the provision of public services.”

***Member's explanatory statement***

*This amendment would ensure a parity in the provision of services between urban and rural areas with a specific reference in the Levelling-up missions.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 6 Clause 1, page 1, line 14, at end insert –  
“(2A) A statement may apply to one or more region or nation of the United Kingdom.”

***Member's explanatory statement***

*This probing amendment means that a statement can be directed at a specific region or nation.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 7 Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling-up missions must include missions which relate to –  
(a) pay, employment and productivity;  
(b) research and development;  
(c) public transport connectivity;  
(d) broadband and 4G and 5G coverage;  
(e) primary school attainment;  
(f) skills and training;  
(g) life expectancy;  
(h) wellbeing;  
(i) pride in place;  
(j) home ownership;  
(k) violent crime;  
(l) devolution.”

***Member's explanatory statement***

*This inserts the Government's levelling-up missions into the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 8 Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling-up missions must include a mission which relates to the climate crisis and natural environment.”

***Member's explanatory statement***

*This means that a Mission must relate to the climate crisis and natural environment.*

BARONESS HAYMAN OF ULLOCK

- 9 Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling-up missions must include a mission which relates to child poverty.”

***Member's explanatory statement***

*This means that a Mission must relate to child poverty.*

LORD SHIPLEY  
LORD FOSTER OF BATH

10 Clause 1, page 1, line 14, at end insert –

“(2A) A statement of levelling-up missions must include an assessment of geographical disparities in the United Kingdom, broken down by local authority and, wherever possible, by postcode area.

(2B) An assessment of geographical disparities must consider –

- (a) levels of public spending, both capital and revenue,
- (b) levels of private sector inward investment,
- (c) levels of disposable household income,
- (d) levels of employment, unemployment, and economic inactivity,
- (e) levels of home ownership,
- (f) levels of educational attainment,
- (g) numbers of young people not in education, employment or training,
- (h) levels of child poverty,
- (i) success in reducing health inequalities,
- (j) the availability and cost of public transport, and
- (k) levels of fuel poverty.”

***Member's explanatory statement***

*This amendment would define criteria that could be used to evaluate the success or otherwise of levelling up policies that aim to address geographical disparities*

LORD FOSTER OF BATH  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

11 Clause 1, page 1, line 14, at end insert –

“(2A) In preparing a statement of levelling-up missions, a Minister of the Crown must take account of the need to reduce geographical disparities both within regions and areas of the United Kingdom, and between them, including as regards rural areas.”

***Member's explanatory statement***

*This ensures that data for the smallest areas available is used to enable levelling-up missions to take account of disparities within regions, including between urban and rural areas.*

LORD FOSTER OF BATH  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

12 Clause 1, page 1, line 14, at end insert –

“(2A) In preparing a statement of levelling-up missions, a Minister of the Crown must ensure that the mission progress methodology and metrics are as granular as reasonably practicable in relation to the size of geographical areas.”

*Member's explanatory statement*

*This amendment ensures that disparities within regions, including in respect of disparities between urban and rural areas, as well as between regions, will form part of levelling-up missions.*

LORD HOLMES OF RICHMOND

13 Clause 1, page 1, line 14, at end insert –

“(2A) The levelling-up missions must include a mission which relates to the educational attainment of primary school children, which must include a statement of standards which at least 90% of primary school children should achieve in the areas of –

- (a) digital literacy,
- (b) data literacy, and
- (c) financial literacy.”

LORD HOLMES OF RICHMOND

14 Clause 1, page 1, line 14, at end insert –

“(2A) In preparing a statement of levelling-up missions, the Secretary of State must ensure that the objective of achieving beneficial outcomes for disabled people is included across all policy areas.”

THE LORD BISHOP OF LONDON  
BARONESS HAYMAN OF ULLOCK  
BARONESS WATKINS OF TAVISTOCK  
LORD BEST

15 Clause 1, page 1, line 14, at end insert –

“(2A) The levelling-up missions must include a mission to reduce health disparities across the United Kingdom.”

*Member's explanatory statement*

*This amendment would require that at least one levelling-up mission introduced by the Government focuses on addressing health disparities.*

## BARONESS HAYMAN OF ULLOCK

16 Clause 1, page 1, line 14, at end insert –

“(2A) The levelling-up missions must include a mission to increase cultural infrastructure in each local authority and across the United Kingdom.”

***Member's explanatory statement***

*This means that a mission must relate to cultural infrastructure.*

LORD THOMAS OF CWMGIEDD  
BARONESS FINLAY OF LLANDAFF  
BARONESS HAYMAN OF ULLOCK

17 Clause 1, page 1, line 14, at end insert –

“(2A) The statement of levelling-up missions must not contain any matters relating to Scotland, Wales or Northern Ireland where the whole or the greater part of the responsibility for those matters is the responsibility of Scottish Ministers or Welsh Ministers or the Northern Ireland Executive under the Scotland Act 1998, the Government of Wales Act 1998 or the Government of Northern Ireland Act 1998, unless –

- (a) in the case of matters relating to Scotland, the Scottish Ministers give their consent;
- (b) in the case of matters relating to Wales, the Welsh Ministers gives their consent;
- (c) in the case of matters relating to Northern Ireland, the Northern Ireland Executive gives its consent.”

***Member's explanatory statement***

*This is a probing amendment to deal with mission statements which are intended to cover matters where the responsibility for policy in such matters has been devolved.*

LORD STUNELL  
BARONESS PARMINTER

18★ Clause 1, page 1, line 14, at end insert –

“(2A) The levelling-up missions must have regard to contributing towards meeting the targets set under Part 1 of the Climate Change Act 2008 (UK net zero emissions target and budgeting).”

***Member's explanatory statement***

*This is to ensure that all Mission outcomes contribute to Net Zero mitigation and adaptation measures.*

LORD STUNELL  
BARONESS PARMINTER

- 19★ Clause 1, page 1, line 14, at end insert –  
“(2A) The levelling-up missions must have regard to contributing towards meeting the targets set under section 1 of the Environment Act 2021 (environmental targets).”

***Member's explanatory statement***

*This is to ensure that all Mission outcomes contribute to environmental targets as set out in section 1 of the Environment Act.*

LORD STUNELL  
BARONESS PINNOCK

- 20 Clause 1, page 1, line 14, at end insert –  
“(2A) In respect of England, the levelling-up missions must have regard to the provision of safe and affordable homes for all (see section (*Meaning of “affordable home”*)).”

***Member's explanatory statement***

*This is to ensure that Mission outcomes contribute to achieving a safe and affordable home for every family.*

BARONESS FOX OF BUCKLEY

- 21 Clause 1, page 1, line 14, at end insert –  
“(2A) In preparing a statement of levelling-up missions, a Minister of the Crown must take account of the need to prioritise increasing housing supply in any housing-related mission.”

***Member's explanatory statement***

*In the government's 12 levelling-up missions published in February 2022, the listed Housing Mission does not refer to increasing house building. Without increasing housing supply, it will be difficult to achieve the other stated targets, e.g. on increasing paths to ownership and first-time buyers, and decreasing non-decent rented homes.*

BARONESS HAYMAN OF ULLOCK  
LORD HOPE OF CRAIGHEAD

- 22 Clause 1, page 2, line 13, at end insert –  
“(za) a Minister of the Crown has consulted representatives of each devolved administration,”

***Member's explanatory statement***

*This means that a statement only comes into effect once a Minister of the Crown has consulted representatives from each devolved administration.*

BARONESS HAYMAN OF ULLOCK  
LORD HOPE OF CRAIGHEAD

- 23 Clause 1, page 2, line 15, after “Crown” insert “and agreed by a resolution of each House following consultation with representatives from each devolved administration”

***Member's explanatory statement***

*This means that the statement must be approved by Parliament, in consultation with devolved administrations.*

LORD STUNELL  
BARONESS PINNOCK

- 24 Clause 1, page 2, line 15, after “Crown” insert “and approved by a resolution of each House of Parliament”

***Member's explanatory statement***

*This amendment would require mission statements to be approved by Parliament.*

LORD LANSLEY

- 25 Clause 1, page 2, line 16, at end insert –
- “(7A) A Minister of the Crown must withdraw the statement if, before the end of the 40-day period, either House of Parliament resolves not to approve it.
- (7B) “The 40-day period” is the period of 40 days beginning with the day on which the statement is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the days on which it is laid).
- (7C) When calculating the 40-day period, ignore any period during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.”

***Member's explanatory statement***

*This amendment would require a minister to withdraw the statement if either House of Parliament resolves not to approve it.*

LORD STUNELL  
BARONESS PINNOCK

- 26 Clause 1, page 2, line 18, after “must” insert “–
- “(a) publish and lay before both Houses of Parliament an independent evaluation of the effectiveness of the missions,
- (b) follow the same consultation and engagement process in relation to a new statement of levelling-up missions as that set out in section (*Consultation on mission statements*),”



**Member's explanatory statement**

*This amendment would require the Government to obtain an independent evaluation of the effectiveness of mission statements, and to follow consultation processes with relevant devolved authorities before publishing further statements.*

BARONESS HAYMAN OF ULLOCK

- 27 Clause 1, page 2, line 20, at end insert “and also publish a statement of whether they will be renewing each mission.”

**Member's explanatory statement**

*This means that the Government must publish a statement confirming whether they will be renewing each Mission before it ends.*

**After Clause 1**

BARONESS WILLIS OF SUMMERTOWN  
BARONESS PARMINTER  
BARONESS JONES OF WHITCHURCH

- 28 After Clause 1, insert the following new Clause –

**“Access to a healthy environment mission**

- (1) When preparing a statement of levelling-up missions under section 1, a Minister of the Crown must include a mission on access to a healthy environment.
- (2) The access to a healthy environment mission must include the objective of maximising the number of people who live within 15 minutes’ walk of a high quality natural green or blue space.”

**Member's explanatory statement**

*This new Clause would require the Government to include a mission on access to a healthy environment within the levelling up programme, aiming to increase the number of people able to enjoy the benefits of nearby natural space. This was a target agreed by the UK and others at the UN Biodiversity Conference in December 2022.*

LORD STUNELL  
BARONESS HUMPHREYS

- 29 After Clause 1, insert the following new Clause –

**“Consultation on mission statements**

- (1) Where the statement under section 1 includes a mission that relates to a devolved function, before preparing the statement the relevant Minister of the Crown must consult –
  - (a) the relevant Scottish Minister;
  - (b) the relevant Welsh Minister;

- (c) the relevant Northern Ireland department;  
with respect to the applicability of that matter to that part of the United Kingdom.
- (2) If a Minister of the Crown receives a request from a representative of a devolved administration under subsection (1) to amend the mission insofar as it relates to a devolved function the Minister must do so before publishing the statement.
- (3) Where the statement under section 1 includes a mission that relates to a devolved function in England, before preparing the statement the relevant Minister of the Crown must consult any relevant Principal Council.
- (4) If a Minister of the Crown receives a request from a relevant Principal Council under subsection (3) to amend the mission insofar as it relates to a devolved function the Minister must, where it is reasonably practicable, do so before publishing the statement.”

***Member's explanatory statement***

*This amendment would require a Minister preparing a mission statement to consult the relevant devolved administration or local authority where the mission relates to a devolved function, and to amend the mission at the request of the devolved authority.*

LORD HOLMES OF RICHMOND

30 After Clause 1, insert the following new Clause—

**“Health and well-being mission**

- (1) When preparing a statement of levelling-up missions under section 1, a Minister of the Crown must include a mission or missions which relate to increasing healthy life expectancy, improving well-being, and reducing the gaps between areas where healthy life expectancy and well-being are highest and the areas where healthy life expectancy and well-being are lowest.
- (2) In its work to pursue the objectives set out in such a mission or missions, His Majesty’s Government must hold a consultation on the role that social prescribing should have in pursuing those objectives, and how to ensure that the successful use of social prescribing is maximised in pursuing those objectives.”

BARONESS PINNOCK

31 After Clause 1, insert the following new Clause—

**“Levelling-up metrics**

- (1) Where a statement of levelling-up missions relates to a relevant levelling-up mission, it must refer to (but is not limited to) the corresponding headline metrics when measuring progress in delivering those levelling-up missions in relation to geographical disparities.
- (2) For the purposes of subsection (1)—

- (a) the relevant levelling-up missions are listed in the left-hand column of the following table, and
- (b) the corresponding headline metrics, in relation to a relevant levelling-up mission, are set out in the corresponding entry in the right-hand column.

Relevant levelling-up mission	Corresponding headline metrics
Pay, employment and productivity	Gross Value Added per hour worked, median pay, and employment rates
Research and development (“R&D”)	Business expenditure on R&D, and Government funding for R&D
Public transport connectivity	Usual method of travel to work by region of workplace, and average travel time in minutes to reach nearest large employment centre (with more than 500 employees)
Broadband and 4G and 5G coverage	Percentage of premises in the United Kingdom with gigabit-capable broadband, and percentage of 4G and 5G coverage by at least one mobile network operator
Primary school attainment	Percentage of pupils meeting the expected standard in reading, writing and maths by end of primary school
Skills and training	19+ further education and skills achievements (qualifications), excluding community learning, the Multiply programme and bootcamps
Life expectancy	Healthy Life Expectancy
Well-being	Average life satisfaction ratings, average feeling that things done in life are worthwhile ratings, average happiness ratings, and average anxiety ratings
Pride in place	Percentage of adults who are satisfied with their local area as a place to live and percentage of individuals who have engaged in civic participation in the last 12 months
Home ownership and decent homes	Number of first time buyers, and proportion of non-decent rented homes
Violent crime	Neighbourhood crime, homicide, and hospital admissions for assault with a sharp object amongst under-25s
Devolution	Percent of the population living in an area covered by the highest level of devolution”

***Member's explanatory statement***

*This amendment would put the metrics for the Government's levelling-up missions, as set out in the 'Levelling Up the United Kingdom: missions and metrics Technical Annex', on the face of the bill.*

**Clause 2**

LORD STUNELL  
BARONESS PINNOCK  
BARONESS VALENTINE

32 Clause 2, page 2, line 37, at end insert –

“(aa) include an independent evaluation of the effectiveness of the progress that has been made, in the period to which the report relates, in delivering each of the levelling-up missions in the current statement of levelling-up missions as it has effect at the end of that period,”

***Member's explanatory statement***

*This amendment would require the Government to include an independent evaluation of the effectiveness of missions as part of the reporting requirement under this section.*

LORD CARRINGTON  
THE EARL OF DEVON

33 Clause 2, page 2, line 39, at end insert –

“(ba) include an assessment of how each levelling-up mission has met the principles of rural proofing policy, and”

***Member's explanatory statement***

*This amendment would ensure that all Government levelling-up policies take into account rural proofing principles.*

BARONESS TAYLOR OF STEVENAGE

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

“(d) include an estimate of the impact of the plans under paragraph (c) on emissions.”

***Member's explanatory statement***

*This means that the reports must include an estimate of the impact on emissions.*

## BARONESS TAYLOR OF STEVENAGE

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

“(d) include separate chapters which consider the variances in delivery between different nations and regions.”

***Member's explanatory statement***

*This means that the reports must include separate chapters which consider the variances in delivery between different nations and regions.*

LORD FOSTER OF BATH  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

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

“(2A) Each report must include the Minister’s assessment in relation to rural areas.”

## LORD LUCAS

37 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.”

BARONESS TAYLOR OF STEVENAGE  
BARONESS VALENTINE

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

“(8) A Minister of the Crown must appoint an independent advisory council with representatives from each nation and region of the United Kingdom to monitor progress and report to both Houses of Parliament.”

***Member's explanatory statement***

*This means that a Minister must appoint an independent advisory council with representatives from each nation and region of the UK to monitor progress and report to both Houses of Parliament.*

**After Clause 2**

BARONESS TAYLOR OF STEVENAGE

39 After Clause 2, insert the following new Clause—

**“Reports: local authorities**

A Minister of the Crown must publish guidance for county councils, unitary authorities and combined county authorities to publish annual reports on the delivery of levelling up missions.”

***Member's explanatory statement***

*This means that a Minister of the Crown must publish guidance for county councils, unitary authorities and combined county authorities to publish annual reports on the delivery of levelling up missions.*

**Clause 3**

BARONESS TAYLOR OF STEVENAGE

40 Clause 3, page 3, line 29, at end insert—

“(1A) Each report must also be given to the devolved legislatures of Scotland, Wales and Northern Ireland within the period of 120 days beginning with the first day after the period to which the report relates.”

***Member's explanatory statement***

*This means that the report must be given to the devolved legislatures of Scotland, Wales and Northern Ireland.*

BARONESS TAYLOR OF STEVENAGE

41 Clause 3, page 3, line 31, at end insert “or 10 days before the next general election, whichever is sooner.”

***Member's explanatory statement***

*This means that a report must be published before every General Election.*

**After Clause 3**

LORD KENNEDY OF SOUTHWARK  
LORD YOUNG OF COOKHAM  
BARONESS FOX OF BUCKLEY  
THE LORD BISHOP OF ST ALBANS

**42** After Clause 3, insert the following new Clause—

**“Levelling-up missions: leasehold reform**

- (1) Within 90 days of the Minister of the Crown laying a statement of levelling-up missions for the first time which contains missions that relate to housing, a Minister of the Crown must publish a report in accordance with this section.
- (2) The report must consider whether new legislation on leasehold reform would have any effect on the delivery of the mission which relates to housing.
- (3) The report must recommend whether the government should introduce legislation relating to leasehold reform for the purposes of delivering the missions, including to—
  - (a) amend the Landlord and Tenant Act 1985 and the Commonhold and Leasehold Reform Act 2002 to limit the right of landlords to recover legal costs in excess of a prescribed scale;
  - (b) make tribunal judgments binding on all leaseholders and to require landlords to account to all leaseholders;
  - (c) amend the Landlord and Tenant Act 1985 to prevent landlords recovering service charges where they have failed to comply with their disclosure obligations under that Act;
  - (d) commence section 21A of the Landlord and Tenant Act 1985 insofar as it is not already in force;
  - (e) require landlords to disclose commissions earned on insurance policies;
  - (f) make provision requiring landlords exercising a right of forfeiture or re-entry in relation to a property subject to a long lease to account to the tenant for the tenant’s equity in that property and to hold the tenant’s equity on trust;
  - (g) restrict the landlord’s right to legal and administrative costs;
  - (h) amend the Landlord and Tenant Act 1985 to provide for service charges to be reduced where they do not reflect the landlord’s actual costs in providing goods and services;
  - (i) make fixed service charges subject to reasonableness requirements.
- (4) If the report recommends the introduction of new legislation, a Minister of the Crown must publish draft legislation to implement the recommendations within 90 days of the publication of the report.”

## LORD KENNEDY OF SOUTHWARK

43 After Clause 3, insert the following new Clause—

**“Levelling-up missions: abolition of leasehold as a form of tenure**

- (1) Within 90 days of a Minister of the Crown laying a statement of levelling-up missions for the first time which contains missions that relate to housing, a Minister of the Crown must publish a report to consider whether the abolition of leasehold as a form of tenure would support the delivery of the mission which relates to housing.
- (2) If the report finds that abolishing leasehold as a form of tenure would support the delivery of the mission, the Minister must publish draft legislation to achieve this within 30 days of the publication of the report.”

**Clause 4**

## BARONESS TAYLOR OF STEVENAGE

44 Clause 4, page 4, line 14, after “changed” insert “accompanied by any relevant academic advice”

***Member's explanatory statement***

*This means that the Minister must publish relevant academic advice when revising the statement.*

## BARONESS TAYLOR OF STEVENAGE

45 Clause 4, page 4, line 19, at end insert—

- “(4) The Minister may not revise the target date under subsection (2) to a date beyond the latest possible date on which the next general election can be held in accordance with the Dissolution and Calling of Parliament Act 2022.”

***Member's explanatory statement***

*This means that target dates cannot be changed to beyond the next General Election.*

**Clause 5**

## BARONESS HAYMAN OF ULLOCK

46 Clause 5, page 4, line 30, at end insert—

- “(3A) An additional review must be published if a Minister deems there has been a significant change in the economic situation.”

***Member's explanatory statement***

*This means that a review must be published if a Minister deems there has been a significant change in the economic situation.*



## BARONESS HAYMAN OF ULLOCK

47 Clause 5, page 4, line 33, at end insert –

“(4A) Before any review, the Minister must publish a report which includes the results of a national consultation and any relevant evidence or guidance to support the review.”

***Member's explanatory statement***

*This means that before any review, the Minister must publish a report which includes the results of a national consultation and any relevant evidence or guidance to support the review.*

## BARONESS HAYMAN OF ULLOCK

48 Clause 5, page 5, line 18, at end insert –

“(ca) state whether the independent evaluating body considers that pursuing the levelling-up missions in that statement is effectively contributing to the reduction of geographical disparities in the United Kingdom,”

***Member's explanatory statement***

*This amendment would require the report on a review of statements of levelling-up missions to include the assessment of the independent evaluating body.*

LORD STUNELL  
BARONESS PINNOCK

49 Clause 5, page 5, line 34, at end insert –

“(9A) Any revisions of a statement under this section must –  
(a) be approved by a resolution of each House of Parliament, and  
(b) follow the same consultation and engagement process as set out in section (Consultation on mission statements).”

***Member's explanatory statement***

*This amendment would require revisions to statements to be approved by Parliament and follow consultation processes with relevant devolved authorities.*

**After Clause 5**

## BARONESS TAYLOR OF STEVENAGE

50 After Clause 5, insert the following new Clause –

**“Levelling Up Fund**

If an allocation is made from the Levelling Up Fund, a Minister of the Crown must publish a statement explaining how the allocation supports the levelling-up missions.”

***Member's explanatory statement***

*This means that the Government must explain how allocations from the levelling up fund support the levelling up missions.*

BARONESS TAYLOR OF STEVENAGE

51 After Clause 5, insert the following new Clause –

**“Levelling-up consultants**

Within 120 days of this Act being passed, a Minister of the Crown must publish an estimate of how much local authorities have spent on consultants in relation to this Part.”

***Member's explanatory statement***

*This means that a Minister must publish an estimate of how much local authorities have spent on consultants in relation to Clauses 1 to 6 of the Bill.*

BARONESS TAYLOR OF STEVENAGE

52 After Clause 5, insert the following new Clause –

**“Levelling-up directors**

Within 120 days of this Act being passed, a Minister of the Crown must publish a statement of any levelling up directors who have been appointed and their role in relation to the implementation of the levelling-up missions.”

***Member's explanatory statement***

*This means that a Minister must publish a statement of any levelling up directors who have been appointed and their role in relation to the implementation of the levelling-up missions.*

BARONESS TAYLOR OF STEVENAGE

53 After Clause 5, insert the following new Clause –

**“Rural and coastal metrics**

Within 5 years of this Act being passed, a Minister of the Crown must publish an assessment as to whether further legislation should be introduced for the purposes of establishing new metrics for rural and coastal communities.”

***Member's explanatory statement***

*This is to probe whether the metrics are suitable for rural and coastal communities, and whether alternative metrics should be considered.*

## BARONESS TAYLOR OF STEVENAGE

54 After Clause 5, insert the following new Clause –

**“National Planning Policy Framework: levelling-up missions**

Within 30 days of this Act being passed, a Minister of the Crown must publish draft legislation for ensuring that the National Planning Policy Framework has regard to the levelling-up missions.”

*Member's explanatory statement*

*This means that a Minister of the Crown must publish draft legislation for ensuring that the National Planning Policy Framework has regard to the Levelling-Up Missions.*

## BARONESS TAYLOR OF STEVENAGE

55 After Clause 5, insert the following new Clause –

**“Impact on local government legislation**

- (1) Within 30 days of this Act being passed, a Minister of the Crown must publish a report.
- (2) The report must include –
  - (a) an assessment of the impact of this Part on the implementation of legislation relating to local government, and
  - (b) a strategy to consider the impact of this Part when preparing future legislation relating to local authorities.”

*Member's explanatory statement*

*This means that the Government must publish a report on the impact of the levelling-up missions on local government legislation.*

## LORD BERKELEY

56 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.”

BARONESS VALENTINE  
BARONESS HAYMAN OF ULLOCK  
LORD STUNELL

57 After Clause 5, insert the following new Clause –

**“Levelling up funding**

- (1) Any allocation of funds distributed for levelling up purposes must be –
  - (a) long-term,
  - (b) strategic,
  - (c) cross-departmental where the issues addressed cross government departmental boundaries, and
  - (d) aligned with local challenges and opportunities.
- (2) If such an allocation is made, a Minister of the Crown must publish a statement explaining how the allocation meets the requirements in subsection (1).”

**Clause 6**

BARONESS HAYMAN OF ULLOCK  
LORD SHIPLEY

58 Clause 6, page 6, leave out lines 13 and 14 and insert –

““geographical disparities” means disparities in economic, social or other opportunities or outcomes between different geographical areas, including regions, counties, councils and council wards;”

***Member's explanatory statement***

*This amendment means that the geographical disparities must consider differences between geographical areas, including regions, counties, councils and council wards.*

BARONESS HAYMAN OF ULLOCK

59 Clause 6, page 6, line 13, after “economic,” insert “health,”

***Member's explanatory statement***

*This amendment means that geographical disparities include health outcomes.*

**Clause 7**

BARONESS TAYLOR OF STEVENAGE

60 Clause 7, page 6, line 33, after “whole” insert “or part”

***Member's explanatory statement***

*This probing amendment means that a CCA can include part of a two-tier council area, rather than the whole area.*

## BARONESS TAYLOR OF STEVENAGE

61 Clause 7, page 7, line 5, at end insert –

“(3A) The Secretary of State may not lay regulations under this section until he or she has deemed that establishment is supported by no less than 60% of residents in the area.”

***Member's explanatory statement***

*This means that a CCA is established only if the Secretary of State deems there is no less than 60% of support from the local residents.*

## BARONESS TAYLOR OF STEVENAGE

62 Clause 7, page 7, line 5, at end insert –

“(3A) The Secretary of State may not lay regulations under this section until he or she has laid a statement before both Houses of Parliament detailing which travel to work areas are included in the area.”

***Member's explanatory statement***

*This amendment is to probe whether CCAs will be focused on single economic hubs.*

## BARONESS TAYLOR OF STEVENAGE

63 Clause 7, page 7, line 5, at end insert –

“(3A) The Secretary of State may not lay regulations under this section until he or she has laid a statement before both Houses of Parliament which includes plans for a duty of cooperation between the area and other neighbouring areas.”

***Member's explanatory statement***

*This is to probe how the Government can ensure there is a duty of cooperation between CCAs.*

## BARONESS TAYLOR OF STEVENAGE

64 Clause 7, page 7, line 5, at end insert –

“(3A) The Secretary of State may not lay regulations under this section until he or she has laid a statement before both Houses of Parliament detailing which police forces and NHS trusts are included in the area.”

***Member's explanatory statement***

*This amendment is to probe how the CCA boundaries will intersect with other boundaries, such as those of police forces and NHS trusts.*

## BARONESS TAYLOR OF STEVENAGE

65 Clause 7, page 7, line 5, at end insert –

“(3A) The Secretary of State may not lay regulations under this section until he or she has deemed that establishment is supported by no less than 100% of all district councils in the area.”

*Member's explanatory statement*

*This is to probe whether CCAs will be made without the consent of district councils.*

**After Clause 7**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

66 After Clause 7, insert the following new Clause –

**“Environmental Impact Assessment**

- (1) The Secretary of State must publish an environmental impact assessment 120 days after laying regulations under section 7.
- (2) Each year thereafter, the CCA must publish an environmental impact assessment in relation to their ongoing operation.”

*Member's explanatory statement*

*This means that an environmental impact assessment must be published following the establishment of a CCA.*

**Clause 8**

BARONESS HAYMAN OF ULLOCK

67 Clause 8, page 7, line 24, after second “the” add “initial”

*Member's explanatory statement*

*The means that regulations can only relate to the initial constitutional arrangements.*

BARONESS HAYMAN OF ULLOCK

68 Clause 8, page 7, line 25, at end insert –

“(1A) The Secretary of State may only lay regulations under subsection (1) if he or she has published a report of a consultation with the CCA in relation to the regulations.”

*Member's explanatory statement*

*This means that regulations relating to constitutional arrangements of CCAs can only be made after consultation with the CCA.*

## LORD SHIPLEY

69 Clause 8, page 8, line 4, leave out paragraph (f)

***Member's explanatory statement***

*The deletion of this paragraph would reduce the risk of single party control of the executive of a CCA or its committees.*

## LORD FOSTER OF BATH

70 Clause 8, page 8, line 18, at end insert “but no more than any other constituent council”

***Member's explanatory statement***

*This amendment ensures that any constituent council has, as part of a CCA, the same number of appointed elected members as any other constituent council.*

## LORD FOSTER OF BATH

71 Clause 8, page 9, line 16 at end insert –

“(c) a district council in a two-tier county council for an area within the CCA’s area or proposed area.”

**Clause 9**

## LORD SHIPLEY

72 Clause 9, page 9, line 25, leave out “unless the voting members resolve otherwise”

***Member's explanatory statement***

*This would reduce the risk of one-party dominance of a CCA by ensuring only full members of a CCA have a vote.*

## BARONESS TAYLOR OF STEVENAGE

73 Clause 9, page 9, line 30, at end insert –

“(7) A non-constituent member of a CCA ceases to be a member if they form part of a different CCA.”

***Member's explanatory statement***

*This means that a non-constituent member ceases to be a member when they form part of a different CCA.*

## BARONESS TAYLOR OF STEVENAGE

74 Clause 9, page 9, line 30, at end insert –

“(7) Within 30 days of this Act receiving Royal Assent, a Minister of the Crown must publish a statement including a definition of “non-constituent member” and a description of their purpose.”

***Member's explanatory statement***

*This means that the Government must define and clarify the purpose of non-constituent members.*

**Clause 10**

LORD SHIPLEY

75 Clause 10, page 9, leave out line 35

***Member's explanatory statement***

*This would reduce the risk of one-party dominance of a CCA by ensuring only full members of a CCA have a vote.*

**Clause 11**

BARONESS HAYMAN OF ULLOCK

76 Clause 11, page 10, line 37, at end insert –

“(2A) A CCA may request regulations are introduced under this section insofar as they relate to their CCA.”

***Member's explanatory statement***

*This means that a CCA can request regulations are introduced in relation to them.*

**Schedule 1**

LORD SHIPLEY

77 Schedule 1, page 253, line 18, at end insert –

“(d) to make its reports public whenever the overview and scrutiny committee believes publication to be in the public interest.”

***Member's explanatory statement***

*This would ensure that the CCA cannot refuse to publish a report of an overview and scrutiny committee.*



## BARONESS TAYLOR OF STEVENAGE

78 Schedule 1, page 253, line 18, at end insert –

“(2A) The arrangements must ensure that the Chairs of the overview and scrutiny committees of the district councils contained within the CCA’s boundaries are members of the CCA’s overview and scrutiny committee.”

***Member's explanatory statement***

*This amendment would require that the Chairs of overview and scrutiny committees of the district councils within the CCA are represented on the CCA’s overview and scrutiny committee.*

## LORD SHIPLEY

79 Schedule 1, page 254, line 3, at end insert “which should not be unreasonably withheld”

***Member's explanatory statement***

*This would prevent a CCA restricting the work of an overview and scrutiny committee without good reason.*

LORD CARRINGTON  
THE EARL OF DEVON

80 Schedule 1, page 254, line 11, after “sub-committees” insert “including rural sub-committees”

***Member's explanatory statement***

*This amendment provides Overview and Scrutiny Committees of Combined County Authorities the power to appoint rural sub-committees.*

BARONESS SCOTT OF NEEDHAM MARKET  
THE EARL OF LYTTON

81 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.*

## LORD SHIPLEY

82 Schedule 1, page 255, line 36, after “member” insert “and has not been so for a period of five years”

***Member's explanatory statement***

*This would prevent recent members of a political party qualifying as an appropriate person.*

LORD SHIPLEY

- 83 Schedule 1, page 255, line 41, after “parties)” insert “and has not been so for a period of five years”

***Member's explanatory statement***

*This would prevent recent members of a political party qualifying as an appropriate person.*

LORD SHIPLEY

- 84 Schedule 1, page 256, line 34, leave out “one member of an audit committee is” and insert “three members of an audit committee are”

***Member's explanatory statement***

*This aims to enhance public confidence in the audit process by increasing the number of independent people on the audit committees.*

BARONESS TAYLOR OF STEVENAGE

- 85 Schedule 1, page 256, line 35, at end insert—  
“Best practice

- 5 The Secretary of State has a duty to facilitate the sharing of best practice between Combined County Authority scrutiny committees.”

***Member's explanatory statement***

*This is to probe how committees can share best practice.*

#### **Clause 14**

BARONESS TAYLOR OF STEVENAGE

- 86 Clause 14, page 12, line 5, at end insert—
- “(4) The Secretary of State must publish an annual statement on the funding of each CCA.
- (5) Each statement made under subsection (4) must include a cost-benefit analysis of the funding.”

***Member's explanatory statement***

*This means that an annual statement must be published showing how much funding is given to each CCA, and a cost-benefit analysis of this.*

## BARONESS TAYLOR OF STEVENAGE

87 Clause 14, page 12, line 5, at end insert –

“(4) A CCA may request that the Secretary of State publishes an assessment of their funding, including in relation to any new functions.”

***Member's explanatory statement***

*This means that a CCA may request that the Secretary of State publishes an assessment of their funding, including in relation to any new functions.*

## Clause 16

## BARONESS HAYMAN OF ULLOCK

88 Clause 16, page 13, line 13, after “CCA,” insert “a majority of members of”

***Member's explanatory statement***

*This means that regulations can only be made with a majority of members of the constituent councils.*

## After Clause 16

## LORD HUNT OF KINGS HEATH

89 After Clause 16, insert the following new Clause –

**“Reports on transfer of NHS responsibilities to local government**

- (1) A Minister of the Crown must prepare reports on proposals for the transfer of NHS functions to local authorities, combined metropolitan authorities, combined county authorities, and mayors as established under sections 15 to 20 of the Cities and Local Government Devolution Act 2016 (combined and local authorities).
- (2) The first report in relation to subsection (1) must be made within 12 months of the passing of this Act.
- (3) Subsequent reports in relation to subsection (1) must be made at 24-month intervals following publication of the first report.”

***Member's explanatory statement***

*This amendment and another in this location in the name of Lord Hunt of Kings Heath are probing amendments designed to explore the Government's commitment to transferring NHS responsibilities to local government as envisaged in the Cities and Local Government Devolution Act 2016.*

## LORD HUNT OF KINGS HEATH

90 After Clause 16, insert the following new Clause –

**“Parliamentary scrutiny and publication**

- (1) A report under section (*Reports on transfer of NHS responsibilities to local government*) must be laid before each House of Parliament before the end of the period of 120 days beginning immediately after the last day of the period to which the report relates.
- (2) After a report has been laid before each House of Parliament under subsection (1), a Minister of the Crown must publish it as soon as is reasonably practicable.
- (3) In calculating the period of 120 days mentioned in subsection (1), no account is to be taken of any time during which –
  - (a) Parliament is dissolved or prorogued, or
  - (b) either House of Parliament is adjourned for more than 4 days.”

***Member's explanatory statement***

*This amendment and another in this location in the name of Lord Hunt of Kings Heath are probing amendments designed to explore the Government's commitment to transferring NHS responsibilities to local government as envisaged in the Cities and Local Government Devolution Act 2016.*

**Clause 19**

BARONESS HAYMAN OF ULLOCK  
BARONESS RANDEKSON

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

- “(6) The Secretary of State has a duty to cooperate with trade unions representing employees of CCAs who have responsibilities relating to transport.”

***Member's explanatory statement***

*This is to probe whether the Government will cooperate with trade unions representing employees of CCAs.*

BARONESS HAYMAN OF ULLOCK  
BARONESS RANDEKSON

92 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 19**

BARONESS HAYMAN OF ULLOCK

93 After Clause 19, insert the following new Clause—

**“Petitioning of CCA with transport functions**

- (1) Residents of a CCA with transport functions may petition their CCA and the Government for new transport infrastructure.
- (2) Transport infrastructure includes but is not limited to mass rapid transit, bus routes, or trams.”

***Member's explanatory statement***

*This is to probe whether residents of CCAs with transport functions will have a means of requesting new transport infrastructure from their CCA and the Government.*

BARONESS HAYMAN OF ULLOCK

94 After Clause 19, insert the following new Clause—

**“Sustainability report**

If a CCA is transferred functions under section 19, they must publish a report within 90 days providing an assessment of whether transport infrastructure in their area is sustainable.”

***Member's explanatory statement***

*This means that a CCA given transport functions must publish an assessment of whether transport infrastructure in their area is sustainable.*

BARONESS HAYMAN OF ULLOCK

95 After Clause 19, insert the following new Clause—

**“Transfer of functions: assessment of franchised railway operator**

- (1) This section applies to a CCA whose area includes any part of the course of a railway run on a franchise basis.
- (2) Within 30 days of being transferred powers under section 19, a CCA must publish an assessment of the performance of the train operating company or companies operating the franchise.”

***Member's explanatory statement***

*This amendment means that a CCA which is transferred powers under section 19 must publish an assessment of any companies which operate a train franchise in their area.*

BARONESS HAYMAN OF ULLOCK

96 After Clause 19, insert the following new Clause –

**“Transfer of functions: local travel surveys**

Within 30 days of being transferred powers under section 19, a CCA must notify the Secretary of State of any plans to begin a local travel survey.”

***Member's explanatory statement***

*This is to probe the role of travel surveys for CCAs with transport functions.*

**After Clause 22**

BARONESS TAYLOR OF STEVENAGE

97 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  
BARONESS RANDERSON

98 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

99 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

100 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

101 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

102 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 25**

BARONESS BENNETT OF MANOR CASTLE

*Baroness Bennett of Manor Castle gives notice of her intention to oppose the Question that Clause 25 stand part of the Bill.*

**Schedule 2**

BARONESS TAYLOR OF STEVENAGE

**103** Schedule 2, page 257, line 23, at end insert –

“(e) as to the holding of by-elections for mayoral vacancies.”

***Member's explanatory statement***

*This is to probe the possibility of Mayoral by-elections.*

BARONESS SCOTT OF BYBROOK

**104** Schedule 2, page 259, line 16, at end insert –

“(4) Until the coming into force of paragraph 5 of Schedule 8 to the Elections Act 2022 (amendment of paragraph 8(3) of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 relating to candidacy rights of EU citizens), sub-paragraph (3) has effect as if for the definition of “qualifying citizen” there were substituted –

““qualifying citizen” means a person who is a qualifying Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union, within the meaning given in section 79 of the Local Government Act 1972;”.

***Member's explanatory statement***

*This amendment reflects the fact that the definition of “qualifying citizen” in paragraph 7(3) of Schedule 2 follows the definition of that term in paragraph 8(3) of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 as amended by paragraph 5 of Schedule 8 to the Elections Act 2022, which is not yet in force. It therefore ensures that the definition in the Bill tracks that in the 2009 Act while the amendment to the latter by the 2022 Act is not force.*



## BARONESS SCOTT OF BYBROOK

105 Schedule 2, page 259, line 24, leave out “regulations” and insert “order”

***Member's explanatory statement***

*This amendment and the amendments in the name of Baroness Scott of Bybrook at page 259, line 25, page 259, line 27 and page 259, line 28 correct drafting errors, in that references to various kinds of regulations should be references to various kinds of order.*

## BARONESS SCOTT OF BYBROOK

106 Schedule 2, page 259, line 25, leave out “regulations” and insert “order”

***Member's explanatory statement***

*See the explanatory statement for the amendment in the name of Baroness Scott of Bybrook at page 259, line 24.*

## BARONESS SCOTT OF BYBROOK

107 Schedule 2, page 259, line 27, leave out “regulations” and insert “order”

***Member's explanatory statement***

*See the explanatory statement for the amendment in the name of Baroness Scott of Bybrook at page 259, line 24.*

## BARONESS SCOTT OF BYBROOK

108 Schedule 2, page 259, line 28, leave out “regulations” and insert “order”

***Member's explanatory statement***

*See the explanatory statement for the amendment in the name of Baroness Scott of Bybrook at page 259, line 24.*

## BARONESS SCOTT OF BYBROOK

109 Schedule 2, page 259, line 40, leave out “115” and insert “114A”

***Member's explanatory statement***

*This amendment corrects a cross-reference, which should be to section 114A of the Representation of the People Act 1983 rather than to section 115 of that Act.*

## BARONESS SCOTT OF BYBROOK

110 Schedule 2, page 260, line 10, at end insert—

“(3) Until the coming into force of paragraph 6 of Schedule 5 to the Elections Act 2022 (amendment of paragraph 9(1) of Schedule 5B to the Local

Democracy, Economic Development and Construction Act 2009 relating to undue influence), sub-paragraph (1) has effect as if paragraph (e) were omitted.”

***Member's explanatory statement***

*This amendment reflects the fact that paragraph (e) of paragraph 8(1) of Schedule 2 matches paragraph (e) of paragraph 9(1) of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 as inserted by paragraph 6 of Schedule 5 to the Elections Act 2022, which is not yet in force. It therefore ensures that paragraph 8(1) of Schedule 2 to the Bill tracks paragraph 9(1) of Schedule 5B to the 2009 Act while the amendment to the latter by the 2022 Act is not force.*

BARONESS SCOTT OF BYBROOK

**111** Schedule 2, page 260, line 10, at end insert –

- “8A (1) A person is disqualified for being elected or holding office as the mayor for the area of a CCA if the person is subject to –
- (a) any relevant notification requirements, or
  - (b) a relevant order.
- (2) In this paragraph “relevant notification requirements” mean –
- (a) the notification requirements of Part 2 of the Sexual Offences Act 2003;
  - (b) the notification requirements of Part 2 of the Sex Offenders (Jersey) Law 2010;
  - (c) the notification requirements of Part 2 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
  - (d) the notification requirements of Schedule 1 to the Criminal Justice Act 2001 (an Act of Tynwald: c 4).
- (3) In this paragraph “relevant order” means –
- (a) a sexual harm prevention order under section 345 of the Sentencing Code;
  - (b) a sexual harm prevention order under section 103A of the Sexual Offences Act 2003;
  - (c) a sexual offences prevention order under section 104 of that Act;
  - (d) a sexual risk order under section 122A of that Act;
  - (e) a risk of sexual harm order under section 123 of that Act;
  - (f) a risk of sexual harm order under section 2 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005;
  - (g) a sexual risk order under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016;
  - (h) a restraining order under Article 10 of the Sex Offenders (Jersey) Law 2010;
  - (i) a child protection order under Article 11 of that Law;
  - (j) a sexual offences prevention order under section 18 of that Law;
  - (k) a risk of sexual harm order under section 22 of that Law;

- (l) a sexual offences prevention order under section 1 of the Sex Offenders Act 2006 (an Act of Tynwald: c 20);
  - (m) a risk of sexual harm order under section 5 of that Act.
- (4) For the purposes of sub-paragraph (1)(a), a person who is subject to any relevant notification requirements is not to be regarded as disqualified until –
- (a) the expiry of the ordinary period allowed for making an appeal or application against the conviction, finding, caution, order or certification in respect of which the person is subject to the relevant notification requirements, or
  - (b) if such an appeal or application is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (5) For the purposes of sub-paragraph (1)(b), a person who is subject to a relevant order is not to be regarded as disqualified until –
- (a) the expiry of the ordinary period allowed for making an appeal against the relevant order, or
  - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (6) This paragraph does not have the effect of disqualifying a person for being elected or holding office as the mayor for the area of a CCA by reason of the person becoming subject to –
- (a) any relevant notification requirements, or
  - (b) a relevant order,
- before the day on which this paragraph comes into force.”

***Member's explanatory statement***

*This amendment makes provision for a person to be disqualified from being the mayor of a CCA in certain circumstances. The provisions correspond to the provision made about the mayors of combined authorities by the Local Government (Disqualification) Act 2022.*

BARONESS SCOTT OF BYBROOK

**112** Schedule 2, page 261, line 10, leave out “(2)(a)” and insert “(2)(c)”

***Member's explanatory statement***

*This amendment corrects a cross-reference, which should be to paragraph 11(2)(c) of Schedule 2 to the Bill rather than to paragraph 11(2)(a) of that Schedule.*

**Clause 26**

BARONESS BENNETT OF MANOR CASTLE

**113** Clause 26, page 22, line 2, at end insert –

“(3A) Regulations under section 25(1) may not be made unless a majority of local government electors has approved by referendum the question that there be a mayor for the area of the CCA.”

***Member's explanatory statement***

*This amendment would require a referendum to be held to approve any proposal that a CCA shall have an elected mayor.*

**Clause 27**

LORD SHIPLEY  
BARONESS PINNOCK

- 114** Clause 27, page 22, line 8, at end insert “, subject to the agreement of the CCA”

***Member's explanatory statement***

*This amendment would ensure that the appointment could not be imposed on the CCA without scrutiny and without its agreement.*

BARONESS TAYLOR OF STEVENAGE

- 115** Clause 27, page 22, line 16, at end insert –  
“(4A) The Secretary of State may by regulations make provision as to the scrutiny of deputy mayor appointments.”

**Clause 28**

BARONESS HAYMAN OF ULLOCK

- 116** 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

- 117** 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.*

**Schedule 3**

BARONESS TAYLOR OF STEVENAGE

- 118 Schedule 3, page 262, line 1, leave out paragraphs (b) and (c)

***Member's explanatory statement***

*This probing amendment would prevent the Secretary of State from conferring only partial Police and Crime Commissioner functions on the mayor.*

BARONESS TAYLOR OF STEVENAGE

- 119 Schedule 3, page 262, line 26, leave out paragraph (a)

***Member's explanatory statement***

*This probing amendment would allow the person who is appointed deputy mayor to be appointed as deputy mayor for policing and crime.*

LORD SHIPLEY

- 120 Schedule 3, page 263, line 5, at end insert “, subject to the agreement of the CCA”

***Member's explanatory statement***

*This amendment would ensure that the CCA is confident that powers being delegated by the deputy mayor are appropriate.*

BARONESS SCOTT OF BYBROOK

- 121 Schedule 3, page 264, line 27, leave out “and 8” and insert “, 8 and 8A”

***Member's explanatory statement***

*This amendment is consequential on the second amendment in the name of Baroness Scott of Bybrook at page 260, line 10.*

**Clause 32**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 32 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 32 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 33**

LORD SHIPLEY

122 Clause 33, page 28, line 24, leave out “at least two thirds” and insert “a majority”

***Member's explanatory statement***

*This amendment would ensure that the views of a majority of the CCA are fully considered in accordance with this Clause.*

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 33 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 33 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 34**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 34 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 34 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 35**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 35 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 35 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 36**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 36 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 36 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 37**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 37 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 37 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 38**

BARONESS HARRIS OF RICHMOND

*Baroness Harris of Richmond gives notice of her intention to oppose the Question that Clause 38 stand part of the Bill.*

***Member's explanatory statement***

*The notice to oppose Clause 38 standing part of the bill would remove provisions allowing chief constables to exercise certain fire and rescue functions.*

**Clause 39**

BARONESS HAYMAN OF ULLOCK

**123** 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 40**

LORD SHIPLEY

**124** Clause 40, page 35, line 19, leave out from “title” to end of line 27 and insert “that the CCA considers more appropriate”

***Member's explanatory statement***

*The list of possible alternative titles is unnecessary since the CCA already has powers under this Clause to choose any alternative title.*

**Clause 41**

BARONESS HAYMAN OF ULLOCK

125 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

126 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 44**

BARONESS BENNETT OF MANOR CASTLE

127 Clause 44, page 40, line 2, at end insert—

“(f) a majority of local government electors has approved by referendum the question that a CCA be established.”

***Member's explanatory statement****This amendment would require a referendum to be held on whether a CCA should be established in an area.***Clause 48**

LORD SHIPLEY

128★ Clause 48, page 43, line 18, at end insert—

“(3A) A CCA may, with the consent of its constituent authorities, request that the Chancellor of the Exchequer devolve further fiscal powers to that CCA to help its regeneration powers, and those fiscal powers may not be unreasonably withheld.”

***Member's explanatory statement****This is a probing amendment to assess the Government's willingness to empower a CCA to drive its regeneration plans forward using enhanced fiscal powers.*



**Clause 53**

BARONESS TAYLOR OF STEVENAGE

- 129** 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

- 130** 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 informed of their CCA's functions.*

**Schedule 4**

BARONESS SCOTT OF BYBROOK

- 131** Schedule 4, page 266, line 6, at end insert –
- “Landlord and Tenant Act 1954 (c. 56)*
- A1 In section 69(1) of the Landlord and Tenant Act 1954 (interpretation), in the definition of “local authority”, after “section 103 of that Act” insert “, a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.
- Trustee Investments Act 1961 (c. 62)*
- A2 In section 11(4)(a) of the Trustee Investments Act 1961 (local authority investment schemes), after “section 103 of that Act” insert “, a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.
- Local Government (Records) Act 1962 (c. 56)*
- A3 The Local Government (Records) Act 1962 is amended as follows.
- A4 In section 2(6) (acquisition and deposit of records), after “section 103 of that Act” insert “, to a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

- A5 In section 8(1) (interpretation), in the definition of “local authority”, after “section 103 of that Act” insert “, or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Leasehold Reform Act 1967 (c. 88)*

- A6 In section 28(5)(a) of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes), after “section 103 of that Act,” insert “any combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Transport Act 1968 (c. 73)*

- A7 The Transport Act 1968 is amended as follows.

- A8 (1) Section 9 (Areas, Authorities and Executives) is amended as follows.

- (2) In subsection (1) –

(a) in paragraph (a)(i), after “a combined authority area” insert “or a combined county authority area”;

(b) after paragraph (ab) insert –

“(ac) any reference to a “combined county authority” is to an authority established under section 7(1) of the Levelling-up and Regeneration Act 2023 for an area which is or includes a metropolitan county;

(ad) any reference to a “combined county authority area” is to an area for which a combined county authority is established;”;

(c) in paragraph (b), after sub-paragraph (ia) insert –

“(iaa) in relation to a combined county authority area, the combined county authority;”.

- (3) In subsection (2), after “a combined authority area” insert “, a combined county authority area”.

- (4) In subsection (3), after “a combined authority area” insert “, a combined county authority area”.

- (5) In subsection (5) for “or a combined authority area” substitute “a combined authority area or a combined county authority area”.

- A9 In section 9A (general functions of Authorities and Executives), in each of subsections (3), (5), (6)(a) and (b), (7) and (8), after “combined authority area” insert “, combined county authority area”.

- A10(1) Section 10 (general powers of Executives) is amended as follows.

- (2) In subsection (1), after “a combined authority area” insert “, a combined county authority area”.

- (3) In subsection (3), after “a combined authority area” insert “, a combined county authority area”.

- (4) In subsection (5), after “a combined authority area” insert “, a combined county authority area”.
- A11 In section 10A(1) (further powers of Executives), for “or combined authority area” substitute “, combined authority area or combined county authority area”.
- A12 In section 12(1) (borrowing powers of Executive), after “a combined authority area” insert “, a combined county authority area”.
- A13 In section 14(1) (accounts of Executive), after “a combined authority area” insert “, a combined county authority area”.
- A14(1) Section 15 (further functions of Authority) is amended as follows.
- (2) In subsection (1), after “a combined authority area” insert “, a combined county authority area”.
- (3) In subsection (6), after “a combined authority area” insert “, a combined county authority area”.
- A15 In section 16(1) (annual report by Authority and Executive), after “combined authority area” insert “, combined county authority area”.
- A16(1) Section 20 (special duty with respect to railway passengers) is amended as follows.
- (2) In subsection (1), after “a combined authority area” insert “, a combined county authority area”.
- (3) In subsection (2A), after “a combined authority area” insert “, a combined county authority area”.
- A17(1) Section 23 (consents of, or directions, by Minister) is amended as follows.
- (2) In subsection (1), after “a combined authority area” insert “, a combined county authority area”.
- (3) In subsection (2), after “a combined authority area” insert “, a combined county authority area”.
- (4) In subsection (3), after “a combined authority area” insert “, a combined county authority area”.
- A18 In section 56(6) (assistance by Minister or local authority towards expenditure on public transport), after paragraph (bc) insert –
- “(bd) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- A19(1) Schedule 5 (Passenger Transport Executives) is amended as follows.
- (2) In Part 2, in paragraph 2, after “the combined authority area”, in both places it occurs, insert “, the combined county authority area”.
- (3) In Part 3, in paragraph 11, after “a combined authority area”, insert “, a combined county authority area”.

*Local Government Grants (Social Need) Act 1969 (c. 2)*

- A20 In section 1(3) of the Local Government Grants (Social Need) Act 1969 (provision for grants), for “and a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act and a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Employers’ Liability (Compulsory Insurance) Act 1969 (c. 57)*

- A21 In section 3(2)(b) of the Employers’ Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), after “section 103 of that Act,” insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

- A22 In section 1(4) of the Local Authorities (Goods and Services) Act 1970 (provision for grants), in the definition of “local authority”, after “section 103 of that Act,” insert “any combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

***Member’s explanatory statement***

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

132

Schedule 4, page 266, line 8, at end insert—

- “1A (1) Section 70 (restriction on promotion of Bills for changing local government areas, etc) is amended as follows.
- (2) In subsection (1), for “or combined authority” substitute “, combined authority or combined county authority”.
- (3) In subsection (3), for “or combined authority” substitute “, combined authority or combined county authority”.
- 1B In section 80(2)(b) (disqualification for election and holding office as member of local authority), after “combined authority” insert “, combined county authority”.
- 1C In section 85(4) (vacation of office by failure to attend meetings), for “and a combined authority” substitute “, a combined authority and a combined county authority”.
- 1D In section 86(2) (declaration of vacancy by local authority), for “and a combined authority” substitute “, a combined authority and a combined county authority”.
- 1E In section 92(7) (proceedings for disqualification)—
- (a) for “and a combined authority” substitute “, a combined authority and a combined county authority”, and

(b) for “or a combined authority” substitute “, a combined authority or a combined county authority”.

1F In section 99 (meetings and proceedings of local authorities), after “combined authorities,” insert “combined county authorities;”.

***Member's explanatory statement***

*This amendment inserts various consequential amendments to the Local Government Act 1972 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

133 Schedule 4, page 267, line 10, at end insert—

“3A In section 138C(1) (application of sections 138A and 138B to other authorities), after paragraph (n) insert—

“(na) a combined county authority;”.

3B In section 142(1B) (provision of information relating to matters affecting local government), after “a combined authority” insert “, a combined county authority”.

3C (1) Section 146A (joint authorities etc) is amended as follows.

(2) In subsection (1)—

(a) in the opening words, after “(1ZE)” insert “, (1ZEA)”, and

(b) after “a combined authority,” insert “a combined county authority”.

(3) In subsection (1ZB), after “a combined authority” insert “or a combined county authority”.

(4) After subsection (1ZE) insert—

“(1ZEA) A combined county authority is not to be treated as a local authority for the purposes of section 111 (but see section 47 of the Levelling-up and Regeneration Act 2023).”

3D In section 175(3B) (allowances for attending conferences and meetings), after “a combined authority” insert “, a combined county authority”.

3E In section 176(3) (payment of expenses), for “and a combined authority” substitute “a combined authority and a combined county authority”.

3F In section 223(2) (appearance of local authorities in legal proceedings), after “a combined authority,” insert “a combined county authority;”.

3G In section 224(2) (arrangements by principal councils for custody of documents), for “or combined authority” substitute “, combined authority or combined county authority”.

3H In section 225(3) (deposit of documents with proper officer), for “and a combined authority” substitute “, a combined authority and a combined county authority”.

3I In section 228(7A) (inspection of documents), for “or a combined authority” substitute “, a combined authority or a combined county authority”.

- 3J In section 229(8) (photographic copies of documents) after “a combined authority,” insert “a combined county authority,”.
- 3K In section 230(2) (reports and returns), for “and a combined authority” substitute “, a combined authority and a combined county authority”.
- 3L In section 231(4) (service of notice on local authorities), after “a combined authority,” insert “a combined county authority,”.
- 3M In section 232(1A) (public notices), after “a combined authority,” insert “a combined county authority,”.
- 3N In section 233(11) (service of notices by local authorities), after “a combined authority,” insert “a combined county authority,”.
- 3P In section 234(4) (authentication of documents), after “a combined authority,” insert “a combined county authority,”.
- 3Q In section 236(1) (procedure for byelaws), for “or a combined authority” substitute “, a combined authority or a combined county authority”.
- 3R In section 236B(1) (revocation of byelaws), after paragraph (e) insert—  
“(f) a combined county authority.”
- 3S In section 238 (evidence of byelaws), for “or a combined authority” substitute “, a combined authority or a combined county authority”.
- 3T In section 239(4A) (power to promote or oppose bills), for “and a combined authority” substitute “, a combined authority and a combined county authority”.

***Member's explanatory statement***

*This amendment inserts various consequential amendments to the Local Government Act 1972 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

**134** Schedule 4, page 267, line 14, at end insert—

- “4A In Part 1A of Schedule 12 (meetings and proceedings of joint authorities etc), in paragraph 6A, for “or a combined authority” substitute “, a combined authority or a combined county authority”.”

***Member's explanatory statement***

*This amendment inserts a consequential amendment to Schedule 12 to the Local Government Act 1972 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

135 Schedule 4, page 267, line 14, at end insert –

*“Employment Agencies Act 1973 (c. 35)*

4B In section 13(7) of the Employment Agencies Act 1973 (interpretation), after paragraph (fzc) insert –

“(fzd) the exercise by a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023 of any of its functions;”.

*Local Government Act 1974 (c. 7)*

4C The Local Government Act 1974 is amended as follows.

4D In section 25(1) (authorities subject to investigation), after paragraph (cf) insert –

“(cg) any combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

4E (1) Section 26C (referral of complaints by authorities) is amended as follows.

(2) In subsection (6), after paragraph (f) insert –

“(g) in relation to a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023, a member of a constituent council of the authority;”.

(3) After subsection (8) insert –

“(9) For the purposes of subsection (6)(g) –

(a) a county council is a constituent council of a combined county authority if the area of the county council, or part of that area, is within the area of the combined county authority;

(b) a district council is a constituent council of a combined county authority if the area of the district council is within the area of the combined county authority.”

*Health and Safety at Work etc Act 1974 (c. 37)*

4F In section 28(6) of the Health and Safety at Work etc Act 1974 (restrictions on disclosure of information), after “section 103 of that Act,” insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

4G In section 44 of the Local Government Act 1976 (interpretation of Part 1), in the definition of “local authority” –

(a) in paragraph (a), after “section 103 of that Act,” insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”;

- (b) in paragraph (c), after “section 103 of that Act, insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Rent (Agriculture) Act 1976 (c. 80)*

- 4H In section 5(3) of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord’s interest belongs to local authority), after paragraph (bbzb) insert –
- “(bbzc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Rent Act 1977 (c. 42)*

- 4I In section 14(1) of the Rent Act 1977 (landlord’s interest belonging to local authority etc), after paragraph (cbc) insert –
- “(cbd) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Protection from Eviction Act 1977 (c. 43)*

- 4J In section 3A(8) of the Protection from Eviction Act 1977 (excluded tenancies and licences), after paragraph (ab) insert –
- “(ac) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Local Government, Planning and Land Act 1980 (c. 65)*

- 4K The Local Government, Planning and Land Act 1980 is amended as follows.
- 4L In section 2(1) (duty of authorities to publish information), after paragraph (kac) insert –
- “(kad) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 4M In section 98(8A) (disposal of land at direction of Secretary of State), after paragraph (ezb) insert –
- “(ezc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 4N In section 99(4) (directions to dispose of land), after paragraph (dbzb) insert –
- “(dbzc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 4P In section 100(1)(a) (interpretation and extent of Part 10), for “or a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.



- 4Q In Schedule 16 (bodies to whom Part 10 applies), after paragraph 5BZB insert –  
“5BZBA A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Public Passenger Vehicles Act 1981 (c. 14)*

- 4R In section 4C(4) of the Public Passenger Vehicles Act 1981 (power of senior traffic commissioner to give guidance and directions), in paragraph (e), after “of combined authorities” insert “established under section 103 of the Local Democracy, Economic Development and Construction Act 2009, of combined county authorities established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Acquisition of Land Act 1981 (c. 67)*

- 4S In section 17(4)(a) of the Acquisition of Land Act 1981 (local authority land), in the definition of “local authority”, for “or a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

- 4T The Local Government (Miscellaneous Provisions) Act 1982 is amended as follows.
- 4U In section 33(9) (enforceability by local authorities of covenants relating to land) –
- (a) in paragraph (a), for “or a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”;
  - (b) in paragraph (b), for “or combined authority” substitute “, combined authority or combined county authority”.
- 4V In section 41(13) (lost and uncollected property), in the definition of “local authority”, after paragraph (ezb) insert –
- “(ezba) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Stock Transfer Act 1982 (c. 41)*

- 4W In Schedule 1 to the Stock Transfer Act 1982 (specified securities), in paragraph 7(2)(a), after “section 103 of that Act” insert “, a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*County Courts Act 1984 (c. 28)*

- 4X In section 60(3) of the County Courts Act 1984 (rights of audience), in the definition of “local authority”, after “section 103 of that Act” insert “a combined

county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”.

*Local Government Act 1985 (c. 51)*

- 4Y The Local Government Act 1985 is amended as follows.
- 4YA In section 72(5) (accounts and audit), after paragraph (c) insert—
- “(d) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 4YB In section 73(2) (financial administration), after paragraph (b) insert—
- “(c) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Transport Act 1985 (c. 67)*

- 4YC The Transport Act 1985 is amended as follows.
- 4YD In section 27A(7)(b) (additional powers where service not operated as registered), for “or combined authority” substitute “, combined authority or combined county authority”.
- 4YE In section 64(1)(a) (consultation with respect to policies), after “combined authority,” insert “combined county authority,”.
- 4YF In section 93(8)(b) (travel concession schemes), for “and a combined authority” substitute “, a combined authority and a combined county authority”.
- 4YG In section 106(4) (grants for transport facilities and services), after paragraph (aa) insert—
- “(ab) any combined county authority;”.
- 4YH In section 137 (general interpretation), after subsection (5A) insert—
- “(5B) References in this Act to a combined county authority are references to a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Housing Act 1985 (c. 68)*

- 4YI (1) Section 4 of the Housing Act 1985 (other descriptions of authority) is amended as follows.
- (2) In subsection (1)(e), after “combined authority,” insert “a combined county authority,”.
- (3) In subsection (2), at the appropriate place insert—
- ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Housing Associations Act 1985 (c. 69)*

- 4YJ In section 106(1) (minor definitions) of the Housing Associations Act 1985, in the definition of “local authority” –
- (a) for “and a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act and a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”;
  - (b) after “such a combined authority,” insert “such a combined county authority,”.

*Landlord and Tenant Act 1985 (c. 70)*

- 4YK In section 38 of the Landlord and Tenant Act 1985 (minor definitions), in the definition of “local authority”, after “section 103 of that Act,” insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Local Government Act 1986 (c. 10)*

- 4YL The Local Government Act 1986 is amended as follows.
- 4YM In section 6(2)(a) (interpretation and application of Part 2), after “a combined authority established under section 103 of that Act,” and on a new line, insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.
- 4YN In section 9(1)(a) (interpretation and application of Part 3), after “a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009,” and on a new line, insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Landlord and Tenant Act 1987 (c. 31)*

- 4YP In section 58(1)(a) of the Landlord and Tenant Act 1987 (exempt landlords and resident landlords), for “or a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Local Government Act 1988 (c. 9)*

- 4YQ In Schedule 2 to the Local Government Act 1988 (public supply or works contracts: the public authorities), after the entry for a combined authority established under the Local Democracy, Economic Development and Construction Act 2009, and on a new line, insert “A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

**Member's explanatory statement**

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

136 Schedule 4, page 268, line 15, at end insert –

*“Housing Act 1988 (c. 50)*

- 9A The Housing Act 1988 is amended as follows.
- 9B In section 74(8) (transfer of land and other property to housing action trusts), after paragraph (fc) insert –
- “(fd) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 9C In Schedule 1 (tenancies which cannot be assured tenancies), in paragraph 12(2), after paragraph (fb) (and before the “and” at the end of that paragraph) insert –
- “(fc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Road Traffic Act 1988 (c. 52)*

- 9D In section 144(2)(a)(i) of the Road Traffic Act 1988 (exceptions from requirement of third-party insurance or security), for “or a combined authority established under section 103 of that Act” substitute “, a combined authority established under section 103 of that Act or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

**Member's explanatory statement**

*This amendment inserts consequential amendments to the Housing Act 1988 and the Road Traffic Act 1988 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

137 Schedule 4, page 268, line 16, at end insert –

“9E The Local Government and Housing Act 1989 is amended as follows.”

**Member's explanatory statement**

*This amendment introduces the consequential amendments to the Local Government and Housing Act 1989 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**138** Schedule 4, page 268, line 17, leave out “of the Local Government and Housing Act 1989”

*Member's explanatory statement*

*This amendment is consequential on the amendment in the name of Baroness Scott of Bybrook at page 268, line 16.*

## BARONESS SCOTT OF BYBROOK

**139** Schedule 4, page 268, line 20, at end insert –

“10A In section 152(2) (interpretation), after paragraph (izb) insert –

“(izc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

10B In section 157(6) (periodic payments of grants) –

(a) omit the “and” at the end of paragraph (j), and

(b) after paragraph (k) insert –

“(l) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

10C (1) Schedule 1 (political balance on local authority committees etc) is amended as follows.

(2) In paragraph 2(1), for “(jb)” substitute “(jba)”.

(3) In paragraph 4(1), in paragraph (a) of the definition of “relevant authority”, for “(jb)” substitute “(jba)”.

*Member's explanatory statement*

*This amendment inserts consequential amendments to the Local Government and Housing Act 1989 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**140** Schedule 4, page 268, line 20, at end insert –

“Town and Country Planning Act 1990 (c. 8)

10D The Town and Country Planning Act 1990 is amended as follows.

10E In section 252(12) (procedure for making orders), in the definition of “local authority”, after “section 103 of that Act,” insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

10F In Schedule 14 (procedure for footpaths and bridleways orders), in paragraph 1(3), in the definition of “council”, after “section 103 of that Act” insert “, a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Further and Higher Education Act 1992 (c. 13)*

- 10G In section 54(1)(e)(ii) of the Further and Higher Education Act 1992 (duty to give information), for “or a combined authority” substitute “, a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 or a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

***Member's explanatory statement***

*This amendment inserts consequential amendments to the Town and Country Planning Act 1990 and the Further and Higher Education Act 1992 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**141** Schedule 4, page 268, line 37, at end insert –

*“Local Government (Overseas Assistance) Act 1993 (c. 25)*

- 13A In section 1(10) of the Local Government (Overseas Assistance) Act 1993 (power to provide advice and assistance), after paragraph (dzb) insert –
- “(dzc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Railways Act 1993 (c. 43)*

- 13B The Railways Act 1993 is amended as follows.
- 13C In section 25(1) (public sector operators not to be franchisees) –
- (a) after paragraph (ca) insert –
- “(cb) any combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”;
- (b) in paragraph (d), for “or a combined authority” substitute “, a combined authority or a combined county authority”.
- 13D In section 149(5) (service of documents), in the definition of “local authority”, for “and a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009” substitute “, a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 and a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023”.

*Deregulation and Contracting Out Act 1994 (c. 40)*

- 13E In section 79A of the Deregulation and Contracting Out Act 1994 (meaning of “local authority”: England), after paragraph (mb) insert –
- “(mc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Environment Act 1995 (c. 25)*

13F After section 86B of the Environment Act 1995 insert –

**“86C Role of combined county authorities in relation to action plans**

- (1) Where a local authority in the area of a combined county authority intends to prepare an action plan it must notify the combined county authority.
- (2) Where a combined county authority has been given a notification under subsection (1) by a local authority, the combined county authority must, before the end of the relevant period, provide the local authority with proposals for particular measures the combined county authority will take to contribute to the achievement, and maintenance, of air quality standards and objectives in the area to which the plan relates.
- (3) Where a combined county authority provides proposals under subsection (2), the combined county authority must –
  - (a) in those proposals, specify a date for each particular measure by which it will be carried out, and
  - (b) as far as is reasonably practicable, carry out those measures by those dates.
- (4) An action plan prepared by a local authority in the area of a combined county authority must set out any proposals provided to it under subsection (2) (including the dates specified by virtue of subsection (3)(a)).
- (5) In this section “combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Housing Grants, Construction and Regeneration Act 1996 (c. 53)*

13G In section 3(2) of the Housing Grants, Construction and Regeneration Act 1996 (ineligible applicants), after paragraph (jc) insert –

“(jd) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Crime and Disorder Act 1998 (c. 37)*

13H In section 17(2) of the Crime and Disorder Act 1998 (duty to consider crime and disorder implications), after “a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;”, and on a new line, insert “a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

***Member's explanatory statement***

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**142** Schedule 4, page 269, line 5, at end insert –

*“Greater London Authority Act 1999 (c. 29)*

14A In section 211(1) of the Greater London Authority Act 1999 (public sector operators) –

(a) after paragraph (ca) insert –

“(cb) any combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”,  
and

(b) in paragraph (d), for “or combined authority” substitute “, combined authority or combined county authority”.

*Freedom of Information Act 2000 (c. 36)*

14B In Schedule 1 to the Freedom of Information Act 2000 (public authorities), after paragraph 19B insert –

“19C A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Transport Act 2000 (c. 38)*

14C The Transport Act 2000 is amended as follows.

14D In section 108(4) (local transport plans), after paragraph (ca) (but before the “or” at the end of that paragraph) insert –

“(cb) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

14E(1) Section 109 (further provision about local transport plans in England) is amended as follows.

(2) In subsection (2A), in the opening words, for “or a combined authority” substitute “, a combined authority or a combined county authority”.

(3) In subsection (2B) –

(a) in the opening words, for “or a combined authority” substitute “, a combined authority or a combined county authority”;

(b) in paragraph (a), after “combined authority” insert “or combined county authority”;

(c) in paragraph (c), after “combined authority” insert “or combined county authority”.

14F(1) Section 113 (role of metropolitan district councils) is amended as follows.

(2) In subsection (2), after “a combined authority” insert “or a combined county authority”.

(3) in subsection (2A), in each of paragraphs (a), (b) and (c), after “combined authority” insert “or combined county authority”.



- 14G In section 123A(4) (franchising schemes) –
- (a) after paragraph (a) insert –
    - “(aa) a mayoral CCA;”;
  - (b) omit the “or” at the end of paragraph (e);
  - (c) at the end of paragraph (f) insert “, or
    - (g) a combined county authority which is not a mayoral CCA.”;
  - (d) in the words after paragraph (g), for “(f)” substitute “(g)”.
- 14H In section 123C(2) (consent of the Secretary of State and notice) –
- (a) omit the “or” at the end of paragraph (a);
  - (b) at the end of paragraph (b) insert “,
    - (c) the area of a mayoral CCA, or
    - (d) the combined area of two or more mayoral CCAs.”
- 14I In section 123G (response to consultation), after subsection (4) insert –
- “(5) If a franchising authority are a mayoral CCA, the function of deciding whether to make a proposed franchising scheme is a function of the combined county authority exercisable only by the mayor acting on behalf of the combined county authority (including in a case where the decision is to make a scheme jointly with one or more other franchising authorities).”
- 14J In section 123M (variation of scheme), after subsection (6) insert –
- “(6A) If a franchising authority are a mayoral CCA, the function of deciding whether to make a proposed variation is a function of the combined county authority exercisable only by the mayor acting on behalf of the combined county authority (including in a case where the decision is to act jointly to vary a scheme).”
- 14K In section 123N (revocation of scheme), after subsection (7) insert –
- “(7A) If a franchising authority are a mayoral CCA, the function of deciding whether to make a proposed revocation is a function of the combined county authority exercisable only by the mayor acting on behalf of the combined county authority (including in a case where the decision is to act jointly to revoke a scheme).”
- 14L(1) Section 157 (grants to Integrated Transport Authorities and combined authorities) is amended as follows.
- (2) In the heading, for “and combined authorities” substitute “, combined authorities and combined county authorities”.
  - (3) After subsection (1A) insert –
    - “(1B) The Secretary of State may, with the approval of the Treasury, make grants to a combined county authority for the purpose of enabling the authority to carry out any of their functions.”

- 14M (1) Section 162 (interpretation of Part 2) is amended as follows.
- (2) In subsection (1), at the appropriate place insert—
    - ““mayoral CCA” has the meaning given by section 25(8) of the Levelling-up and Regeneration Act 2023;”.
  - (3) After subsection (5A) insert—
    - “(5B) In this Part “combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 14N(1) Section 163 (road user charging schemes: preliminary) is amended as follows.
- (2) In each of subsections (3)(bb), (3)(cc) and (4A), for “or combined authority” substitute “, combined authority or combined county authority”.
  - (3) After subsection (5A) insert—
    - “(5B) In this Part “combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 14P(1) Section 164 (local charging schemes) is amended as follows.
- (2) In subsection (2), for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”.
  - (3) In subsection (3)—
    - (a) in the opening words, for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”;
    - (b) in paragraph (b), after “combined authority” insert “or combined county authority”.
- 14Q(1) Section 165 (joint local charging schemes) is amended as follows.
- (2) In subsection (2), for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”.
  - (3) In subsection (3)—
    - (a) in the opening words, for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”;
    - (b) in paragraph (b), after “combined authority” insert “or combined county authority”.
- 14R In section 165A(1)(b) (joint local-ITA charging schemes), after “combined authority” insert “or combined county authority”.
- 14S (1) Section 166 (joint local-London charging schemes) is amended as follows.
- (2) In subsection (2), for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”.
  - (3) In subsection (3)—

- (a) in the opening words, for “or the area of a combined authority” substitute “, the area of a combined authority or the area of a combined county authority”;
  - (b) in paragraph (b), after “combined authority” insert “or combined county authority”.
- 14T (1) Section 166A (joint ITA-London charging schemes) is amended as follows.
  - (2) In subsection (1)(b), after “combined authority” insert “or combined county authority”.
  - (3) In subsection (3)(b), for “or combined authority” substitute “, combined authority or combined county authority”.
- 14U In section 167(2)(b) (trunk road charging schemes), after “a combined authority” insert “, a combined county authority”.
- 14V In section 168(2) (charging schemes to be made by order) –
  - (a) after “a combined authority” insert “, a combined county authority”;
  - (b) for “or the combined authority” substitute “, the combined authority or the combined county authority”.
- 14W (1) Section 170 (charging schemes: consultation and inquiries) is amended as follows.
  - (2) In subsection (1A)(b), for “or a combined authority” substitute “, a combined authority or a combined county authority”.
  - (3) In subsection (7)(a), for “or combined authority” substitute “, combined authority or combined county authority”.
- 14X In section 177A(1) (power to require information), for “or combined authority” substitute “, combined authority or combined county authority”.
- 14Y In section 193(1) (guidance), after “combined authorities” insert “, combined county authorities”.
- 14YA In section 194 (information), in each of subsections (1), (2) and (6), for “or combined authority” substitute “, combined authority or combined county authority”.
- 14YB In section 198(1) (interpretation of Part 3), at the appropriate place insert –

““combined county authority” has the meaning given by section 163 (5B);”.
- 14YC (1) Schedule 12 (road user charging and workplace parking levy: financial provisions) is amended as follows.
  - (2) In each of paragraphs 2(4), 3(2) and 7(5)(c), for “or combined authority” substitute “, combined authority or combined county authority”.
  - (3) In paragraph 8(3)(aa), for “and combined authorities” substitute “, combined authorities and combined county authorities”.
  - (4) In paragraph 8(4)(aa), for “or combined authority” substitute “, combined authority or combined county authority”.
  - (5) In paragraph 11A –

- (a) in sub-paragraph (1), for “or combined authority’s” substitute “, combined authority’s or combined county authority’s”;
  - (b) in sub-paragraph (4), after “combined authority” insert “or combined county authority”.
- (6) In each of paragraphs 11B(1) and 11C(1) and (3), for “or a combined authority” substitute “, a combined authority or a combined county authority”.

***Member's explanatory statement***

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

**143** Schedule 4, page 270, line 8, at end insert –

*“Courts Act 2003 (c. 39)*

18A In section 41(6) of the Courts Act 2003 (disqualification of lay justices who are members of local authorities), after paragraph (eb) insert –

“(ec) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023,”.

*Planning and Compulsory Purchase Act 2004 (c. 5)*

18B The Planning and Compulsory Purchase Act 2004 is amended as follows.

18C In section 27A (default powers), in the heading and in the section, after “combined authority” insert “, combined county authority”.

18D(1) Schedule A1 (default powers exercisable by Mayor of London, combined authority or county council) is amended as follows.

(2) In the heading, after “combined authority” insert “, combined county authority”.

(3) After paragraph 7 insert –

*“Default powers exercisable by combined county authority*

7ZA In this Schedule –

“combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;

“constituent planning authority” in relation to a combined county authority, means –

- (a) a county council, metropolitan district council or non-metropolitan district council which is the local planning authority for an area within the area of the combined county authority, or
- (b) a joint committee established under section 29 whose area is within, or the same as, the area of the combined county authority.

- 7ZB If the Secretary of State –
- (a) thinks that a constituent planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document, and
  - (b) invites the combined county authority to prepare or revise the document,
- the combined county authority may prepare or revise (as the case may be) the development plan document.
- 7ZC(1) This paragraph applies where a development plan document is prepared or revised by a combined county authority under paragraph 7ZB.
- (2) The combined county authority must hold an independent examination.
  - (3) The combined county authority –
    - (a) must publish the recommendations and reasons of the person appointed to hold the examination, and
    - (b) may also give directions to the constituent planning authority in relation to publication of those recommendations and reasons.
  - (4) The combined county authority may –
    - (a) approve the document, or approve it subject to specified modifications, as a local development document, or
    - (b) direct the constituent planning authority to consider adopting the document by resolution of the authority as a local development document.
- 7ZD(1) Subsections (4) to (7C) of section 20 apply to an examination held under paragraph 7ZC(2) –
- (a) with the reference to the local planning authority in subsection (7C) of that section being read as a reference to the combined county authority, and
  - (b) with the omission of subsections (5)(c), (7)(b)(ii) and (7B)(b).
- (2) The combined county authority must give reasons for anything they do in pursuance of paragraph 7ZB or 7ZC(4).
  - (3) The constituent planning authority must reimburse the combined county authority –
    - (a) for any expenditure that the combined county authority incur in connection with anything which is done by them under paragraph 5 and which the constituent planning authority failed or omitted to do as mentioned in that paragraph;
    - (b) for any expenditure that the combined county authority incur in connection with anything which is done by them under paragraph 7ZC(2).

- (4) In the case of a joint local development document or a joint development plan document, the combined county authority may apportion liability for the expenditure on such basis as the authority considers just between the authorities for whom the document has been prepared.”
- (4) In paragraph 8 –
- (a) in sub-paragraph (1), after paragraph (b) (but before the “or” at the end of that paragraph) insert –
- “(ba) under paragraph 7ZB by a combined county authority;”;
- (b) in sub-paragraph (2)(a) –
- (i) after “6(4)(a)” insert “, 7ZC(4)(a)”;
- (ii) after “the combined authority” insert “, the combined county authority”;
- (c) in sub-paragraph (3)(a), after “the combined authority” insert “, the combined county authority”;
- (d) in sub-paragraph (5), after “6(4)(a)” insert “, 7ZC(4)(a)”;
- (e) in sub-paragraph (7) –
- (i) in paragraph (b), after “6(4)(a)” insert “, 7ZC(4)(a)”;
- (ii) in the words after paragraph (b), after “the combined authority” insert “, the combined county authority”.
- (5) In paragraph 9(3), after “the combined authority” insert “, the combined county authority”.
- (6) In paragraph 12, after “the combined authority” insert “, the combined county authority”.
- (7) In paragraph 13(1), after “a combined authority” insert “, a combined county authority”.

*Fire and Rescue Services Act 2004 (c. 21)*

- 18E In section 1 of the Fire and Rescue Services Act 2004 (fire and rescue authorities), for subsection (5) substitute –
- “(5) This section is also subject to –
- (a) an order under Part 6 of the Local Democracy, Economic Development and Construction Act 2009 which transfers the functions of a fire and rescue authority to a combined authority established under section 103 of that Act;
- (b) an order under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 which transfers the functions of a fire and rescue authority to a combined county authority established under section 7(1) of that Act.”

*Children Act 2004 (c. 31)*

- 18F In section 50(7) of the Children Act 2004 (intervention - England), after “combined authority”, in each place where it occurs, insert “or combined county authority”.

*Railways Act 2005 (c. 14)*

- 18G In section 33(2) of the Railways Act 2005 (closure requirements), after paragraph (da) insert –
- “(db) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Childcare Act 2006 (c. 21)*

- 18H In section 15 of the Childcare Act 2006 (powers of Secretary of State to secure proper performance), after subsection (6A) insert –
- “(6B) If any functions of an English local authority under this Part are exercisable by a combined county authority by virtue of section 16 of the Levelling-up and Regeneration Act 2023 –
- (a) a reference in any of subsections (3) to (6) to an English local authority includes a reference to the combined county authority, and
- (b) a reference in those subsections to functions under this Part is, in relation to the combined county authority, to be read as a reference to those functions so far as exercisable by the combined county authority.”

*Education and Inspections Act 2006 (c. 40)*

- 18I (1) Section 123 of the Education and Inspections Act 2006 (education and training to which Chapter 3 of Part 8 applies) is amended as follows.
- (2) In subsection (1), after paragraph (ea) insert –
- “(eb) further education for persons aged 19 or over which is wholly or partly funded by a combined county authority;”.
- (3) For subsection (5), substitute –
- “(5) In this section –
- “combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
- “combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.””

***Member's explanatory statement***

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**144** Schedule 4, page 270, line 11, leave out paragraph 20 and insert –

“20 In section 7A(2) (exercise of Secretary of State's public health functions), after paragraph (d) (but before the “or” at the end of that paragraph) insert –

“(da) a combined county authority;”.

***Member's explanatory statement***

*This amendment replaces the consequential amendment to section 7A of the National Health Service Act 2006 as a result of the substitution of that section by the Health and Care Act 2022.*

## BARONESS SCOTT OF BYBROOK

**145** Schedule 4, page 270, line 16, at end insert –

“20A In section 12ZB(7) (procurement regulations), in the definition of “relevant authority”, after paragraph (a) insert –

“(aa) a combined county authority;”.

20B In section 13UA(2) (guidance about joint appointments) –

(a) omit the “or” at the end of paragraph (b), and

(b) at the end of paragraph (c) insert “, or

(d) one or more relevant NHS body and one or more combined county authority.”

***Member's explanatory statement***

*This amendment inserts a further consequential amendment to the National Health Service Act 2006 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

**146** Schedule 4, page 270, line 17, leave out paragraphs 21 and 22

***Member's explanatory statement***

*This amendment removes the consequential amendments to sections 13ZA and 14Z3A of the National Health Service Act 2006 as a result of the repeals of those sections by the Health and Care Act 2022.*

## BARONESS SCOTT OF BYBROOK

**147** Schedule 4, page 270, line 31, at end insert –

“22A In section 65Z5(1) (joint working and delegation arrangements), after paragraph (c) insert –

“(d) a combined county authority.”



22B In section 65Z6(1) (joint committees and pooled funds), after paragraph (c) insert—

“(d) a combined county authority.””

***Member's explanatory statement***

*This amendment inserts further consequential amendments to the National Health Service Act 2006 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

148 Schedule 4, page 271, line 33, at end insert—

“*Concessionary Bus Travel Act 2007 (c. 13)*

25A In section 9(6)(b) of the Concessionary Bus Travel Act 2007 (variation of reimbursement etc), for “or combined authority” substitute “, combined authority or combined county authority”.

*Local Government and Public Involvement in Health Act 2007 (c. 28)*

25B The Local Government and Public Involvement in Health Act 2007 is amended as follows.

25C In section 23(1) (definitions for the purposes of Chapter 1 of Part 1), in the definition of “public body”, after paragraph (g) insert—

“(h) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

25D In section 104(2) (application of Chapter 1 of Part 5: partner authorities), after paragraph (ib) insert—

“(ic) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

***Member's explanatory statement***

*This amendment inserts consequential amendments to the Concessionary Bus Travel Act 2007 and the Local Government and Public Involvement in Health Act 2007 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

149 Schedule 4, page 273, line 25, at end insert—

“30A(1) Section 102E (power to establish STBs) is amended as follows.

(2) In subsection (5), after paragraph (a) insert—

“(aa) a combined county authority;”.

- (3) In subsection (6), after paragraph (a) (but before the “or” at the end of that paragraph) insert—
- “(aa) the area of a combined county authority;”.
- 30B In section 102F(7) (requirements in connection with regulations under section 102E), after paragraph (a) insert—
- “(aa) a combined county authority;”.
- 30C In section 102G(10) (constitution of STBs), after paragraph (a) insert—
- “(aa) in the case of a combined county authority, are the mayor for the area of the combined county authority (if there is one) and those members of the authority who are appointed from among the elected members of the authority's constituent councils (see section 8(4)(b) of the Levelling-up and Regeneration Act 2023);”.
- 30D In section 102I(7) (transport strategy of an STB), after paragraph (b) insert—
- “(ba) a combined county authority;”.
- 30E In section 102J(7) (exercise of local transport functions), after paragraph (a) insert—
- “(aa) a combined county authority;”.
- 30F In section 102U, at the appropriate place insert—
- ““combined county authority” means a body established as a combined county authority under section 7(1) of the Levelling-up and Regeneration Act 2023;”.”

***Member's explanatory statement***

*This amendment inserts further consequential amendments to the Local Transport Act 2008 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

150

Schedule 4, page 273, line 28, at end insert—

- “31A In section 35(2) (mutual insurance: supplementary), after paragraph (r) insert—
- “(s) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.””

***Member's explanatory statement***

*This amendment inserts a further consequential amendment to the Local Democracy, Economic Development and Construction Act 2009 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

## BARONESS SCOTT OF BYBROOK

- 151** Schedule 4, page 274, line 24, at end insert –  
*“Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)*
- 37A The Apprenticeships, Skills, Children and Learning Act 2009 is amended as follows.
- 37B (1) Section 100 (provision of financial resources) is amended as follows.
- (2) After subsection (1AA) insert –
- “(1AB) The Secretary of State may secure the provision of financial resources under this subsection (whether or not the resources could be secured under subsection (1)) to any of the persons mentioned in subsection (1) in respect of functions under this Part that are exercisable by a combined county authority by virtue of regulations made under section 17(1) of the Levelling-up and Regeneration Act 2023.”
- (3) In subsection (5), at the appropriate place insert –
- ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 37C (1) Section 122 (sharing of information for education and training purposes) is amended as follows.
- (2) In subsection (3), after paragraph (fb) insert –
- “(fc) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;
- (fd) a person providing services to a combined county authority;”.
- (3) In subsection (5) –
- (a) omit the “or” at the end of paragraph (c), and
- (b) at the end of paragraph (d) insert “, or
- (e) any function of a combined authority under Part 4 that is exercisable by it by virtue of regulations made under section 17(1) of the Levelling-up and Regeneration Act 2023.”
- Local Audit and Accountability Act 2014 (c. 2)*
- 37D The Local Audit and Accountability Act 2014 is amended as follows.
- 37E In section 40(6) (access to local government meetings and documents), after paragraph (ja) insert –
- “(jb) a combined county authority;”.

37F In section 44(1) (interpretation of Act), at the appropriate place insert –  
 ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

37G In Schedule 2, after paragraph 28 insert –  
 “28ZA A combined county authority.””

***Member's explanatory statement***

*This amendment makes consequential amendments to the Apprenticeships, Skills, Children and Learning Act 2009 and the Local Audit and Accountability Act 2014 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

152 Schedule 4, page 274, line 25, at end insert –

“37H The Cities and Local Government Devolution Act 2016 is amended as follows.

37I (1) Section 1 (devolution: annual report) is amended as follows.

(2) In subsection (1), after “this Act” insert “or Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023”.

(3) In subsection (2) –

(a) in paragraph (c), after “a combined authority” insert “or a combined county authority”;

(b) in paragraph (e), after “combined authorities” insert “, combined county authorities”.

(4) In subsection (4), after the definition of “combined authority” insert –

““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

***Member's explanatory statement***

*This amendment inserts further consequential amendments to the Cities and Local Government Devolution Act 2016 relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

BARONESS SCOTT OF BYBROOK

153 Schedule 4, page 274, line 26, leave out “of the Cities and Local Government Devolution Act 2016”

***Member's explanatory statement***

*This amendment is consequential on the amendment in the name of Baroness Scott of Bybrook at page 274, line 25.*

## BARONESS SCOTT OF BYBROOK

154 Schedule 4, page 275, line 13, at end insert –

*Policing and Crime Act 2017 (c. 3)*

39 The Policing and Crime Act 2017 is amended as follows.

40 In section 3 (collaboration agreements: specific restrictions), after subsection (7) insert –

“(7A) A combined county authority that exercises the functions of a fire and rescue authority by virtue of section 16 or 17 of the Levelling-up and Regeneration Act 2023 may only enter into a collaboration agreement where the functions of the authority to which the agreement relates are functions of a fire and rescue authority that the combined county authority is entitled to exercise.”

41 In section 5(5) (collaboration agreements: definitions) –

(a) omit the “or” at the end of paragraph (b);

(b) after paragraph (c) insert –

“(d) a combined county authority that exercises the functions of a fire and rescue authority by virtue of section 16 or 17 of the Levelling-up and Regeneration Act 2023, or

(e) an elected mayor who exercises the functions of a fire and rescue authority by virtue of section 28 of that Act.”

*Technical and Further Education Act 2017 (c. 19)*

42 The Technical and Further Education Act 2017 is amended as follows.

43 In Schedule 3 (conduct of education administration: statutory corporations) –

(a) in paragraph 13(b), in the inserted paragraph (ab), for “or combined authority” substitute “, combined authority or combined county authority”;

(b) in paragraph 38(c) –

(i) after the definition of “combined authority”, insert –

““combined county authority” means an authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”;

(ii) in the definition of “director of children’s services”, in paragraph (b), after “a combined authority” insert “or a combined county authority”.

44 In Schedule 4 (conduct of education administration: companies) –

(a) in paragraph 12(b), in the inserted paragraph (ab), for “or combined authority” substitute “, combined authority or combined county authority”;

(b) in paragraph 36(c) –

- (i) after the definition of “combined authority”, insert –
  - ““combined county authority” means an authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”;
- (ii) in the definition of “director of children’s services”, in paragraph (b), after “a combined authority” insert “or a combined county authority”.

*Bus Services Act 2017 (c. 21)*

- 45 In section 22(3) of the Bus Services Act 2017 (bus companies: limitation of powers of authorities in England), in the definition of “relevant authority”, after paragraph (c) insert –
- “(ca) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Digital Economy Act 2017 (c. 30)*

- 46 The Digital Economy Act 2017 is amended as follows.
- 47 In Schedule 4 (public service delivery: specified persons for the purposes of section 35), after paragraph 14 insert –
- “14A A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 48 In Schedule 5 (public service delivery: specified persons for the purposes of sections 36 and 37), after paragraph 8 insert –
- “8A A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 49 In Schedule 6 (public service delivery: specified persons for the purposes of sections 36 and 37), after paragraph 7 insert –
- “7A A combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”

*Data Protection Act 2018 (c.12)*

- 50 In Schedule 1 to the Data Protection Act 2018 (special categories of personal data and criminal convictions etc data), in paragraph 23(3), after paragraph (h) insert –
- “(ha) a mayor for the area of a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Automated and Electric Vehicles Act 2018 (c. 18)*

- 51 (1) Section 12 of the Automated and Electric Vehicles Act 2018 (duty to consider making regulations under section 11(1)(a) on request from mayor) is amended as follows.

- (2) In subsection (7) –
- (a) in paragraph (a), after “a combined authority” insert “, a combined county authority”;
  - (b) in paragraph (b), after sub-paragraph (i) insert –
    - “(ia) in the case of the area of a combined county authority, the mayor for the area elected in accordance with section 25(2) of the Levelling-up and Regeneration Act 2023;”.
- (3) In subsection (8), in the appropriate place insert –
- ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Skills and Post-16 Education Act 2022 (c. 21)*

- 52 The Skills and Post-16 Education Act 2022 is amended as follows.
- 53 In section 1(7) (views of relevant authority in relation to local skills improvement plan), after paragraph (a) (but before the “or” at the end of that paragraph) insert –
- “(aa) a mayoral CCA within the meaning of Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 (combined county authorities) (see section 25(8) of that Act),”.
- 54 (1) Section 4 (interpretation of sections 1 to 4) is amended as follows.
- (2) In subsection (1), at the appropriate place insert –
- ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- (3) In subsection (2), after paragraph (b) insert –
- “(ba) a combined county authority”.
- 55 In section 19(2) (meaning of “relevant provider”), after paragraph (g) insert –
- “(ga) a combined county authority;”.
- 56 In section 20(7) (meaning of “funding authority”), after paragraph (c) insert –
- “(ca) a combined county authority;”.
- 57 In section 21(2) (interpretation of sections 19 to 21), at the appropriate place insert –
- ““combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Health and Care Act 2022 (c. 31)*

- 58 In section 180(2) of the Health and Care Act 2022 (licensing of cosmetic procedures), in the definition of “local authority”, after paragraph (d) insert –
- “(da) a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.

*Elections Act 2022 (c. 37)*

- 59 The Elections Act 2022 is amended as follows.
- 60 In section 37(1) (interpretation of Part 5), in the definition of “relevant elective office”, after paragraph (f) insert –
- “(fa) mayor for the area of a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 61 In section 45(9) (meaning of “relevant election”), after paragraph (g) insert –
- “(ga) an election for the return of a mayor for the area of a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.
- 62 (1) Paragraph 1 of Schedule 11 (illegal practices) is amended as follows.
- (2) In sub-paragraph (1)(b) –
- (a) omit the “or” at the end of sub-paragraph (iv), and
- (b) after sub-paragraph (v) (but before the “and” at the end of that sub-paragraph) insert “or
- (vi) an election for the return of a mayor for the area of a combined county authority;”.
- (3) In sub-paragraph (4) –
- (a) omit the “and” at the end of paragraph (b), and
- (b) at the end of paragraph (c) insert “, and
- “(d) as it applies in relation to an election for the return of a mayor for the area of a combined county authority by virtue of regulations under paragraph 11(1) of Schedule 2 to the Levelling-up and Regeneration Act 2023.”
- (4) After sub-paragraph (5) insert –
- “(6) In this paragraph “combined county authority” means a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023.”
- 63 In paragraph 12(4) of Schedule 8 (voting and candidacy rights of EU citizens: transitional provision), after paragraph (d) insert –
- “(da) mayor for the area of a combined county authority established under section 7(1) of the Levelling-up and Regeneration Act 2023;”.



***Member's explanatory statement***

*This amendment inserts various consequential amendments relating to the provisions about combined county authorities in Chapter 1 of Part 2 of the Bill.*

**Clause 58**

LORD HUNT OF KINGS HEATH  
LORD SHIPLEY  
LORD BACH  
BARONESS HAYMAN OF ULLOCK

*The above-named Lords give notice of their intention to oppose the Question that Clause 58 stand part of the Bill.*

**Clause 59**

LORD BACH  
LORD HUNT OF KINGS HEATH

*The above-named Lords give notice of their intention to oppose the Question that Clause 59 stand part of the Bill.*

***Member's explanatory statement***

*This would remove Clause 59 with its provisions allowing the functions of a Police and Crime Commissioner to be conferred on a mayor without the consent of all the local authorities within a combined authority area.*

**Clause 61**

LORD SHIPLEY

**155** Clause 61, page 54, line 17, leave out “unless the voting members resolve otherwise”

***Member's explanatory statement***

*This amendment provides that non-constituent members of a combined authority are not able to vote given their status.*

LORD SHIPLEY

**156** Clause 61, page 54, line 35, leave out “unless the voting members resolve otherwise”

***Member's explanatory statement***

*This amendment provides that associate members of a combined authority are not able to vote given their status.*

**After Clause 70**

BARONESS PINNOCK  
BARONESS HARRIS OF RICHMOND

157 After Clause 70, insert the following new Clause –

**“Local authorities to be allowed to choose their own voting system**

- (1) The Secretary of State must by regulations provide that local authorities may choose the voting system used for local elections in their areas.
- (2) When determining whether to seek to introduce a new voting system a local authority must have regard to the benefits of reinvigorating local democracy in its area.
- (3) Regulations under this section must provide that local authorities may choose to elect councillors –
  - (a) by thirds, or
  - (b) on an all-out basis.
- (4) Regulations under this section must provide that local authorities may choose to elect councillors using –
  - (a) first-past-the-post;
  - (b) alternative vote;
  - (c) supplementary vote;
  - (d) single transferable vote;
  - (e) the additional member system;
  - (f) any other system that may be prescribed in the regulations.
- (5) Regulations under this section may make provision about –
  - (a) how a local authority may go about seeking to change its voting system,
  - (b) the decision-making process for such a change,
  - (c) consultation, and
  - (d) requirements relating to approval by the local electorate.”

***Member's explanatory statement***

*This new Clause would enable local authorities to choose what voting system they use for local elections.*

BARONESS MCINTOSH OF PICKERING  
BARONESS SCOTT OF NEEDHAM MARKET  
THE EARL OF LYTTON

158 After Clause 70, insert the following new Clause –

**“Local authorities to be allowed to meet virtually**

- (1) A reference in any enactment to a meeting of a local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place

and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

- (2) For the purposes of any such enactment, a member of a local authority (a “member in remote attendance”) attends the meeting at any time if all of the conditions in subsection (3) are satisfied.
- (3) Those conditions are that the member in remote attendance is able at that time—
  - (a) to hear, and where practicable see, and be heard and, where practicable, seen by the other members in attendance,
  - (b) to hear, and where practicable see, and be heard and, where practicable, seen by any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
  - (c) to be heard and, where practicable, seen by any other members of the public attending the meeting.
- (4) In this section any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.
- (5) The provision made in this section applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the authority governing the meeting and any such prohibition or restriction has no effect.
- (6) A local authority may make other standing orders and any other rules of the authority governing the meeting about remote attendance at meetings of that authority, which may include provision for—
  - (a) voting,
  - (b) member and public access to documents, and
  - (c) remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.”

***Member's explanatory statement***

*This new clause would enable local authorities to meet virtually. It is based on regulation 5 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, made under section 78 of the Coronavirus Act 2020.*

BARONESS SCOTT OF NEEDHAM MARKET  
LORD BLUNKETT  
THE EARL OF LYTTON

159

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 subsection (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  
LORD BLUNKETT  
THE EARL OF LYTTON

160 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  
LORD BLUNKETT  
THE EARL OF LYTTON

161 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.*

BARONESS SCOTT OF NEEDHAM MARKET  
LORD BLUNKETT  
THE EARL OF LYTTON

**162** After Clause 70, insert the following new Clause –

**“Power to pay grant to parish councils**

- (1) The Local Government Act 2003 is amended as follows.  
(2) In section 33 (expenditure grant: interpretation), in subsection (1) after paragraph (m) insert –

“(n) a parish council.””

***Member's explanatory statement***

*This new Clause would add parish councils to the list of local authorities in England to whom a Minister of the Crown may pay a grant towards expenditure incurred or to be incurred by the authority.*

BARONESS SCOTT OF NEEDHAM MARKET  
LORD BLUNKETT

**163** After Clause 70, insert the following new Clause –

**“Financial assistance to church or other religious bodies**

In the Local Government Act 1894, omit sections 6 (transfer of certain powers of vestry and other authorities to parish council) and 8 (additional powers of parish council).”

***Member's explanatory statement***

*This new Clause would clarify the powers of parish councils to provide financial assistance to church or other religious bodies’ buildings.*

BARONESS SCOTT OF NEEDHAM MARKET  
LORD BLUNKETT

**164** After Clause 70, insert the following new Clause –

**“General power of competence: parish councils**

- (1) The Localism Act 2011 is amended as follows.

- (2) In section 8 (interpretation of Chapter) –
- (a) in subsection (1)(f), for “an eligible” substitute “a”;
  - (b) omit subsection (2).”

***Member's explanatory statement***

*This amendment would include all parish councils in the definition of a local authority which has a power of general competence and remove the eligibility conditions prescribed by the Secretary of State by order for the purposes of section 8 of the Localism Act 2011.*

**After Clause 71**

BARONESS SCOTT OF BYBROOK

- 165 After Clause 71, insert the following new Clause –

**“Disposal of land**

In section 123 of the Local Government Act 1972 (disposal of land by principal councils), after subsection (2B) insert –

- “(2C) Police and crime commissioners and the Mayor's Office for Policing and Crime are to be treated as principal councils for the purposes of this section.””

***Member's explanatory statement***

*This amendment amends section 123 of the Local Government Act 1972 to confer a power on police and crime commissioners and the Mayor's Office for Policing and Crime to dispose of land held by them in any manner they wish. This power is subject to the requirement of Secretary of State consent if the disposal is made for less than best consideration.*

**After Clause 75**

BARONESS HAYMAN OF ULLOCK

- 166 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 TAYLOR OF STEVENAGE

- 167 Clause 76, page 84, line 28, leave out “100” and insert “300”

**Member's explanatory statement**

*This increases the maximum premium chargeable on second homes to 300% instead of 100%.*

BARONESS TAYLOR OF STEVENAGE

168 Clause 76, page 84, leave out lines 32 to 34

**Member's explanatory statement**

*This removes the one-year lead in period.*

BARONESS HAYMAN OF ULLOCK

169 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

170 Clause 76, page 85, line 31, at end insert –

- “(4A) The Secretary of State must by regulations make provision to ensure that, where a dwelling is occupied periodically as the result of a bereavement, higher council tax is not charged for at least two years.”

**Member's explanatory statement**

*This amendment would extend the period of time people would have to make arrangements for their property following a bereavement.*

**After Clause 76**

BARONESS HAYMAN OF ULLOCK

171 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.*

BARONESS TAYLOR OF STEVENAGE

172 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

173 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 PINNOCK  
THE LORD BISHOP OF CHELMSFORD  
LORD CRISP

174 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.*

## BARONESS TAYLOR OF STEVENAGE

175 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.*

## LORD MOYLAN

176 After Clause 77, insert the following new Clause –

**“Traffic emission road charging schemes**

- (1) This section relates to schemes under which drivers are charged for using roads within a specified zone (affected roads) according to the traffic emissions of the vehicle concerned.
- (2) A devolved authority may only introduce such a scheme if, before the scheme is introduced, consent to the introduction of the scheme is granted by all local authorities which have affected roads within their boundaries.
- (3) In considering whether to grant consent under subsection (2), the relevant local authorities must have regard to their duties in relation to air quality under section 83A of the Environment Act 1995 (duties of English local authorities in relation to designated areas).
- (4) Where consent is sought under subsection (2), the question of whether to grant consent must be considered by the relevant local authority in full Council.
- (5) Where such a scheme has been introduced by a devolved authority before the coming into force of this section, the devolved authority must request consent to the continuation of the scheme from all local authorities which have affected roads within their boundaries.
- (6) In considering whether to grant consent under subsection (5), the relevant local authorities must have regard to their duties in relation to air quality under section 83A of the Environment Act 1995 (duties of English local authorities in relation to designated areas).

- (7) Where consent is sought under subsection (5), the question of whether to grant consent must be considered by the relevant local authority in full Council.
- (8) Where consent is sought under subsection (5) and not granted, the devolved authority must cease to implement the scheme within three months of the decision not to grant consent.
- (9) In this section –
- “devolved authority” means –
- (a) Transport for London,
  - (b) the Mayor of London, or
  - (c) the Mayor of a Combined Authority;
- “local authority” means –
- (a) a district council,
  - (b) a county council, or
  - (c) a London borough council.”

LORD NORTHBROOK

177★ After Clause 77, insert the following new Clause –

**“Local authority consultations: code of practice**

- (1) Within 6 months after this section comes into force, the Secretary of State must publish a code of practice for public consultations by local authorities.
- (2) The code must recommend ways to ensure impartiality, including having consultation conducted by an independent third party, and having consultation materials and process pre-approved by such a party.”

LORD NORTHBROOK

178★ After Clause 77, insert the following new Clause –

**“Business improvement districts**

- (1) Within 6 months after this section comes into force, the Secretary of State must launch a review of arrangements for business improvement districts (“BIDs”).
- (2) The review must consider whether the arrangements should be changed so that –
  - (a) local residents are consulted on proposals to establish a BID,
  - (b) local residents are represented on BID proposal groups which prepare the business plan,
  - (c) local residents participate in the vote on the establishment of a BID,
  - (d) local residents are represented on BID management bodies, and
  - (e) local planning authorities may veto BID proposals if there is significant objection from local residents.”

**Before Clause 78**

LORD RAVENSDALE  
BARONESS HAYMAN  
LORD HUNT OF KINGS HEATH  
BARONESS BOYCOTT

**179** Before Clause 78, insert the following new Clause—

**“Purpose of Planning**

- (1) The purpose of planning is to ensure that the development of land balances long-term economic, social and environmental benefits, safeguards natural resources, and supports the needs of future generations in respect of land use.
- (2) When making relevant planning policy or development plans or granting planning permission for the development of land, all relevant planning authorities must have special regard to the need to—
  - (a) contribute to the targets set out in—
    - (i) Part 1 of the Climate Change Act 2008 (UK net zero emissions target and budgeting);
    - (ii) sections 1 to 3 of the Environment Act 2021 (environmental targets);
 and
  - (b) adapt to any current or predicted impacts of climate change identified in the most recent report under section 56 of the Climate Change Act 2008.”

***Member's explanatory statement***

*This new clause inserts a "purpose of planning" provision into the Bill. Currently, planning authorities are under no statutory obligation to take climate change into account in the determination of planning applications. This introduces a duty in relation to national and local planning policy and decisions.*

**Clause 78**

LORD FOSTER OF BATH  
LORD SHIPLEY

**180** Clause 78, page 88, line 9, at end insert—

- “(1A) Regulations under this Chapter may require relevant planning authorities to process data in accordance with approved data standards relating to the number and nature of—
- (a) second homes, and
  - (b) holiday let properties
- in the planning authority area.”

***Member's explanatory statement***

*This amendment would enable planning data regulations to provide for the collection of data to national standards about second homes and holiday lets.*

**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.*

**Clause 81**

BARONESS TAYLOR OF STEVENAGE

*Baroness Taylor of Stevenage gives notice of her intention to oppose the Question that Clause 81 stand part of the Bill.*

**Clause 83**

THE DUKE OF MONTROSE

**181** Clause 83, page 91, line 38, at end insert –

“(6A) The Secretary of State must publish the results of the consultation under subsections (1), (3) and (5) and give reasons for any decision reached.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to publish the results of the consultation and give reasons for any decision reached.*

**After Clause 83**

BARONESS TAYLOR OF STEVENAGE

**182** After Clause 83, insert the following new Clause –

**“Requirements to consult local authorities**

The Secretary of State may only make planning data regulations which contain provision relating to local authorities after consulting with local authorities.”

***Member's explanatory statement***

*This means that the Secretary of State may only make planning data regulations which contain provision relating to local authorities after consulting with local authorities.*

**Clause 85**

BARONESS TAYLOR OF STEVENAGE

183 Clause 85, page 94, line 8, at end insert –

“(3A) After subsection (4) insert –

“(4A) A local planning authority must review and update the development plan at least once every five years.””

***Member's explanatory statement****This amendment would require local authorities to review and update the development plan at least every five years.***After Clause 85**BARONESS PARMINTER  
BARONESS WILLIS OF SUMMERTOWN  
LORD LUCAS  
BARONESS YOUNG OF OLD SCONE

184 After Clause 85, insert the following new Clause –

**“Local nature recovery strategies**

A local nature recovery strategy under to section 104 of the Environment Act 2021 (local nature recovery strategies for England) must form part of a local planning authority’s development plan documents for the purposes of section 8 of the Neighbourhood Planning Act 2017 (content of development plan documents).”

***Member's explanatory statement****This new Clause adds each Local Nature Recovery Strategy into the development plan of the local planning authority, giving greater planning weight to recommendations to recover nature. This is to help secure implementation of Environment Act requirements.***Clause 86**LORD LANSLEY  
LORD YOUNG OF COOKHAM  
BARONESS HAYMAN OF ULLOCK

185 Clause 86, page 94, line 27, leave out “strongly”

***Member's explanatory statement****This amendment would retain the approach in section 38(6) of PCPA 2004.*

LORD LANSLEY  
LORD YOUNG OF COOKHAM

186 Clause 86, page 94, line 28, after “any” insert “significant”

***Member's explanatory statement***

*This amendment would mean that insignificant conflicts in terms between the development plan and NDMPs need not be resolved in favour of the latter.*

BARONESS HAYMAN OF ULLOCK

187 Clause 86, page 94, line 30, at end insert “, subject to subsection (5D).

(5D) Any conflict must be resolved in favour of the development plan in an area if—

- (a) in relation to it, regulations under section 16 of the Levelling-up and Regeneration Act 2023 have been made to provide for the town and country planning function, the highways function, and any function exercisable under the Environment Act 2021, of a county council or a district council that is exercisable in relation to an area which is within a CCA’s area to be exercisable by the CCA in relation to the CCA's area,
- (b) in relation to it, regulations under section 17 of the Levelling-up and Regeneration Act 2023 have been made to provide for at least one function of another public body that is exercisable in relation to a CCA’s area to be exercisable by the CCA in relation to the CCA's area,
- (c) it has a joint spatial development strategy, or
- (d) it is in Greater London.”

***Member's explanatory statement***

*This amendment would place limits on the primacy of national development management policies over the development plan where a Combined County Authority had been handed planning, highways, environmental powers and at least one function of another public body under a devolution deal, in areas covered by a joint spatial development strategy and in Greater London.*

**After Clause 86**

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

**188** After Clause 86, insert the following new Clause—

**“Duty to promote health and well-being**

The Secretary of State must ensure that national planning policy and guidance are designed to secure positive improvements in the physical and mental health and well-being of the people of England.”

**Clause 87**

BARONESS HAYMAN OF ULLOCK

**189** Clause 87, page 95, line 5, after “Secretary of State” insert “or a resolution agreed by both Houses of Parliament”

***Member's explanatory statement***

*This is to probe whether Parliament can have a role in expressing NDMPs.*

BARONESS HAYMAN OF ULLOCK

**190** Clause 87, page 95, line 8, at end insert—

“(1A) A “national development management policy” may include minimum standards and may not include absolute standards.”

***Member's explanatory statement***

*This states that an NDMP should set minimum standards rather than absolute standards.*

BARONESS HAYMAN OF ULLOCK

**191** Clause 87, page 95, leave out lines 9 to 11

***Member's explanatory statement***

*This is to probe the direction and modification powers of the Secretary of State.*



**After Clause 87**

BARONESS HAYMAN OF ULLOCK

192 After Clause 87, insert the following new Clause –

**“Conflict between the development plan and NDMP**

The development plan has precedence over any national development management policy in the event of any conflict between the two.”

***Member's explanatory statement***

*This probes what will take precedence if the development plan conflicts with the NDMP.*

BARONESS HAYMAN OF ULLOCK

193 After Clause 87, insert the following new Clause –

**“Conflict between the development plan and NDMP: reporting**

The Secretary of State must lay a statement before both Houses of Parliament if he or she deems there to be a conflict between the national development management policy and the development plan.”

***Member's explanatory statement***

*This probes whether Parliament will be notified of a conflict between the development plan and NDMP.*

BARONESS HAYMAN OF ULLOCK

194 After Clause 87, insert the following new Clause –

**“National development management policies: annual statement**

The Secretary of State must publish an annual statement setting out the financial costs of any national development management policies and any related support given to local authorities.”

***Member's explanatory statement***

*This probes the cost of NDMPs and whether additional support will be given to local authorities.*

BARONESS HAYMAN OF ULLOCK

195 After Clause 87, insert the following new Clause –

**“Conflict between the development plan and NDMP: CCAs**

If the Secretary of State deems there to be a conflict between the national development management policy and the development plan, the Secretary of State must consult any relevant CCAs.”

***Member's explanatory statement***

*This probes the role of CCAs during conflicts between the development plan and NDMP.*

BARONESS HAYMAN OF ULLOCK

196 After Clause 87, insert the following new Clause –

**“Public consultation and Parliamentary scrutiny**

Within 120 days of this Act being passed, a Minister of the Crown must publish a strategy for public consultation on and Parliamentary scrutiny of national development management policies.”

***Member's explanatory statement***

*This amendment probes the role of public consultation and Parliamentary scrutiny.*

**Clause 88**

BARONESS TAYLOR OF STEVENAGE

197 Clause 88, page 95, leave out lines 26 and 27

***Member's explanatory statement***

*This amendment would remove an additional legal test within London’s Spatial Development Strategy that could preclude the insertion of policies which contribute to the effective strategic planning of Greater London but would also apply to other urban areas or are not specific to Greater London.*

**After Clause 90**

BARONESS TAYLOR OF STEVENAGE

198 After Clause 90, insert the following new Clause –

**“Deliberative democracy: local planning**

- (1) Before preparing any development or outline plan, a local planning authority must undertake a process of deliberative democracy involving the community to set –
  - (a) the balance of economic, environmental, infrastructure and special plans,
  - (b) the type of housing to be delivered,
  - (c) the infrastructure that is required to be hosted,
  - (d) the type of economic space, and
  - (e) environmental considerations, including making sites sustainable.
- (2) A process of deliberative democracy under this section must –
  - (a) invite all residents of the local authority area to apply to be a representative in the deliberative democracy process,

- (b) include measures to try to ensure that there will be a diverse representation of that community in the process, and
  - (c) provide for a forum of representatives that—
    - (i) will determine its terms of reference, number of meetings and agenda at its first meeting, and
    - (ii) will produce a report from the deliberative democracy process.
- (3) A report under subsection (2)(c)(ii) may determine the scope of development on a site.”

***Member's explanatory statement***

*This new clause would introduce a deliberative democracy forum comprised of members of the public prior to the formation of a new development plan or outline plan.*

**Schedule 7**

BARONESS TAYLOR OF STEVENAGE

199 Schedule 7, page 279, leave out lines 26 to 29

***Member's explanatory statement***

*This amendment would leave out inserted section 15A(2)(b) and make combined authorities eligible for a joint spatial development strategy.*

LORD LANSLEY

200 Schedule 7, page 281, line 10 at end insert—

“(3A) A joint spatial development strategy may specify or describe employment sites the provision of which the participating authorities consider to be of strategic importance to the joint strategy area for the purposes of economic development.”

***Member's explanatory statement***

*This amendment would add the provision of employment sites to the list of issues of strategic importance in a joint spatial development strategy.*

LORD LANSLEY

201 Schedule 7, page 281, line 26, at end insert “to the extent necessary to meet the obligations of the participating authorities to secure net zero carbon emissions by 2050 and in respect of nature recovery and biodiversity in the joint spatial development strategy area.”

***Member's explanatory statement***

*This amendment would require the joint spatial development strategy contribution to mitigation of, or adaptation to, climate change to be consistent with the authority’s carbon reduction and other environmental targets.*

## BARONESS TAYLOR OF STEVENAGE

202 Schedule 7, page 282, line 27, at end insert –

“(e) other community organisations representing members of that community.”

*Member's explanatory statement*

*This amendment would extend the group of determining bodies to include community groups.*

## BARONESS TAYLOR OF STEVENAGE

203 Schedule 7, page 283, leave out line 16

*Member's explanatory statement*

*This amendment would explicitly ensure that people would have a right to be heard at an examination in public in relation to the Joint Spatial Development Plan part of the development plan.*

## BARONESS TAYLOR OF STEVENAGE

204 Schedule 7, page 283, line 20, at end insert –

“(8) Any person who makes representations in relation to the strategy must (if that person so requests) be invited to appear before and be heard by the examiner.”

*Member's explanatory statement*

*This amendment would explicitly ensure that people would have a right to be heard at an examination in public in relation to the Joint Spatial Development Plan part of the development plan.*

## LORD LANSLEY

205 Schedule 7, page 286, line 6 at end insert –

**“15AFA Assistance from certain local authorities in the preparation of joint spatial development strategies**

- (1) For the purpose of the exercise of their functions under sections 15A, 15AA, 15AE and 15AF the relevant local planning authorities must seek the advice of each authority in their area which is an authority falling within subsection (4).
- (2) Each authority from whom advice is sought must give the planning authorities advice as to the content of their joint development strategy to the extent that strategy is capable of affecting (directly or indirectly) the exercise by the authority of any of its functions.
- (3) The advice mentioned in subsection (1) includes advice relating to the inclusion in the joint spatial development strategy of specific policies relating to any part of the joint spatial development strategy area.

- (4) Each of the following authorities fall within this subsection if their area or any part of their area is in a Travel to Work Area in which the area of the joint spatial development strategy area is located –
  - (a) a county council;
  - (b) a combined county authority;
  - (c) district councils who are not directly involved in the joint spatial development strategy for the purposes of section 15A.
- (5) The authorities preparing a joint spatial development strategy may reimburse an authority or council which exercises functions by virtue of such arrangements for any expenditure incurred by the authority or council in doing so.
- (6) Any arrangements made for the purposes of subsection (5) must be taken to be arrangements between local authorities for the purposes of section 101 of the Local Government Act 1972.
- (7) Nothing in this section affects any power which a body which is recognised as part of a joint spatial development strategy area has apart from this section.”

BARONESS TAYLOR OF STEVENAGE

206 Schedule 7, page 289, line 19, at end insert –

**“15AJ Duty to co-operate in absence of joint spatial development strategy**

- (1) This section applies in any area in which a joint spatial development strategy is not operative.
- (2) Each person who is –
  - (a) a local planning authority,
  - (b) a county council in England that is not a local planning authority, or
  - (c) a body, or other person, that is prescribed or of a prescribed description,
 must co-operate with every other person who is within paragraphs (a) to (c) or subsection (10) in maximising the effectiveness with which activities within subsection (4) are undertaken.
- (3) In particular, the duty imposed on a person by subsection (2) requires the person –
  - (a) to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (4) are undertaken, and
  - (b) to have regard to activities of a person within subsection (10) so far as they are relevant to activities within subsection (4).
- (4) The activities within this subsection are –
  - (a) the preparation of a joint spatial development strategy,
  - (b) the preparation of development plan documents,
  - (c) the preparation of other local development documents,
  - (d) the preparation of marine plans under the Marine and Coastal Access Act 2009 for the English inshore region, the English offshore region or any part of either of those regions,

- (e) activities that can reasonably be considered to prepare the way for activities within any of paragraphs (a) to (d) that are, or could be, contemplated, and
  - (f) activities that support activities within any of paragraphs (a) to (d), so far as relating to a strategic matter.
- (5) For the purposes of subsection (4), each of the following is a “strategic matter” –
- (a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
  - (b) sustainable development or use of land in a two-tier area if the development or use –
    - (i) is a county matter, or
    - (ii) has or would have a significant impact on a county matter.
- (6) In subsection (5) –
- “county matter” has the meaning given by paragraph 1 of Schedule 1 to the principal Act (ignoring sub-paragraph 1(1)(i));
- “planning area” means –
- (a) the area of –
    - (i) a district council (including a metropolitan district council),
    - (ii) a London borough council, or
    - (iii) a county council in England for an area for which there is no district council, but only so far as that area is neither in a National Park nor in the Broads,
  - (b) a National Park.
  - (c) the Broads,
  - (d) the English inshore region, or
  - (e) the English offshore region,
- “two-tier area” means an area –
- (a) for which there is a county council and a district council, but
  - (b) which is not in a National Park.
- (7) The engagement required of a person by subsection (3)(a) includes, in particular –
- (a) considering whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of activities within subsection (4), and
  - (b) if the person is a local planning authority, considering whether to agree under section 28 to prepare joint local development documents.
- (8) A person subject to the duty under subsection (2) must have regard to any guidance given by the Secretary of State about how the duty is to be complied with.
- (9) A person, or description of persons, may be prescribed for the purposes of subsection (2)(c) only if the person, or persons of that description, exercise functions for the purposes of an enactment.

(10) A person is within this subsection if the person is a body, or other person, that is prescribed or of a prescribed description.

(11) In this section –

“the English inshore region” and “the English offshore region” have the same meaning as in the Marine and Coastal Access Act 2009, and  
 “land” includes the waters within those regions and the bed and subsoil of those waters.”

***Member's explanatory statement***

*This amendment would require local authorities and other public bodies to co-operate on local planning measures in the absence of an operative joint spatial development strategy on the lines of section 33A of the Planning and Compulsory Purchase Act 2004. This duty would encompass co-operation by all relevant local authorities on preparation for such a strategy.*

LORD BEST  
 LORD YOUNG OF COOKHAM  
 THE LORD BISHOP OF CHELMSFORD

207 Schedule 7, page 290, line 3, at end insert –

“(ha) the assessments of need for older people’s housing carried out in respect of the authority’s area, and”

***Member's explanatory statement***

*This amendment would ensure that local authorities consider the needs for housing for older people when preparing local development plans.*

BARONESS TAYLOR OF STEVENAGE

208 Schedule 7, page 290, line 7, at end insert –

“(j) whether the authority will provide small site opportunities in the local plan.”

***Member's explanatory statement***

*This is to probe the role of local SMEs in local plans.*

LORD LANSLEY  
 LORD YOUNG OF COOKHAM

209 Schedule 7, page 293, line 13, at end insert –

“(2A) The local plan must identify the strategic priorities of the local planning authority for meeting housing needs and for addressing the economic, social and environmental issues affecting the authority’s area.”

***Member's explanatory statement***

*This amendment would require plan-making to include the strategic priorities of the authority.*

## BARONESS FOX OF BUCKLEY

**210** Schedule 7, page 293, line 17, at end insert –

“(3A) The local plan must set out the policies of the local planning authority in relation to the marketing of housing as leased, owned or rented.”

***Member's explanatory statement***

*This amendment would require local authorities to adopt policies to ensure the marketing of housing accurately describes the nature of the tenure.*

LORD LANSLEY  
LORD YOUNG OF COOKHAM

**211** Schedule 7, page 293, line 33, at end insert –

- “(d) strategic policies to address the local planning authority’s strategic priorities for the development and use of land in its area;
- (e) policies which support and encourage sustainable economic growth, including the identification of suitable sites for the growth and expansion of businesses and to meet anticipated needs for local and inward investment.”

***Member's explanatory statement***

*This amendment provides that the local plan may include strategic policies to meet the strategic priorities of the authority; and policies to promote economic growth.*

## BARONESS TAYLOR OF STEVENAGE

**212** Schedule 7, page 293, line 33, at end insert –

“(4A) A local plan may provide that the local planning authority may review and change any outline planning permissions in place prior to the establishment of a local plan, including on sites where work has already commenced, to bring those permissions in line with requirements set out in the plan.”

***Member's explanatory statement***

*This amendment will allow Local Planning Authorities to require Outline Planning Applications to be adjusted where they conflict with Local Plans.*

## BARONESS TAYLOR OF STEVENAGE

**213** Schedule 7, page 293, line 35, at end insert –

“(5A) The local plan must include policies designed to meet the housing needs of the local planning authority’s area in such a way as to secure the long-term health, safety and well-being of residents.



- (5B) For the purposes of subsection (5A), planning authorities must have regard to ensuring that house prices and rental prices are affordable to those on average and below-average household incomes.”

LORD LANSLEY

**214** Schedule 7, page 293, line 36 after “secure” insert –

- “(a) that the local plan is consistent with guidance issued by the Secretary of State under Section 61 of the Climate Change Act 2008 with regard to preparing policies for adapting to climate change; and (b)”

***Member's explanatory statement***

*This amendment would require the local plan to be consistent with any guidance issued to the authority relating to the authority's carbon reduction targets.*

LORD LANSLEY  
LORD YOUNG OF COOKHAM  
BARONESS HAYMAN OF ULLOCK  
BARONESS FOX OF BUCKLEY

**215** Schedule 7, page 293, line 38 at end insert –

- “(6A) The local plan must be designed to secure that the supply of housing through development in the local planning authority's area meets or exceeds the requirement for housing during the plan period which would be derived from the housing targets and standard method prescribed in guidance by the Secretary of State as applicable at that time.”

***Member's explanatory statement***

*This amendment would require a local plan to meet or exceed the housing need for the authority's area.*

BARONESS TAYLOR OF STEVENAGE

**216** Schedule 7, page 294, leave out lines 4 and 5

***Member's explanatory statement***

*This amendment removes the requirement in inserted section 15C(7)(b) that a local development plan must be consistent with national policies at the development plan formulation stage.*

LORD HOLMES OF RICHMOND

**217** Schedule 7, page 294, line 22, at end insert –

- “(4A) A local plan must conform with the principle of inclusive design, and where a local planning authority receives any observations or advice from a person appointed by the Secretary of State under subsection (3) to the effect that a proposed local plan does not conform with that principle, the local planning

authority must modify the plan to ensure conformity in accordance with the observations or advice.”

LORD LANSLEY  
LORD YOUNG OF COOKHAM  
BARONESS FOX OF BUCKLEY

**218** Schedule 7, page 294, line 30, at end insert –

- “(ca) any housing target for England, specifying the planned supply of housing for any given period, which is issued by the Secretary of State,
- (cb) any method of calculating the housing need for an authority’s area as specified in guidance issued by the Secretary of State,”

***Member's explanatory statement***

*This amendment would specify that local planning authorities should have regard to the Government’s housing target and standard method for calculating housing need.*

BARONESS HAYMAN OF ULLOCK

**219** Schedule 7, page 295, line 3, at end insert –

- “(ha) Environmental Outcomes Reports,”

***Member's explanatory statement***

*This amendment would require local planning authority to have regard to Environmental Outcomes Reports in preparing a local plan.*

BARONESS HAYMAN OF ULLOCK

**220** Schedule 7, page 295, line 8, at end insert “(but may not require a local plan to be consistent with any national demand management policy)”

***Member's explanatory statement***

*This amendment would provide that regulations made under inserted section 15C could not require local plans to conform with national policies.*

LORD BEST  
LORD YOUNG OF COOKHAM  
THE LORD BISHOP OF CHELMSFORD

**221** Schedule 7, page 295, line 12, at end insert “and which must include a housing needs assessment in respect of older people’s housing;”

***Member's explanatory statement***

*This amendment would enable the Secretary of State to include older people’s housing needs assessments in documentation related to local plans.*

## LORD LANSLEY

**222** Schedule 7, page 305, line 7 at end insert—

“(1A) Requirements identified in respect of subsection (1) must include requirements relating to adaptation to, and mitigation of, climate change, including net zero carbon emissions targets, nature recovery and biodiversity.”

***Member's explanatory statement***

*This amendment would add requirements relating to climate change adaptation and mitigation into the design code for an area.*

## BARONESS HAYMAN OF ULLOCK

**223** Schedule 7, page 306, line 15, at end insert—

“(8) For a period of 6 months following a local election, a local planning authority may review a local plan that has already been adopted and submit a proposal to an examiner to change or adjust their plan.”

***Member's explanatory statement***

*This amendment would allow newly elected Councils to amend local plans following an election.*

## BARONESS HAYMAN OF ULLOCK

**224** Schedule 7, page 308, line 24, at end insert—

“(c) consult with relevant stakeholders, including residents, via a deliberative process.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to consult local stakeholders on the local plan.*

## BARONESS HAYMAN OF ULLOCK

**225** Schedule 7, page 318, line 12, at end insert—

“(1A) A local planning authority must have regard to the content of any relevant neighbourhood priorities statement in the exercise of its planning functions.”

***Member's explanatory statement***

*This means local planning authority must have regard to the content of any relevant neighbourhood priorities statement in the exercise of its planning functions.*

## BARONESS HAYMAN OF ULLOCK

226 Schedule 7, page 327, line 6, at end insert –

“(4) In this part –

“mitigation of climate change” means compliance with the objectives and relevant budgetary provisions of the Climate Change Act 2008;

“adaptation to climate change” means the achievement of long-term resilience to climate-related risks, including the mitigation of the risks identified in relation to section 56 of the Climate Change Act 2008, and the achievement of the objectives of the relevant flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.”

***Member's explanatory statement***

*This amendment requires references to climate change mitigation and adaptation in the inserted sections on plan making to be interpreted in line with the Climate Change Act 2008.*

**Clause 91**

BARONESS PINNOCK

227 Clause 91, page 97, line 28, at end insert –

“(aa) policies (however expressed) limiting new housing development in a National Park or an Area of Outstanding Natural Beauty to affordable housing;”

***Member's explanatory statement***

*This amendment would enable neighbourhood development plans to restrict new housing development in National Parks and AONBs to affordable housing.*

LORD FOSTER OF BATH

LORD SHIPLEY

228 Clause 91, page 97, line 28, at end insert –

“(aa) policies (however expressed) relating to the proportion of dwellings which may be in –

(i) use class 3A (second homes), or

(ii) use class 3B (holiday rentals)

under Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764).”

***Member's explanatory statement***

*This amendment would enable neighbourhood plans to include policies relating to the proportion of dwellings which may be second homes and short-term holiday lets under use classes created by the proposed new Clauses tabled by Lord Foster of Bath.*

## BARONESS HAYMAN OF ULLOCK

229 Clause 91, page 98, line 6, at end insert –

“(e) housebuilding targets.”

*Member's explanatory statement*

*This is to probe whether neighbourhood development plans can include housebuilding targets.*

## BARONESS HAYMAN OF ULLOCK

230 Clause 91, page 98, line 6, at end insert –

“(e) in areas of historical, cultural or environmental sensitivity, requirements intended to ensure that development is in keeping with the proximal environment.”

*Member's explanatory statement*

*This amendment would enable neighbourhood plans to require that development in areas of historical, cultural or environmental sensitivity is in keeping with the surrounding environment.*

## BARONESS HAYMAN OF ULLOCK

231 Clause 91, page 98, line 6, at end insert –

“(e) policies (however expressed) limiting new housing development in a National Park or an Area of Outstanding Natural Beauty to affordable housing.”

*Member's explanatory statement*

*This is to probe the impact of neighbourhood development plans on National Parks and AONBs.*

## LORD STUNELL

232 Clause 91, page 98, leave out lines 13 to 18

*Member's explanatory statement*

*This is a probing amendment to test the Government's intended limitations of scope of Neighbourhood Plans.*

**After Clause 91**

## BARONESS TAYLOR OF STEVENAGE

233 After Clause 91, insert the following new Clause –

**“Report about uptake of neighbourhood development plans**

- (1) Section 38A of PCPA 2004 (meaning of “neighbourhood development plan”) is amended as follows.

(2) After subsection (11C) insert –

“(11D) The Secretary of State must prepare and publish an annual report on the uptake of neighbourhood development plans, which must, in particular, set out –

- (a) the uptake of neighbourhood development plans in less affluent neighbourhoods,
- (b) the uptake of neighbourhood development plans in urban neighbourhoods, and
- (c) the steps that Government are taking to increase this uptake.”

***Member's explanatory statement***

*This amendment means that the Secretary of State must prepare and publish an annual report on the uptake of neighbourhood development plans.*

**Clause 92**

LORD STUNELL

**234** Clause 92, page 98, line 35, leave out subsection (2)

***Member's explanatory statement***

*This is a probing amendment to test the Government's intended limitations of scope of Neighbourhood Plans.*

BARONESS TAYLOR OF STEVENAGE

*Baroness Taylor of Stevenage gives notice of her intention to oppose the Question that Clause 92 stand part of the Bill.*

**After Clause 92**

LORD STUNELL

**235** After Clause 92, insert the following new Clause –

**“Local Planning Authority: duty to facilitate Neighbourhood Plans**

Every Local Planning Authority has a duty to facilitate the development of Neighbourhood Plans within their plan area.”

***Member's explanatory statement***

*This provision is to ensure an LPA does not hinder or obstruct the establishment of a Neighbourhood Plan where there is community support.*

## LORD STUNELL

236 After Clause 92, insert the following new Clause –

**“Safeguarding of approved neighbourhood plans**

The following provisions do not apply in relation to a neighbourhood plan endorsed by community referendum held before 1 April 2024 –

- (a) subsection (2C) of section 38B of PCPA 2004 (as inserted by section 91(3)), and
- (b) section 9(2).”

*Member's explanatory statement*

*This amendment would give Neighbourhood Plans drawn up prior to the coming into force of the Bill a grace period where they can be put to a community referendum without being affected by the provisions in Clauses 91 and 92.*

## Clause 93

BARONESS HAYMAN OF ULLOCK

237 Clause 93, page 99, line 19, leave out “public”

*Member's explanatory statement*

*This is to probe whether plan making authorities can require a prescribed private body to assist the authority in relation to the preparation or revision of a relevant plan by the authority.*

BARONESS TAYLOR OF STEVENAGE

238 Clause 93, page 99, line 22, leave out “public”

*Member's explanatory statement*

*This is to probe whether plan making authorities can require a prescribed private body to assist the authority in relation to the preparation or revision of a relevant plan by the authority.*

BARONESS TAYLOR OF STEVENAGE

239 Clause 93, page 99, line 34, at end insert –

- “(3A) Where regulations under this section impose requirements on a local authority that is failing to deliver a local plan in a timely way, the plan-making authority must consult the local community on the contents of the relevant plan.”

*Member's explanatory statement*

*This amendment would require, in the event of a local authority failing to deliver a local plan in a timely way, those taking over the process to consult with the community.*

**After Clause 93**

LORD BERKELEY  
 LORD YOUNG OF COOKHAM  
 LORD HUNT OF KINGS HEATH  
 BARONESS RANDESON

**240** 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.*

LORD YOUNG OF COOKHAM  
 LORD HUNT OF KINGS HEATH  
 LORD STEVENS OF BIRMINGHAM  
 LORD FOSTER OF BATH

**241** After Clause 93, insert the following new Clause—

**“Duty to reduce health inequalities and improve well-being**

- (1) For the purposes of this section “the general health and well-being objective” is the reduction of health inequalities and the improvement of well-being through the exercise of planning functions in relation to England.



- (2) A local planning authority must ensure that the development plan for their area includes policies designed to secure that the development and use of land contribute to the general health and well-being objective.
- (3) In considering whether to grant planning permission or permission in principle and related approvals, a local planning authority or, as the case may be, the Secretary of State must ensure the decision is consistent with achieving the general health and well-being objective.
- (4) In complying with this section, a local planning authority or, as the case may be, the Secretary of State must have special regard to the desirability of—
  - (a) delivering mixed-use walkable neighbourhoods which accord with the 20 minute neighbourhood principle;
  - (b) creating opportunities to enable everyday physical activity, through improving existing and creating new cycling, walking and wheeling routes and networks and natural spaces; and
  - (c) increasing access to high quality natural green and blue spaces.
- (5) For the purposes of subsection (4)(a), neighbourhoods which accord with the 20 minute neighbourhood principle are places where people can meet most of their daily needs including food shops, schools, health services and natural space within a 20 minute return walk of their home and include affordable housing.
- (6) “Wheeling” means the use of a vehicle that may lawfully be used on a footway within the meaning of the Highways Act 1980.”

***Member's explanatory statement***

*This new Clause would create a requirement for local planning authorities to include policies in their development plans which contribute to a new general health and well-being objective. It also requires LPAs and the Secretary of State to ensure consistency with this objective when deciding whether to grant planning permission or permission in principle and related approvals, such as reserved matters.*

**After Clause 94**

LORD STUNELL  
BARONESS THORNHILL

**242** After Clause 94, insert the following new Clause—

**“Meaning of “affordable home”**

Any reference in this Act to an “affordable home” means a dwelling in England that is provided either—

- (a) for rent where the unfurnished letting rate does not exceed the Local Housing Allowance applicable to that area, calculated by reference to full occupancy of that dwelling,
- (b) for sale where the annual mortgage costs (excluding facilitation fees) do not exceed 35% of the adult median income of employed people living in the Principal Local Authority which contains that dwelling, or

- (c) for a registered Shared Ownership scheme where the combined total of annual payments of rent and mortgage does not exceed the sum of the amount calculated by reference to (a) above and 15% of the adult median income of employed people living in the Principal Local Authority which contains that dwelling.”

***Member's explanatory statement***

*This would require the ‘affordability’ of a home for the purposes of this Act to be objectively matched to local incomes and housing market circumstances.*

**Clause 95**

BARONESS TAYLOR OF STEVENAGE

**243** Clause 95, page 102, line 35, at end insert –

- “(5) The Secretary of State must, within one year of the day on which this section comes into force, publish a report of a review of the efficacy of Local Heritage Lists and the resources local authorities have to produce them.
- (6) The Secretary of State must, on the day on which this section comes into force, publish the results of the 2018 review of the non-statutory guidance on Assets of Community Value.”

***Member's explanatory statement***

*This means that the Secretary of State must publish a report of a review of Local Heritage Lists and the results of the 2018 review of the non-statutory guidance on Assets of Community Value.*

**Clause 96**

BARONESS TAYLOR OF STEVENAGE

**244** Clause 96, page 104, line 5, at end insert –

- “(12) When making a decision on the correct recipient of a temporary stop notice, the authority should have regard to the tenancy status of the occupier and their level of responsibility for any works on the property.”

***Member's explanatory statement***

*This means that when making a decision on the correct recipient of a temporary stop notice, the authority should have regard to the tenancy status of the occupier and their level of responsibility for any works on the property.*

**Clause 98**

THE EARL OF LYTTON  
THE EARL OF DEVON

**245** Clause 98, page 108, line 19, at end insert—

“(3) Subsections (1) and (2) shall only take effect following an order made by the Secretary of State.

(4) The Secretary of State may only make the order in subsection (3) once a public consultation on the case for the change, drawing on the results of the Historic England indemnity pilot, has been completed.”

***Member's explanatory statement***

*This amendment ensures that the results of the Historic England pilot are taken into account and that there is public debate and scrutiny before compensation rights are removed.*

**After Clause 98**

BARONESS TAYLOR OF STEVENAGE

**246** After Clause 98, insert the following new Clause—

**“Assets of Community Value**

Within 90 days of this Act receiving Royal Assent, a Minister of the Crown must publish draft legislation to reform processes relating to Assets of Community Value.”

***Member's explanatory statement***

*This means that a Minister must publish draft legislation to reform processes relating to Assets of Community Value.*

LORD NORTHBROOK

**247★** After Clause 98, insert the following new Clause—

**“Permitted development: replacement windows in conservation areas**

In the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596), Schedule 2, Part 1, Class A.3(a), after “materials” insert “(and, in respect of a replacement window in a conservation area, style and colour)”.”

**Clause 99**

LORD YOUNG OF COOKHAM  
BARONESS THORNHILL

248 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.*

BARONESS HAYMAN OF ULLOCK

249 Clause 99, page 109, line 17, after “has” insert “at any time in the past two years had”

***Member's explanatory statement***

*This allows previous residents (from the past two years) to vote in street votes.*

BARONESS HAYMAN OF ULLOCK

250 Clause 99, page 112, line 18, after “orders” insert “when there is greater than 20% of support for a referendum”

***Member's explanatory statement***

*This is to probe the minimum support which will be needed for a referendum to happen.*

BARONESS HAYMAN OF ULLOCK

251 Clause 99, page 113, line 10, at end insert –

“(p) as to how referendums could agree a code of construction practice for a development.”

***Member's explanatory statement***

*This is to probe the possibility of residents agreeing a code of construction practice for a development.*

BARONESS HAYMAN OF ULLOCK

252 Clause 99, page 113, line 10, at end insert –

“(1A) As part of the threshold mentioned in subsection (1)(o), a SVDO may only be made if a resident in each of at least half of the eligible households votes in favour and at least half of those registered to vote at addresses on the street for at least three years vote in favour.”

***Member's explanatory statement***

*This sets thresholds for street votes to be passed.*

BARONESS HAYMAN OF ULLOCK

253 Clause 99, page 113, line 10, at end insert –

“(1A) As part of the threshold mentioned in subsection (1)(o), development of a building using a permission granted through a SVDO may only be carried out if agreed by a majority of the non-developing leaseholders in that building.”

***Member's explanatory statement***

*This is to probe the role of leaseholders in street votes.*

BARONESS HAYMAN OF ULLOCK

254 Clause 99, page 117, line 6, leave out “or excluding”

***Member's explanatory statement***

*This is to probe the possibility of street vote development being exempt from biodiversity targets.*

BARONESS HAYMAN OF ULLOCK

255 Clause 99, page 117, line 8, at end insert –

**“61QLA Engagement with the Association of Electoral Administrators**

The Secretary of State has a duty to engage with the Association of Electoral Administrators in relation to street votes.”

***Member's explanatory statement***

*This is to probe whether the Government will engage with the Association of Electoral Administrators in relation to street votes.*

BARONESS HAYMAN OF ULLOCK

256 Clause 99, page 117, line 8, at end insert –

**“61QLA Conflict of interest**

The Secretary of State must publish guidance for local authorities on managing conflicts of interest in relation to street votes.”

***Member's explanatory statement***

*This is to probe the possibility of conflict of interests in relation to street votes.*

**Clause 100**

BARONESS HAYMAN OF ULLOCK

257 Clause 100, page 121, line 37, at end insert –

“(11) A Minister of the Crown must publish an annual estimate of the number of social housing dwellings built as a result of this section.”

***Member's explanatory statement***

*This is to probe whether the small-sites exemption from the Community Infrastructure Levy for the purposes of street votes will lead to more social housing.*

**Clause 101**

BARONESS HAYMAN OF ULLOCK

*Baroness Hayman of Ullock gives notice of her intention to oppose the Question that Clause 101 stand part of the Bill.*

**After Clause 101**

LORD BERKELEY

258 After Clause 101, insert the following new Clause –

**“Application of TCPA 1990 to the Duchy of Cornwall**

- (1) Section 293 of TCPA 1990 (application of Act to Crown land: preliminary definitions) is amended as follows.
- (2) In subsection (1), in the definition of “Duchy interest” omit “or belonging to the Duchy of Cornwall”.
- (3) In subsection (2), omit paragraph (d).
- (4) In subsection (3B), omit paragraph (b).”

***Member's explanatory statement***

*This amendment is intended to provided that for the purposes of planning law the Duchy of Cornwall is treated as any private sector entity.*

**Clause 102**

BARONESS TAYLOR OF STEVENAGE

259 Clause 102, page 130, leave out from beginning of line 35 to end of line 3 on page 131

***Member's explanatory statement***

*This is to probe inserted subsection (7) in Clause 102.*

## BARONESS TAYLOR OF STEVENAGE

260 Clause 102, page 131, line 35, at end insert –

“(12A) In relation to an application for planning permission that is made to, or is to be determined by, the Mayor of London, a reference in this section to the local planning authority is to be read as a reference to the Mayor of London.”

*Member's explanatory statement*

*This is to probe the involvement of the Mayor of London in this section.*

## Clause 104

## BARONESS TAYLOR OF STEVENAGE

261 Clause 104, page 135, line 13, at end insert –

“(3A) But notwithstanding subsection (3) the completion notice deadline may be less than 12 months after the completion notice was served if the local planning authority are of the opinion that –

- (a) development has not taken place on the site for a prolonged period,
- (b) there is no reasonable prospect of development being completed within a reasonable period, and
- (c) it is in the public interest to issue an urgent completion notice.

(3B) A completion notice may include requirements concerning the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of the completion period, and the carrying out of any works required for the reinstatement of land at the end of that period.”

*Member's explanatory statement*

*This amendment would enable the issuance of completion notices withdrawing planning permission with a deadline of less than 12 months when certain conditions are met, and enable completion notices to require that building works be removed from a site or a site be reinstated to its previous condition.*

## After Clause 106

## BARONESS PINNOCK

262 After Clause 106, insert the following new Clause –

**“Local authorities to be permitted to require that new housing in National Parks and AONBs is affordable**

- (1) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area that is within –
  - (a) a National Park, or
  - (b) an Area of Outstanding Natural Beautyis affordable.

- (2) A local planning authority may define “affordable” for the purposes of subsection (1).”

***Member's explanatory statement***

*This new Clause would enable local authorities to mandate that new housing under their jurisdiction and within a National Park or an Area of Outstanding Natural Beauty is affordable, and to define “affordable” for that purpose.*

LORD FOSTER OF BATH  
LORD SHIPLEY

263 After Clause 106, insert the following new Clause –

**“Planning permission required for use of dwelling as second home**

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) In section 55 (meaning of “development” and “new development”), after subsection (3)(a) insert –
- “(aa) the use of a dwelling as a second home following a change in ownership involves a material change in the use of the building (whether or not it was previously used as a second home);”.

***Member's explanatory statement***

*This new Clause would mean planning permission would be required for a dwelling to be used as a second home following a change of ownership.*

LORD FOSTER OF BATH  
LORD SHIPLEY

264 After Clause 106, insert the following new Clause –

**“New use classes for second homes**

- (1) Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.
- (2) In paragraph 3 (dwellinghouses) for “whether or not as a sole or” substitute “as a”.
- (3) After paragraph 3 insert –

**“Class C3A. Second homes**

Use, following a change of ownership, as a dwellinghouse as a secondary or supplementary residence by –

- (a) a single person or by people to be regarded as forming a single household;
- (b) not more than six residents living together as a single household where care is provided for residents; or



- (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

**Interpretation of Class C3A**

For the purposes of Class C3A “single household” is to be construed in accordance with section 258 of the Housing Act 2004.””

***Member's explanatory statement***

*This amendment would create a new use class for second homes.*

LORD FOSTER OF BATH  
LORD SHIPLEY

265 After Clause 106, insert the following new Clause –

**“New use classes for holiday rentals**

- (1) Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.
- (2) In paragraph 3 (dwellinghouses) after “residents” insert “other than a use within Class C3A)”.
- (3) After paragraph 3 insert –

**“Class C3A Holiday rentals**

Use, following a change of ownership, as a dwellinghouse as a holiday rental property.””

***Member's explanatory statement***

*This amendment would create a new use class for holiday rentals.*

BARONESS MCINTOSH OF PICKERING  
BARONESS HENIG

266 After Clause 106, insert the following new Clause –

**““Agent of Change”: integration of new development with existing businesses and facilities**

- (1) In this section –
  - “agent of change principle” means the principle requiring planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities so that those businesses and facilities do not have unreasonable restrictions placed on them as a result of developments permitted after they were established;
  - “development” has the same meaning as in section 55 of TCPA 1990 (meaning of “development” and “new development”);

“licensing functions” has the same meaning as in section 4(1) of the Licensing Act 2003 (general duties of licensing authorities);

“provision of regulated entertainment” has the same meaning as in Schedule 1 to the Licensing Act 2003 (provision of regulated entertainment);

“relevant authority” means a relevant planning authority within the meaning of section 84 of this Act, or a licensing authority within the meaning of section 3 of the Licensing Act 2003 (licensing authorities).

- (2) In exercising any functions under TCPA 1990 or any licensing functions concerning development which is or is likely to be affected by an existing business or facility, a relevant authority shall have special regard to the agent of change principle.
- (3) An application for development within the vicinity of any premises licensed for the provision of regulated entertainment shall contain, in addition to any relevant requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595), a noise impact assessment.
- (4) In determining whether noise emitted by or from an existing business or community facility constitutes a nuisance to a residential development, the decision-maker shall have regard to—
  - (a) the chronology of the introduction of the relevant noise source and the residential development, and
  - (b) what steps have been taken by the developer to mitigate the entry of noise from the existing business or facility to the residential development.”

LORD YOUNG OF COOKHAM  
BARONESS THORNHILL

267 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.*

LORD CARRINGTON  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

268 After Clause 106, insert the following new Clause –

**“Permission in principle for rural economic development**

In article 5A of the Town and Country Planning (Permission in Principle) Order 2017 (S.I. 2017/402) (permission in principle), in paragraph (3) at the end insert “; and

- (c) in relation to rural economic development, specify the scale of any such development which is, in principle, permitted and the use to which it may be put.””

*Member's explanatory statement*

*This amendment would extend the permission in principle planning route to developments which relate to rural economic development.*

LORD BEST

269 After Clause 106, insert the following new Clause –

**“Large sites for housing development**

After section 70 of TCPA 1990 (determination of applications: general considerations) insert –

**“70ZA Development of large housing sites**

- (1) When considering whether to grant planning permission for development of a large housing site in accordance with section 70, the determining body must ensure doing so would comply with the requirements of a diversification strategy for the development of those sites.
- (2) A development order may make the following provisions in relation to the development of large housing sites –
  - (a) requiring all applications for outline planning permission to specify that housing diversity will be a reserved matter;
  - (b) specifying the following as reserved matters –
    - (i) the types of new housing to be built;
    - (ii) the internal floor space of the new housing to be built;
    - (iii) the amount of new housing to be built in specific tenures;
  - (c) requiring applicants for planning permission to prepare, and comply with, a diversification strategy.
- (3) A diversification strategy for the purposes of subsection (2) must be prepared for the purposes of contributing towards meeting the identified need for social housing within the area of the local planning authority, and in accordance with –
  - (a) the development plan for the area, so far as material, and

- (b) any national development management policies, so far as material.
- (4) In this section “large housing site” means any site –
  - (a) where 500 or more dwellings are proposed,
  - (b) of more than 5 hectares where the predominant use will be housing, or
  - (c) designated as a large site for housing development within the development plan for the area, on the reasonable assumption that paragraph (a) or (b) will apply.”

***Member's explanatory statement***

*This Clause seeks to ensure that development of large sites captures land value and achieves a mix of new housing that reflects local needs.*

BARONESS HAYMAN OF ULLOCK  
THE EARL OF DEVON

**270** After Clause 106, insert the following new Clause –

**“Community resilience to climate change**

- (1) A local planning authority when exercising a relevant function under the planning Acts shall have special regard to the need to adapt to climate change.
- (2) For the purposes of this section, adaptation to climate change shall include the achievement of ongoing resilience to the climate-related risks anticipated currently and over the long-term, including –
  - (a) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008,
  - (b) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Water Management Act 2010, and
  - (c) the mitigation of heat stress and overheating in and around buildings.
- (3) In this section “resilience” means the capacity of people and places to plan for, better protect against, respond to, and recover from climate impacts including heat stress and flooding, including making the best land use and development choices, protecting the health, safety and well-being of people, and responding to and recovering from climate impact events whilst all the time adapting to the predicted impacts of climate change.”

***Member's explanatory statement***

*This amendment would both define and prioritise adaptation and resilience in a way which enables greater action to deal with flood risk and overheating.*

LORD RAVENSDALE  
BARONESS HAYMAN  
LORD HUNT OF KINGS HEATH  
BARONESS BOYCOTT

**271** After Clause 106, insert the following new Clause –

**“Duty relating to climate change in exercise of planning functions**

- (1) Section 70 of TCPA 1990 (determination of applications: general considerations) is amended as follows.
- (2) In subsection (2) –
  - (a) omit the “and” at the end of paragraph (b), and
  - (b) after paragraph (b) insert –

“(ba) any considerations relating to the mitigation of, and adaptation to, climate change, so far as material to the application, and.”
- (3) After subsection (3F) insert –

“(3G) In dealing with an application for planning permission or permission in principle the authority must have special regard to the objective of achieving the mitigation of, and adaptation to, climate change.””

***Member's explanatory statement***

*This new clause would amend the Town and Country Planning Act 1990 to ensure that climate change is expressly considered and given special regard in the assessment of individual development proposals. This new clause will be inserted into Chapter 4 of Part 3 after clause 106.*

BARONESS BENNETT OF MANOR CASTLE

**272** After Clause 106, insert the following new Clause –

**“Hedgehog holes in fences**

- (1) It is a condition in any grant of planning permission that any fencing must allow the free passage of hedgehogs.
- (2) The Secretary of State may, by regulations, publish design guidance on how fencing may comply with this section.”

BARONESS BENNETT OF MANOR CASTLE

**273** After Clause 106, insert the following new Clause –

**“Pre-demolition audits**

- (1) The Secretary of State must by regulations require the preparation of pre-demolition audits for planning applications which entail demolition of properties.

- (2) The Secretary of State may by regulations make provision about –
  - (a) the content and form of audits under subsection (1), including the reasons why retrofitting to match existing or new uses is not possible if demolition is proposed;
  - (b) an assessment of the potential to reuse foundations or superstructures;
  - (c) an assessment of the relative carbon and material use impact of demolition versus retention of the entire structure;
  - (d) a survey of existing products, equipment, materials, and expected waste to identify opportunities for reuse;
  - (e) a plan for the effective treatment of waste materials generated in any demolition.
- (3) Regulations under subsection (1) are subject to the affirmative procedure.
- (4) A draft of a statutory instrument containing regulations under subsection (1) must be laid before Parliament on or before 30 November 2023.”

***Member's explanatory statement***

*This amendment would ensure that opportunities for reclamation, re-use and recycling from demolition processes are considered during the assessment of planning applications.*

THE EARL OF LYTTON

**274** After Clause 106, insert the following new Clause –

**“Building Safety Remediation Scheme**

- (1) Planning permission must not be granted to any developer or associate responsible for the construction or sale of units in a building with a building safety risk until the Secretary of State has established a Building Safety Remediation Scheme.
- (2) Schedule (*Building Safety Remediation Scheme*) makes further provision for the establishment of a Building Safety Remediation Scheme.
- (3) This section comes into force six months after Royal Assent.
- (4) “Associate” has the meaning given in section 121 of the Building Safety Act 2022.”

***Member's explanatory statement***

*This clause inserts a new Schedule to implement a building safety remediation scheme to ensure that buildings with building safety risks are put right without costs to leaseholders.*

**Clause 107**

BARONESS HAYMAN OF ULLOCK

**275** Clause 107, page 142, line 8, after “completed,” insert “or 4 years if there is a significant impact on the local environment,”

**Member's explanatory statement**

*This means that the extended time limits for enforcement of planning controls does not apply when there is a significant impact on the local environment.*

THE EARL OF LYTTON  
THE EARL OF DEVON

**276★** Clause 107, page 142, line 12, leave out subsection (2)

**Member's explanatory statement**

*This amendment will retain the four-year time period where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse. This recognises the special circumstances that apply in cases where the unauthorised development is somebody's home.*

BARONESS HAYMAN OF ULLOCK

**277** Clause 107, page 142, line 15 after “breach,” insert “or 4 years if there is a significant impact on the local environment,”

**Member's explanatory statement**

*This means that the extended time limits for enforcement of planning controls does not apply when there is a significant impact on the local environment.*

THE EARL OF LYTTON  
THE EARL OF DEVON

**278★** Clause 107, page 142, line 17, at end insert –

“(3) Before amending the time limits for enforcement of breach of planning control under subsections (1) and (2), the Secretary of State must consult relevant stakeholders and publish a report on the impact of changing the time limits.

(4) The Secretary of State must have due regard to the outcome of the consultation before amending any time limits.”

**Member's explanatory statement**

*This amendment would require the Secretary of State to consult with affected parties on amending the time limits for enforcement of breach of planning control from four years to 10 in England, to assess the impact of the change and to give due regard to the outcome of the consultation before amending any time limits.*

THE EARL OF LYTTON  
THE EARL OF DEVON

279★ Clause 107, page 142, line 17, at end insert –

“(3) No enforcement action may be taken against breaches of planning control consisting of –

(a) the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land that are substantially complete, or

(b) the change of use of any building to use as a single dwellinghouse, where the date the operations were substantially completed or the date of the change of use was before four years before the date of the passing of this Act.”

*Member's explanatory statement*

*This amendment preserves the status quo for breaches of planning control that are currently immune from enforcement but (in the absence of transitional provisions) would otherwise potentially be no longer immune from enforcement after the commencement date of the Act. If the amendment in the name of the Earl of Lytton to delete clause 107(2) is accepted, (b) can be omitted from this amendment.*

**Clause 109**

BARONESS TAYLOR OF STEVENAGE

280 Clause 109, page 142, line 32, leave out “an” and insert “a digital”

*Member's explanatory statement*

*This is to probe how the Government can use new technology in the planning process.*

**After Clause 109**

BARONESS TAYLOR OF STEVENAGE

281 After Clause 109, insert the following new Clause –

**“Duty to provide sufficient resources to local planning authorities for new burdens: enforcement of planning controls**

The Secretary of State must provide commensurate additional financial resources to local planning authorities to enable them to implement the provisions in this Chapter.”

*Member's explanatory statement*

*This would require the Secretary of State to provide sufficient additional resources to local planning authorities to enable them to implement the changes required by Chapter 5 of Part 3.*



**Clause 116**

BARONESS TAYLOR OF STEVENAGE

282 Clause 116, page 149, line 29, at end insert –

“(8A) When exercising the power, consideration must be given to reducing delays in the planning process.”

*Member's explanatory statement*

*This is to probe whether the changes will speed up the planning process.*

**After Clause 118**

BARONESS YOUNG OF OLD SCONE

283 After Clause 118, insert the following new Clause –

**“Fees for certain services in relation to local planning authority functions**

After section 303A of TCPA 1990 (responsibility of local planning authorities for costs of holding certain inquiries etc) insert –

**“303B Fees for prescribed services in relation to local planning authority functions**

- (1) The Secretary of State may by regulations make provision for or in connection with the charging of fees by prescribed public authorities in relation to the provision of relevant services.
- (2) A "relevant service" means any advice, information or other assistance (including a response to a consultation) provided in connection with –
  - (a) an application or proposed application –
    - (i) for planning permission,
    - (ii) for any other consent under the Planning Acts,
    - (iii) an order or other authorisation which has the effect of allowing development or reducing the control upon development in a specified location or identified circumstances, or
    - (iv) to make a change to, or revoke, such a permission, consent, order or authorisation,
  - (b) any other prescribed matter relating to planning permission or a consent order or authorisation as identified in paragraph (a),
  - (c) any other prescribed matter relating to the performance by the local planning authority of any planning function they have, or
  - (d) anything done by a local planning authority which is calculated to facilitate or is conducive or incidental to the performance of any such function.
- (3) The regulations under subsection (1) may in particular contain provision –

- (a) about when a fee (including a supplementary fee) may, and may not, be charged;
  - (b) about the amount which may be charged;
  - (c) about what may, and may not, be taken into account in calculating the amount charged;
  - (d) about who is liable to pay a fee charged;
  - (e) about when a fee charged is payable;
  - (f) about the recovery of fees charged;
  - (g) about waiver, reduction or repayment of fees;
  - (h) about the effect of paying or failing to pay fees charged (including provision permitting a public authority prescribed under subsection (1) to withhold a relevant service that they would otherwise be required to provide under an enactment until any outstanding fees for that service are paid);
  - (i) for the supply of information for any purpose of the regulations;
  - (j) conferring a function, including a function involving the exercise of a discretion, on any person.
- (4) The regulations may not permit a public authority to charge fees for the provision of a relevant service to an excluded person, unless the relevant service is provided –
- (a) in connection with an application or proposed application by that person for planning permission,
  - (b) in connection with an application or proposed application by that person for any other consent under the Planning Acts,
  - (c) in connection with an order or other authorisation which has the effect of allowing development or reducing the control upon development in a specified location or identified circumstances granting planning permission, or
  - (d) to make a change to, or revoke, such an permission, consent, order, or authorisation.
- (5) A public authority prescribed under subsection (1) must have regard to any guidance published by the Secretary of State in relation to the exercise of its functions under the regulations.
- (6) In this section –
- “excluded person” means –
- (a) the Secretary of State;
  - (b) the Mayor of London;
  - (c) a local planning authority;
  - (d) a mayoral combined authority (within the meaning given in section 107A of the Local Democracy, Economic Development and Construction Act 2009);
  - (e) a qualifying neighbourhood body;
  - (f) such other person as may be prescribed;

- “Planning Acts” means this Act, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 and the Planning and Compulsory Purchase Act 2004;
- “public authority” means any person certain of whose functions are of a public nature;
- “qualifying neighbourhood body” means—
- (a) a qualifying body within the meaning given by section 61E(6) (and includes a community organisation which is to be regarded as such a qualifying body by virtue of paragraph 4(2) of Schedule 4C), or
  - (b) a qualifying body within the meaning given by section 38A(12) of the Planning and Compulsory Purchase Act 2004.”

**Member's explanatory statement**

*This new clause would enable statutory consultees, who are required to provide expert advice to Local Planning Authorities and other planning decision makers on the potential risks and impacts of development proposals on sensitive areas (eg SSSIs, flood risk zones) and on opportunities for environmental enhancement, to recover their costs from applicants seeking planning permissions.*

**After Clause 120**

LORD MOYLAN

**284** After Clause 120, insert the following new Clause—

**“Directions under section 35: review**

- (1) The Planning Act 2008 is amended as follows.
- (2) After section 35ZA (directions under section 35: procedural matters) insert—

**“35ZB Directions under section 35: review**

Within three years of making a direction under section 35(1) and annually thereafter, the Secretary of State must consider progress with implementation of the development contemplated in it and, if the Secretary of State considers that it is unlikely to proceed, the Secretary of State may withdraw the direction.”

**Clause 122**

LORD NORTHBROOK

**285★** Clause 122, page 154, line 33, at end insert—

- “(3A) The Secretary of State must ensure that an up-to-date consolidated text of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) is available on the website of The National Archives at all times.”

**Clause 123**

LORD CARRINGTON

*Lord Carrington gives notice of his intention to oppose the Question that Clause 123 stand part of the Bill.*

**After Clause 123**

BARONESS PINNOCK

286 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

287 After Clause 123, insert the following new Clause —

**“Planning Application Fees**

- (1) Section 303 of the Town and Country Planning Act 1990 (Fees for planning applications etc.) is amended as follows.
  - (2) After subsection (4) insert —
- “(4A) A local planning authority may make provision as to how a fee or charge under this section is to be calculated (including who is to make the calculation).”

**Member's explanatory statement**

*This new Clause would allow local authorities to set the fees for planning applications, in order that the cost of determining an application is reflected by the fee charged.*

BARONESS PINNOCK

288 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.*

LORD RANDALL OF UXBRIDGE  
BARONESS JONES OF WHITCHURCH  
BARONESS WILLIS OF SUMMERTOWN  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

289 After Clause 123, insert the following new Clause –

**“Wildbelt**

- (1) Local planning authorities must maintain a register of wildbelt land in their local areas (see section 106(3)(c) of the Environment Act 2021).

- (2) Wildbelt land must be recognised in local plans based on areas identified in the local nature recovery strategy.
- (3) Local planning authorities must act in accordance with local nature recovery strategy wildbelt designations in the exercise of relevant functions, including land use planning and planning decisions.
- (4) Wildbelt land may not be subject to land use change that hinders the recovery of nature in these areas.”

***Member's explanatory statement***

*This new Clause would secure a land designation in England that provides protection for sites being managed for nature’s recovery, identified through the Local Nature Recovery Strategies created by the Environment Act. Sites designated as wildbelt in Local Plans would be subject to only moderate controls, precluding development but allowing farming and other land uses which do not hinder the recovery of nature.*

LORD RUSSELL OF LIVERPOOL  
LORD YOUNG OF COOKHAM  
BARONESS ROYALL OF BLAISDON  
BARONESS TYLER OF ENFIELD

290

After Clause 123, insert the following new Clause –

**“Developer contributions: childcare**

- (1) This section applies where a local authority is making a consideration under –
  - (a) section 106(1)(d) of TCPA 1990 in relation to a “major development”, or
  - (b) Part 4 of this Act.
- (2) When this section applies, the local authority in question may have regard to –
  - (a) the current availability and affordability of childcare services in the local area,
  - (b) the impact that any new development will have on the availability and affordability of childcare services in the local area, and
  - (c) the need to promote high-quality affordable childcare in line with sections 6 and 7 of the Childcare Act 2006.
- (3) When setting obligations to which this section applies, the local authority must publish a statement setting out the reasons underpinning their decision to allocate the level of funding or support they have to early years or childcare services and settings.
- (4) Nothing in this section prevents a local authority from having regard to any factor not mentioned in this section when making a relevant consideration.
- (5) “Major development” here has the same meaning as in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595).”

***Member's explanatory statement***

*This amendment would make clear that local authorities are empowered, but not required, to use developer contributions to fund childcare services and settings. It would also require them to publish a statement explaining why – in relation to large developer contributions – they did or did not direct any funding towards childcare services and settings. This would only apply to major developments, as is currently the case for affordable housing considerations.*

BARONESS MCINTOSH OF PICKERING  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

291 After Clause 123, insert the following new Clause –

**“Sustainable drainage**

The Secretary of State must make provision under section 49 of the Flood and Water Management Act 2010 so as to bring Schedule 3 to that Act (sustainable drainage) into force in relation to England before the end of 31 December 2023, insofar as it is not already in force.”

LORD CARRINGTON

292 After Clause 123 insert the following new Clause –

**“Duty of care**

- (1) It is the duty of any body using compulsory purchase to act fairly towards the owner of any property being acquired and any claimant of compensation.
- (2) The Secretary of State must issue a code of practice specifying how the duty in subsection (1) is to be discharged.”

***Member's explanatory statement***

*This amendment will ensure that legislative provision for compulsory purchase, and the actions of the acquirer, always achieve a correct balance between the interest of the state and that of the property-owning individual.*

BARONESS JONES OF MOULSECOOMB  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

293 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.*



LORD YOUNG OF COOKHAM  
THE EARL OF DEVON

294 After Clause 123, insert the following new Clause –

**“Short-term rental properties: planning control**

- (1) The Secretary of State must make regulations under this section governing changes of use of dwellinghouses used as sole or main residences to short-term rental properties in England.
- (2) The regulations must make provision –
  - (a) for short-term rental properties to be a distinct use class from dwellinghouses used as sole or main residences;
  - (b) for changes of use between dwellinghouses used as sole or main residences, and short-term rental properties, to be permitted development; and
  - (c) for a relevant planning permission for change of use to be a condition of registration of a short-term rental property under section 210(5) of this Act (registration of short-term rental properties).
- (3) In this section “short-term rental property” has the meaning given by section 210 of this Act.”

*Member's explanatory statement*

*The amendment introduces a new use for dwellinghouses enabling local authorities to maintain the stock of long-term rental properties in their area.*

BARONESS YOUNG OF OLD SCONE

295 After Clause 123, insert the following new Clause –

**“Purposes of green belt land**

An area may be identified as green belt land in a development plan for one or more of the following purposes –

- (a) to check the unrestricted sprawl of large built up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns;
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land;
- (f) to support climate mitigation and adaptation;
- (g) to combat the decline of biodiversity and enhance its conservation;
- (h) to promote natural capital and ecosystem services;
- (i) to enable the public to access and benefit from green open spaces close to where they live.”

***Member's explanatory statement***

*This clause transposes the existing purposes of green belt land from guidance in the National Planning Policy Framework into statute and adds new purposes in regard to climate change, biodiversity, natural capital and public access.*

BARONESS YOUNG OF OLD SCONE

**296** After Clause 123, insert the following new Clause –

**“Tree preservation order: penalty for non-compliance**

- (1) Section 210 of TCPA 1990 (penalties for non-compliance with tree preservation order regulations) is amended as follows.
- (2) In subsection (1)(b), omit “in such a manner as to be likely to destroy it”.
- (3) In subsection (3), at the end insert “and the likelihood that the action will destroy a tree”.
- (4) After subsection (3) insert –
  - “(3A) Subsections (1) to (3) do not apply in relation to Wales.”
- (5) Omit subsection (4).”

***Member's explanatory statement***

*This amendment creates a single offence for the breach of a Tree Preservation Order to ensure all fines are commensurate with the potential profits of contravention.*

BARONESS YOUNG OF OLD SCONE

**297** After Clause 123, insert the following new Clause –

**“Tree preservation orders: meaning of “amenity”**

In section 198 of TCPA 1990 (power to make tree preservation orders), after subsection (1) insert –

- “(1A) In subsection (1), “amenity” includes appearance, age, rarity, biodiversity, and historic, scientific, recreational or other social value.
- (1B) Subsection (1A) does not apply in relation to Wales.”

***Member's explanatory statement***

*The amendment clarifies the meaning of amenity in the context of Tree Preservation Orders.*

## BARONESS YOUNG OF OLD SCONE

298 After Clause 123, insert the following new Clause –

**“Power to make tree preservation orders in the public interest**

In section 198 of TCPA 1990 (power to make tree preservation orders), after subsection (1) insert –

“(1A) For the avoidance of doubt, the power in subsection (1) may be exercised proactively and before any person intimates that they may destroy or damage a tree.

(1B) Subsection (1A) does not apply in Wales.””

*Member's explanatory statement*

*The amendment empowers Local Planning Authorities to use Tree Preservation Orders to protect trees proactively before they are threatened by development.*

## BARONESS YOUNG OF OLD SCONE

299 After Clause 123, insert the following new Clause –

**“Tree preservation orders: removing exemption for dead or dying trees**

- (1) In section 198 of TCPA 1990 (power to make tree preservation orders), in subsection (6)(a) omit “are dying or dead or”.
- (2) In regulation 14 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (S.I. 2012/605) (exceptions), in paragraph (1) –
  - (a) in sub-paragraph (a) omit paragraph (i), and
  - (b) omit sub-paragraph (b).”

*Member's explanatory statement*

*This amendment removes the exemption that prevents trees which are dead and dying from being eligible for protection by Tree Preservation Orders.*

## BARONESS YOUNG OF OLD SCONE

300 After Clause 123, insert the following new Clause –

**“Developments affecting ancient woodland**

Within three months of this Act being passed, the Secretary of State must vary The Town and Country Planning (Consultation) (England) Direction 2021 so that it applies in relation to applications for planning permission for development affecting ancient woodland.”

*Member's explanatory statement*

*This amendment requires the introduction of a consultation direction for developments affecting ancient woodlands.*

## BARONESS YOUNG OF OLD SCONE

301 After Clause 123, insert the following new Clause –

**“Duty to consult on revocation of tree preservation orders**

After regulation 11 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (S.I. 2012/605) (revocation of tree preservation orders) insert –

**“Actions to be taken before revocation of an order**

11A – (1) Before revoking an order, an authority must –

- (a) serve on the persons interested in the land affected –
  - (i) a draft of the statement under regulation 11(a), and
  - (ii) a notice containing the particulars specified in paragraph (2), and
- (b) comply with the requirement in paragraph (3).

(2) The particulars specified in this paragraph are –

- (a) the reasons for revoking the order,
- (b) a statement that objections or other representations with respect to any trees, groups of trees or woodlands specified in the order may be made to the authority in accordance with regulation 6,
- (c) the date, being at least 28 days after the date of the notice, by which any objection or representation must be received by the authority, and
- (d) a copy of regulation 6.

(3) The documents mentioned in paragraph (1)(a) must be made available for inspection, free of charge, at all reasonable hours, at the offices of the authority; and where an order was made on behalf of an authority, those documents must also be made available for inspection at the offices of the authority on whose behalf it was made.

(4) The authority may not revoke an order unless they have first considered objections and representations made in respect of it and not withdrawn.

(5) Where necessary, such considerations may be the subject of a suitably appointed scrutiny committee.””

*Member's explanatory statement*

*This amendment requires a public consultation process to be undertaken prior to the revocation of a Tree Preservation Order.*

## LORD HOLMES OF RICHMOND

302 After Clause 123, insert the following new Clause –

**“Inclusive design**

All planning and development must be predicated on the principle of inclusive design.”

## BARONESS HAYMAN OF ULLOCK

303 After Clause 123, insert the following new Clause –

**“Minimum requirements for flood mitigation and protection**

- (1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed, use the power under section 1 of the Building Act 1984 (power to make building regulations) to make building regulations for the purpose set out in subsection (2).
- (2) That purpose is to set minimum standards for new-build public and private properties in England for –
  - (a) property flood resilience,
  - (b) flood mitigation, and
  - (c) waste management in connection with flooding.”

*Member's explanatory statement*

*This new Clause would require the Government to set minimum standards for flood resilience, flood mitigation and flood waste management in building regulations.*

## BARONESS HAYMAN OF ULLOCK

304 After Clause 123, insert the following new Clause –

**“Duty to make flooding data available**

- (1) The Secretary of State and local authorities in England must take all reasonable steps to make data about flood prevention and risk publicly available for purposes relating to planning and development.
- (2) The duty under subsection (1) extends to seeking to facilitate use of the data by –
  - (a) insurers for the purpose of accurately assessing risk, and
  - (b) individual property owners for the purpose of assessing the need for property flood resilience measures.”

*Member's explanatory statement*

*This new Clause would place a duty on the Government and local authorities to make data about flood prevention and risk available for the purpose of assisting insurers and property owners.*

## BARONESS HAYMAN OF ULLOCK

305 After Clause 123, insert the following new Clause –

**“Flood prevention and mitigation certification and accreditation schemes**

- (1) The Secretary of State must by regulations establish –
  - (a) a certification scheme for improvements to domestic and commercial properties in England made in full or in part for flood prevention or flood mitigation purposes, and

- (b) an accreditation scheme for installers of such improvements.
- (2) The scheme under subsection (1)(a) must—
  - (a) set minimum standards for the improvements, including that they are made by a person accredited under subsection (1)(b), and
  - (b) provide for the issuance of certificates stating that improvements to properties have met those standards.
- (3) The scheme under subsection (1)(a) may make provision for the certification of improvements that were made before the establishment of the scheme provided those improvements meet the minimum standards in subsection (2)(a).
- (4) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) A draft statutory instrument containing regulations under this section must be laid before Parliament before the end of the period of six months beginning with the day on which this Act comes into force.”

***Member's explanatory statement***

*This new Clause would require the Government to establish a certification scheme for improvements to domestic and commercial properties in England made for flood prevention or flood mitigation purposes and an accreditation scheme for installers of such improvements.*

BARONESS HAYMAN OF ULLOCK

306

After Clause 123, insert the following new Clause—

**“Insurance premiums**

- (1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies to take into account the matters in subsection (2) when calculating insurance premiums relating to residential and commercial properties.
- (2) Those matters are—
  - (a) that certified improvements have been made to a property under section (Flood prevention and mitigation certification and accreditation schemes), or
  - (b) that measures that were in full or in part for the purposes of flood prevention or mitigation have been taken in relation to the property that were requirements of the local planning authority for planning permission purposes.”

***Member's explanatory statement***

*This new Clause would require the Financial Conduct Authority to make rules requiring insurance companies to take into account flood prevention or mitigation improvements that are either certified or planning permission requirements in setting insurance premiums.*

## BARONESS HAYMAN OF ULLOCK

307 After Clause 123, insert the following new Clause –

**“Flood Re Build Back Better Scheme participation**

- (1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies to participate in the Flood Re Build Back Better Scheme to reimburse flood victims for costs of domestic flood resilience and prevention measures.
- (2) In making those rules the Financial Conduct Authority must have regard to its operational objectives to –
  - (a) protect consumers, and
  - (b) promote competition.”

*Member's explanatory statement*

*This new Clause would require the Financial Conduct Authority to make rules requiring insurance companies to participate in the currently voluntary Build Back Better scheme, which was launched by FloodRe in April 2022.*

## BARONESS HAYMAN OF ULLOCK

308 After Clause 123, insert the following new Clause –

**“Flood Reinsurance Scheme eligibility**

- (1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed –
  - (a) establish a new Flood Reinsurance Scheme under section 64 of the Water Act 2014 in accordance with subsection (2), and
  - (b) lay before Parliament a draft statutory instrument containing regulations under that section to designate that scheme.
- (2) The new Flood Reinsurance Scheme is in accordance with this section if it extends eligibility to –
  - (a) premises built on or after 1 January 2009 which have property flood resilience measures that meet the standard under section (*Minimum requirements for flood mitigation and protection*)(2)(a), and
  - (b) buildings insurance for small and medium-sized enterprise premises.
- (3) The Secretary of State may by regulations require public bodies to share business rates information with the scheme established under subsection (1)(a) for purposes connected with the scheme.
- (4) The Water Act 2014 is amended in accordance with subsections (5) to (9).
- (5) In section 64 (the Flood Reinsurance scheme), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.

- (6) In section 67 (scheme administration), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.
- (7) After section 69 (disclosure of HMRC council tax information) insert –
- “69A Disclosure of business rates information**
- (1) The Secretary of State may by regulations require public bodies to disclose information relating to business rates to any person who requires that information for purposes connected with –
- (a) such scheme as may be established and designated in accordance with section 64 (in any case arising before any scheme is so designated), or
  - (b) the FR Scheme (in any case arising after the designation of a scheme in accordance with section 64).
- (2) A person to whom information is disclosed under regulations made under subsection (1)(a) or (b) –
- (a) may use the information only for the purposes mentioned in subsection (1)(a) or (b), as the case may be;
  - (b) may not further disclose the information except in accordance with those regulations.”.

(8) In section 82(5) (interpretation) –

    - (a) for “69” substitute “69A”;
    - (b) after “household premises” insert “small and medium-sized enterprise premises”.

(9) In section 84(6) (regulations and orders), after paragraph (e) insert –

“(ea) regulations under section 69A (disclosure of business rates information),”.

***Member's explanatory statement***

*This new Clause would require the Government to extend the Flood Re scheme to premises built since 2009 that have property flood resilience measures that meet minimum standards and buildings insurance for small and medium-sized enterprise premises.*

LORD TEVERSON

309

After Clause 123, insert the following new Clause –

**“Consistency with the mitigation of, and adaptation to, 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 84.
- (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 climate-related risks, including—
    - (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 new clause would require planning policy prepared by the Secretary of State to inform local plan-making and planning decisions, and planning decisions themselves (including those made by the Secretary of State) to be consistent with national targets and objectives for the mitigation of, and adaption to, climate change.*

LORD LANSLEY

**310** After Clause 123, insert the following new Clause —

**“Planning committees to be allowed to meet virtually**

The Secretary of State may by regulations amend the Local Government Act 1972 and other enactments to —

- (a) enable the meeting of a local authority planning committee or sub-committee to take place using electronic, digital or virtual channels;
- (b) regard members attending a meeting remotely as attending the meeting; and
- (c) enable remote attendance at such meetings by members of the public.”

***Member's explanatory statement***

*This new clause would give the Secretary of State the power to permit planning meetings to take place in a virtual format.*

LORD NORTHBROOK

**311★** After Clause 123, insert the following new Clause –

**“British standards: publication**

Where legislation made under the Planning Acts, or a local authority planning policy, refers to a British standard, the Secretary of State or local authority must take such steps as are necessary to make the relevant standard publicly available online free of charge.”

LORD NORTHBROOK

**312★** After Clause 123, insert the following new Clause –

**“Change of use to café etc**

In the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596), Schedule 2, Part 3, after Class B.1 insert –

- “(B.1A) Development is not permitted by Class BB from a use within Class E (a) or (c)-(g) (commercial, business and service) of Schedule 2 to the Use Classes Order, to Class E (b) (the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises).”

**Clause 124**

BARONESS HAYMAN OF ULLOCK

**313** Clause 124, page 157, line 22, leave out “a” and insert “an optional”

***Member's explanatory statement***

*This is to probe whether the infrastructure levy could be optional.*

LORD LANSLEY  
LORD YOUNG OF COOKHAM

*The above-named Lords give notice of their intention to oppose the Question that Clause 124 stand part of the Bill.*

**After Clause 124**

BARONESS HAYMAN OF ULLOCK

**314** After Clause 124, insert the following new Clause –

**“Assessment of impact of infrastructure levy on public transport**

Within 2 years of this Act receiving Royal Assent, a Minister of the Crown must publish an assessment of the impact of the infrastructure levy on public transport levels in each travel to work area, which must consider whether the levy has reduced car dependency in each travel to work area.”

***Member's explanatory statement***

*This means that a Minister must publish an assessment of the impact of the infrastructure levy on public transport and car dependency in each travel to work area.*

BARONESS HAYMAN OF ULLOCK

**315** After Clause 124, insert the following new Clause –

**“Railway restoration**

- (1) Within 2 years of this Act being passed, a Minister of the Crown must publish an assessment of the impact of the infrastructure levy on restoring railways.
- (2) If the assessment finds no significant impact, the Minister must make a statement on the future of the Restoring Your Railway Fund.”

***Member's explanatory statement***

*This is to probe whether the levy will support the restoration of railways.*

BARONESS HAYMAN OF ULLOCK

**316** After Clause 124, insert the following new Clause –

**“Social infrastructure**

Within 2 years of this Act being passed, a Minister of the Crown must publish an assessment of the impact of the infrastructure levy on social infrastructure.”

***Member's explanatory statement***

*This is to probe whether the levy will support social infrastructure.*

## BARONESS TAYLOR OF STEVENAGE

317 After Clause 124, insert the following new Clause –

**“Infrastructure Levy pilots**

The Secretary of State may by regulations arrange pilot schemes in relation to the infrastructure levy.”

*Member's explanatory statement*

*This means that the Secretary of State may by regulations arrange pilot schemes in relation to the infrastructure Levy.*

**Before Schedule 11**

THE EARL OF LYTTON

318 Before Schedule 11, insert the following new Schedule –

“SCHEDULE

BUILDING SAFETY REMEDIATION SCHEME

*Duty to establish the scheme*

- 1 (1) The Secretary of State must establish, or make arrangements for the establishment of, a Building Safety Remediation Scheme (“the BSRS”).
- (2) The purpose of the BSRS must be to ensure that residential blocks of flats with building safety risks are made safe, mortgageable and insurable –
  - (a) speedily, efficiently, effectively and proportionately,
  - (b) without recourse to lengthy and expensive legal proceedings,
  - (c) without cost to leaseholders or occupiers, and
  - (d) in accordance with the polluter pays principle.
- (3) For the purposes of this Schedule “the polluter pays principle” is the principle that –
  - (a) so far as reasonably practicable, remediation costs for relevant buildings with building safety risks arising from defective construction or additional building work should be met by the persons responsible for the risks, and
  - (b) where that is not reasonably practicable, or where building safety risks do not arise from defective construction or additional building work, costs should be met by the construction industry.

*Scope of the scheme*

- 2 The BSRS must be framed so as to apply to relevant buildings which –
  - (a) were constructed, or subject to additional building work, on or after 1 June 1992, and

- (b) present building safety risks.

*Operation of the scheme*

- 3 (1) The BSRS must provide for persons (including freeholders and leaseholders) to apply –
  - (a) for a building to be recognised as a relevant building;
  - (b) for a relevant building to be recognised as eligible for grants in respect of the cost of remediation works.
- (2) The BSRS must provide –
  - (a) for the appointment of persons (“BSRS assessors”) with appropriate expertise to determine, on behalf of the Secretary of State, applications under sub-paragraph (1)(a) and (b), and
  - (b) for BSRS assessors to be required to exercise operational independence in making determinations under the scheme.
- (3) For the purposes of sub-paragraph (2), the BSRS may provide for appointments to be made by the Secretary of State or by one or more persons designated for that purpose by the Secretary of State under the scheme.
- (4) The BSRS must provide that determinations of BSRS assessors are final (but nothing in this sub-paragraph prevents the exercise by the High Court of its judicial review jurisdiction).

*Scheme supplementary regulations*

- 4 (1) The Secretary of State must make regulations (“scheme supplementary regulations”) in respect of the BSRS.
- (2) Scheme supplementary regulations, in particular –
  - (a) may make provision for determining what is to be, or not to be, treated as a relevant building for the purposes of the scheme;
  - (b) may make provision for determining the date on which buildings were constructed or subject to additional building work;
  - (c) may make provision for determining who is entitled to make an application under the scheme in respect of a relevant building;
  - (d) may specify criteria to be applied by BSRS assessors in determining whether a relevant building presents building safety risks as a result of defective construction (and the criteria may, in particular, make provision wholly or partly by reference to building regulations or other enactments in force at the time of construction or by reference to specified classes of document);
  - (e) may make provision permitting or requiring BSRS assessors to conduct tests, and requiring owners and occupiers of relevant buildings to cooperate with BSRS assessors in conducting tests;
  - (f) may make provision permitting BSRS assessors to require local authorities or other specified classes of person to provide information or documents, and requiring persons to comply with any requirements imposed;

- (g) may make provision about the timing of applications and determinations;
- (h) may make provision about evidence to be adduced in support of an application;
- (i) may require or permit BSRS assessors to operate a rebuttable presumption of defective construction where specified classes of fact have been proved (for which purpose the regulations may make provision similar to, or applying with or without modification, any enactment);
- (j) may make provision about the making, processing and determination of applications under the scheme;
- (k) may make provision about the giving of notice to developers and others;
- (l) may make provision about the payment of awards;
- (m) may make provision about monitoring expenditure on remediation works;
- (n) may set a threshold for the estimated or quoted cost of remediation works below which an application for recognition cannot be made;
- (o) may make provision for determining, having regard in particular to the need for proportionality, the nature and extent of remediation costs which may be funded by the scheme (for which purpose “remediation costs” means any class of expenditure related to building safety risks, including, in particular, repair costs, the costs of interim mitigation or safety measures and reimbursement of or compensation for increases in insurance premiums);
- (p) may make provision for account to be taken of grants provided in respect of remediation works by any other scheme established by enactment or by a public authority;
- (q) may make provision for financial assistance provided by any other scheme established by enactment or by a public authority to be repaid out of grants under the remediation scheme;
- (r) may permit or require the amalgamation of multiple applications in respect of one relevant building, or of applications on behalf of the residents of one or more relevant buildings;
- (s) may permit or require representative applications on behalf of the residents of one or more relevant buildings;
- (t) may make provision about the qualifications, appointment, remuneration and conduct of BSRS assessors, and the regulations may, in particular –
  - (i) provide for assessors to be remunerated from BSRS funds;
  - (ii) provide for indemnities in respect of decisions taken by assessors (for which purpose the regulations may apply an enactment (with or without modification)); and
- (u) must include provision requiring the maintenance and publication of records of applications and determinations under the scheme.

*Scheme funding regulations*

- 5 (1) The Secretary of State must make regulations about the funding of the BSRS Scheme and of grants made under the scheme (“scheme funding regulations”).
- (2) Scheme funding regulations must aim to apply the polluter pays principle so far as practicable.
- (3) For that purpose, scheme funding regulations must aim to ensure that a grant awarded under the scheme is funded –
  - (a) so far as possible where building safety risks arise from defective construction or additional building work, by the developer or principal contractor of the building in respect of which the grant is awarded; and
  - (b) failing that (whether by reason of the dissolution of a developer or principal contractor, insolvency or otherwise), or where building safety risks do not arise from defective construction or additional building work, by money paid into a fund maintained through a levy on the construction industry in general, or specified parts of the construction industry.
- (4) For the purposes of achieving the objective in sub-paragraph (3)(a) –
  - (a) the reference to the developer of a building includes a reference to any person who arranged for its construction or additional building work and for the sale of units in the building;
  - (b) the reference to the principal contractor is a reference to the person who was responsible to the developer for the construction of a building or undertaking additional building work;
  - (c) scheme funding regulations must permit a BSRS assessor to provide for an award under the scheme to be paid by one or more persons specified by the assessor (and awards may, in particular, provide for joint and several liability);
  - (d) scheme funding regulations must confer a right to appeal to the First-tier Tribunal;
  - (e) scheme funding regulations may include provision permitting a BSRS assessor to permit or require an award for payment by a specified person to be satisfied wholly or partly by a person connected to that person (within the meaning of the regulations, for which purpose the regulations may apply, with or without modification, section 1162 of the Companies Act 2006 (parent and subsidiary undertakings) and any enactment relating to joint ventures); and
  - (f) scheme funding regulations may include provision about enforcement of liability to satisfy awards, which may, in particular –
    - (i) provide for collection of awards as a statutory debt;
    - (ii) include provision for interest or penalties;
    - (iii) provide for liability to make payments pending appeal or review; and
    - (iv) create criminal offences in connection with evasion.
- (5) For the purposes of achieving the objective in sub-paragraph (3)(b), scheme funding regulations –

- (a) must establish one or more levies to be paid by specified businesses or classes of business;
  - (b) must make provision for determining liability to pay the levy;
  - (c) may confer functions on BSRS assessors or other specified persons (which may include the Secretary of State) in respect of determination of liability to pay the levy;
  - (d) must confer on a person determined to be liable to pay the levy the right to appeal to the First-tier Tribunal;
  - (e) may provide for different amounts of levy to be paid by different classes of person;
  - (f) may provide for the levy to be paid by way of one-off payments, periodic payments or both;
  - (g) may include provision about enforcement of liability to pay the levy (which may, in particular, provide for collection of the levy as a statutory debt, include provision for interest or penalties and create criminal offences in connection with evasion);
  - (h) must include provision about the administration of the levy by the Secretary of State, including provision as to the maintenance and publication of estimates, accounts and other records; and
  - (i) may include supplemental provision about the levy.
- (6) In making regulations under sub-paragraph (5), and in particular in assessing the proportionality and other fairness of any levy imposed by regulations under sub-paragraph (5), the Secretary of State must –
- (a) have regard to any other levy or similar imposition that appears to have a similar purpose as a levy under the scheme funding regulations, and
  - (b) must consult persons appearing to him or her to represent the interests of persons affected by other relevant levies and impositions.
- (7) Scheme funding regulations may include provision about –
- (a) application of awards, levies and grants, including provision for holding (or return) of surplus funds;
  - (b) the nature and extent of obligations imposed by awards (which may, in particular, provide for payments in money or services or money's worth);
  - (c) processes and procedures to be applied in determining applications for grants and questions of liability to awards (which may, in particular, include provision for determination wholly, partly, absolutely or contingently by arbitration, mediation or any other kind of process or procedure the Secretary of State thinks appropriate);
  - (d) terms and conditions of awards, levies and grants; and
  - (e) appraisals, appeals and enforcement.

### *Apportionment*

- 6 (1) Scheme funding regulations may make provision about apportionment of liability for defective construction.



- (2) In particular, scheme funding regulations may provide that where a person is required to pay an award under the BSRS scheme, that person may bring proceedings to recover a contribution from one or more persons who share responsibility for the defects in respect of which the award is made.
- (3) Provision made by virtue of this paragraph may –
  - (a) confer jurisdiction on the First-tier Tribunal or on any other specified court or tribunal;
  - (b) apply (with or without modifications) any enactment about third-party liability.

#### *Interim payments*

- 7 (1) The Secretary of State may make interim grants to persons whom the Secretary of State believes are likely to be entitled to benefit from the remediation scheme.
- (2) Interim grants may be made on such terms and conditions (including as to repayment) as the Secretary of State may specify.
- (3) Scheme supplementary regulations –
  - (a) may include provision for account to be taken of interim grants under this paragraph; and
  - (b) may include other provision about interim grants under this paragraph (including provision about applications for grants, eligibility for grants and determination of applications for grants).

#### *Interpretation*

- 8 For the purposes of this Schedule –
  - “construction” includes any kind of building work (whether part of the original construction of a building or not) including works of improvement, repair and extension;
  - “class” includes description;
  - “defective construction or other building work” means construction or additional building work that –
    - (a) contravened building regulations or other enactments in force at the time of the construction or additional building work; or
    - (b) satisfies any other criteria specified in the BSRS or in scheme supplementary regulations;
  - “BSRS funding regulations” has the meaning given by paragraph 5;
  - “BSRS scheme” has the meaning given by paragraph 1;
  - “BSRS assessor” has the meaning given by paragraph 3;
  - “grant” includes loans and any other form of financial assistance (for which purpose a reference to payment includes a reference to the provision of assistance);
  - “polluter pays” has the meaning given by paragraph 1;
  - “remediation costs” has the meaning given by paragraph 4;
  - “relevant building” means a self-contained building, or self-contained part of a building, in England that contains at least two dwellings; and

“scheme supplementary regulations” has the meaning given by paragraph 4.

*Consultation*

- 9 Before making the scheme, the scheme supplementary regulations and the scheme funding regulations, the Secretary of State must consult—
- (a) persons appearing to represent the interests of leaseholders or occupiers of blocks of flats with fire hazards;
  - (b) persons appearing to represent the interests of the construction industry and related industries; and
  - (c) such other persons as the Secretary of State thinks appropriate.

*Regulations*

- 10 (1) Scheme supplementary regulations and scheme funding regulations—
- (a) shall be made by statutory instrument;
  - (b) may make provision that applies generally or only for specified purposes;
  - (c) may make different provision for different purposes;
  - (d) may confer functions (including discretionary functions) on specified persons or classes of person, and may provide for the Secretary of State to appoint persons to exercise functions under the regulations or the remediation scheme (whether or not on behalf of the Secretary of State); and
  - (e) may include supplemental, consequential or transitional provision.
- (2) Scheme funding regulations may not be made unless a draft has been laid before, and approved by resolution of, each House of Parliament.
- (3) Scheme supplementary regulations are subject to annulment in pursuance of a resolution of either House of Parliament.”

*Member's explanatory statement*

*This new Schedule would implement a building safety remediation scheme to ensure that buildings with building safety risks are put right without costs to leaseholders.*

**Schedule 11**

LORD LANSLEY

**319★** Schedule 11, page 339, line 12, leave out from beginning to end of line 12 on page 355 and insert—

- “1 The Planning Act 2008 is amended as follows.
- 1A In section 211(2) (amount of Community Infrastructure Levy), in paragraph (a) for the words from “(whether” to the end substitute “by reference to the infrastructure delivery strategy published under section 212;”.

1B For sections 212 and 213 substitute –

**“212 Infrastructure delivery strategy”**

***Member's explanatory statement***

*This and another amendment in the name of Lord Lansley would omit the structure of the Infrastructure Levy, leaving the Community Infrastructure Levy in place; whilst providing for a charging authority under CIL to prepare an Infrastructure Delivery Strategy.*

THE EARL OF LYTTON  
LORD YOUNG OF COOKHAM

320 Schedule 11, page 339, line 23, at end insert –

“(c) undertaking a relevant measure relating to a relevant defect in any relevant building where funding from other sources is unavailable and leaseholders would otherwise be liable,”

***Member's explanatory statement***

*This amendment will allow local planning authorities to use the proceeds of the Infrastructure Levy to cover the costs of remediating building safety defects and interim safety measures where funding from other sources is unavailable.*

BARONESS HAYMAN OF ULLOCK

321 Schedule 11, page 339, line 26, at end insert –

“(2A) The intention of IL is to enable local authorities to raise money from developments to fund infrastructure to support the development of their areas while allowing planning obligations under section 106 of the Town and Country Planning Act 1990 to continue to be used to provide affordable housing and ensure that development is acceptable in planning terms.”

BARONESS ARMSTRONG OF HILL TOP

322 Schedule 11, page 340, line 18, leave out from “2008,” to end of line 20 and insert “which is to be let as social rent housing;

“Social rent housing” has the meaning given in paragraph 7 of the Direction on the rent Standard 2019 together with paragraph 4 of the Direction on the Rent Standard 2023, as modified by paragraph 8 of the Direction on the Rent Standard 2023;”

***Member's explanatory statement***

*The purpose of this amendment is to define the term “affordable housing” for the purposes of Infrastructure levy, as social rent, as defined in Direction on the Rent Standard 2023 and the Direction on the Rent Standard 2019.*

## BARONESS HAYMAN OF ULLOCK

323★ Schedule 11, page 340, leave out lines 19 to 20 and insert –

“(b) that which is to be let as social rent housing;

“social rent housing” has the meaning given in article 7 of the Direction on the Rent Standard 2019;”

***Member's explanatory statement***

*This amendment re-defines the term ‘affordable housing’ for the purposes of the Infrastructure Levy as housing which is to be let at a social rent.*

## LORD GREENHALGH

324 Schedule 11, page 340, line 20, at end insert –

““emergency and rescue services” means emergency and rescue services provided under any enactment, comprising –

- (a) police,
- (b) ambulance,
- (c) fire services,
- (d) coastguard, and
- (e) such other bodies as the Secretary of State may from time to time designate in regulations;”

THE EARL OF LYTTON  
LORD YOUNG OF COOKHAM

325 Schedule 11, page 340, line 22, at end insert –

““relevant building” means a self-contained building, or self-contained part of a building, in England that contains at least two dwellings;

“relevant measure” and “relevant defect” have the same meaning as given in the Building Safety Act 2022.”

***Member's explanatory statement***

*This amendment is consequential on a previous amendment to allow local planning authorities to use the proceeds of the Infrastructure Levy to cover the costs of remediating building safety defects and interim safety measures where funding from other sources is unavailable.*

BARONESS WARWICK OF UNDERCLIFFE  
 THE LORD BISHOP OF CHELMSFORD  
 BARONESS WATKINS OF TAVISTOCK  
 BARONESS THORNHILL

326 Schedule 11, page 342, line 32, at end insert –

“(9) IL regulations must make provision for a right to require for local authorities to determine the portion of the levy they receive from developers in-kind as onsite affordable homes.”

***Member's explanatory statement***

*This amendment would ensure IL regulations introduce a mechanism for the delivery of onsite affordable housing as an in-kind levy payment.*

BARONESS WARWICK OF UNDERCLIFFE  
 THE LORD BISHOP OF CHELMSFORD  
 BARONESS WATKINS OF TAVISTOCK  
 BARONESS THORNHILL

327 Schedule 11, page 342, line 32, at end insert –

“(9) IL regulations must provide for an exemption from liability to pay IL in respect of a development which exclusively contains affordable housing.”

***Member's explanatory statement***

*This amendment would provide for an exemption from liability to pay IL in respect of a development which contains 100% affordable housing.*

BARONESS HAYMAN OF ULLOCK

328 Schedule 11, page 342, line 32, at end insert –

“(9) IL regulations must provide for exemption from liability to pay IL in respect of a development which exclusively contains 75% or more affordable housing.”

***Member's explanatory statement***

*This amendment would provide for an exemption from liability to pay IL in respect of a development which contains 75 per cent affordable housing.*

LORD GREENHALGH

329 Schedule 11, page 343, line 32, at end insert –

“(9) The provision of facilities and equipment for the emergency and rescue services in connection with their duties and functions may not be taken to constitute development for the purposes of this section.”

***Member's explanatory statement***

*This aims to reflect the principle that emergency and rescue services should not be liable for IL in relation to their own projects.*

LORD CARRINGTON  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

330 Schedule 11, page 344, line 26, at end insert –

**“204FA Agricultural development**

IL regulations must provide for an exemption from liability to pay IL in respect of a development if, on completion of that development, the building or infrastructure is used for the purposes of agriculture on the holding.”

***Member's explanatory statement***

*This amendment would exclude new farm buildings and associated agricultural infrastructure from the Infrastructure Levy to encourage farm development that improves food security.*

BARONESS PINNOCK

331 Schedule 11, page 344, line 31, at end insert –

“(1A) A charging schedule may –

- (a) require a developer to pay their full IL liability for a development before being permitted to commence work on that development,
- (b) require infrastructure funded by IL associated with a development to be built before work on that development may commence,
- (c) require a developer, at request of the local council, to pay additional money to be held in bond for remedial work.”

***Member's explanatory statement***

*This amendment would enable Infrastructure Levy charging authorities to require a developer to pay their full IL liability, or for infrastructure funded by IL associated with a development to be built, before development may commence. And for developers to be required, at the request of the authority to provide money for remedial work.*

LORD ETHERTON  
LORD THURLOW

332 Schedule 11, page 344, line 31, at end insert –

“(1A) A charging authority must prepare and publish a Strategic Housing and Market Assessment specifying what affordable housing is needed within the area of the charging authority.

- (1B) The charging authority must publish a new Strategic Housing and Market Assessment every three years.”

***Member's explanatory statement***

*Strategic Housing and Market Assessments are prepared by local planning authorities on a three year cycle and specify the affordable housing needed in their area. This amendment makes them compulsory. It is to be read in conjunction with an amendment to page 344, line 32 which would require the rates of IL to be set at a level which, over a period of 3 years, will, in conjunction with other powers of the planning authority deliver the necessary amount of affordable housing.*

LORD ETHELTON  
LORD THURLOW

- 333 Schedule 11, page 344, leave out lines 32 to 34 and insert –

- “(2) A charging authority must set rates of IL at a level which, in conjunction with the exercise of such other powers as it possesses, is likely to provide not less than the amount of affordable housing specified in its Strategic Housing and Market Assessment over a three year period, and which will also ensure that – ”

***Member's explanatory statement***

*This amendment would require the rates of IL to be set at a level which, over a period of three years, will, in conjunction with other powers of the planning authority (such as section 106 of the Town and Country Planning Act 1990) deliver the necessary amount of affordable housing.*

BARONESS WARWICK OF UNDERCLIFFE  
THE LORD BISHOP OF CHELMSFORD  
BARONESS WATKINS OF TAVISTOCK  
BARONESS THORNHILL

- 334 Schedule 11, page 344, leave out lines 32 to 40 and insert –

- “(2) A charging authority, in setting rates or other criteria, must ensure that the level of affordable housing which is funded by developers and provided in the authority’s area, is –
- (a) maintained at a level which is equal to or exceeds the level of such housing provided over an earlier specified period of the same length, and
  - (b) delivers the level of affordable housing identified in the local development plan to the extent set out in the infrastructure delivery strategy.”

***Member's explanatory statement***

*This amendment would strengthen the requirement for local planning authorities to set IL rates at a level which would not result in a loss of affordable housing.*

BARONESS WARWICK OF UNDERCLIFFE  
 THE LORD BISHOP OF CHELMSFORD  
 BARONESS WATKINS OF TAVISTOCK  
 BARONESS THORNHILL

335 Schedule 11, page 345, line 28, leave out from beginning to end of line 12 on page 346

***Member's explanatory statement***

*This amendment would prevent IL receipts being spent on unspecified items “other than infrastructure”. It removes the risk of IL regulations which permit the diversion of funds away from affordable housing or infrastructure and towards unspecified items provided by a local authority.*

LORD BEST  
 THE LORD BISHOP OF CHELMSFORD

336 Schedule 11, page 347, line 25, at end insert “which must require the charging authority to take account of evidence of the viability of different types and different natures of development including, but not limited to, older people’s housing,”

***Member's explanatory statement***

*This amendment would enable the Charging Authority to consider additional evidence, to allow them to determine the viability of different types of development including older people’s housing.*

LORD BEST  
 THE LORD BISHOP OF CHELMSFORD

337 Schedule 11, page 347, line 30, leave out from beginning to end of line 9 on page 350

***Member's explanatory statement***

*This and other amendments in the name of Lord Best remove the examination of the charging schedules for infrastructure levy by an appointed examiner.*

LORD BEST

338 Schedule 11, page 350, leave out lines 11 to 13

***Member's explanatory statement***

*This and other amendments in the name of Lord Best remove the examination of the charging schedules for infrastructure levy by an appointed examiner.*

LORD BEST

339 Schedule 11, page 350, line 14, leave out “subject to subsection (1),”

***Member's explanatory statement***

*This and other amendments in the name of Lord Best remove the examination of the charging schedules for infrastructure levy by an appointed examiner.*



## BARONESS HAYMAN OF ULLOCK

**340★** Schedule 11, page 351, line 14, after “of” insert “sustainable”

***Member's explanatory statement***

*This seeks to probe how the levy will support infrastructure which is sustainable.*

LORD ETHERTON  
LORD THURLOW

**341** Schedule 11, page 351, line 14, at end insert “provided always that priority is to be given to achieving the objectives in section 204G(2)”

***Member's explanatory statement***

*This amendment ensures that, in the application of IL, priority is given to the provision of affordable housing. Without such priority, IL, which is intended to fund affordable housing – see section 204G(2) both in its present form and as amended by Lord Etherton – could be applied entirely for all or any of the other matters in section 204N(3).*

LORD GREENHALGH

**342** Schedule 11, page 351, line 14, at end insert “and the charging authority must accord significant weight to the representations of the emergency and rescue services in connection with the application of IL”

***Member's explanatory statement***

*This aims to ensure proper funding of emergency and rescue services and developments necessary for delivery of their critical services.*

## BARONESS HAYMAN OF ULLOCK

**343** Schedule 11, page 351, leave out lines 21 to 34, and insert –

- “(a) roads and other transport facilities, including routes for good quality active travel including cycling, walking and micro-mobility, parking facilities and street infrastructure including benches,
- (b) flood defences,
- (c) schools and other educational facilities including nurseries, play areas and family friendly areas,
- (d) medical facilities including dentists, diagnostic hubs, general practices and other community spaces to address mental health and promote wellbeing,
- (e) sporting and recreational facilities including youth centres and skate parks,
- (f) open spaces,
- (g) affordable houses,

- (h) facilities and equipment for emergency and rescue services,
- (i) facilities and spaces which—
  - (i) preserve or improve the natural environment, or
  - (ii) enable or facilitate enjoyment of the natural environment,
  - (iii) provide outdoor space for communities including allotments and forest schools,
  - (iv) provide flood and drought mitigation,
- (j) space for energy generation,
- (k) space for business incubation,
- (l) community buildings for social, cultural, and religious purposes,
- (m) community facilities including post offices, cafes, libraries, support and advice centres,
- (n) day centres for the elderly or disabled people, including for the purposes of state-provided day or residential care.”

***Member's explanatory statement***

*This amendment broadens the scope of inserted section 204N(3), which defines “infrastructure” for the purposes of the Infrastructure Levy.*

LORD BEST  
LORD YOUNG OF COOKHAM  
THE LORD BISHOP OF CHELMSFORD

- 344** Schedule 11, page 351, line 27, after “housing” insert “to meet the requirement identified in the local plan”

***Member's explanatory statement***

*This and another amendment in the name of Lord Best tie the application of the Infrastructure Levy to the level of affordable housing requirement identified in the local development plan.*

BARONESS HAYMAN OF ULLOCK

- 345** Schedule 11, page 351, line 37, at end insert “, other than to add affordable housing”

***Member's explanatory statement***

*This amendment would prevent affordable housing being added to the list of matters included within the meaning of “infrastructure” at a future date by regulations.*

LORD GREENHALGH

- 346** Schedule 11, page 354, line 7, at end insert “and such provisions must ensure the timing of payments is appropriate to mitigate the impacts of the development at or prior to the point at which they arise”

**Member's explanatory statement**

*This aims to ensure that lead times for delivery of emergency and rescue services infrastructure are taken into account such that mitigation is in place at the point at which it is required without the emergency and rescue services being required to bridge from existing resources.*

LORD GREENHALGH

347 Schedule 11, page 354, line 26, at end insert –

- “(10) Where IL regulations make provision for the passing of IL received in respect of a particular development in an area to a person other than the charging authority that charged the IL, the charging authority must accord significant weight to the representations of the emergency and rescue services in connection with the passing of such IL receipts and the amount charged.”

**Member's explanatory statement**

*This aims to ensure proper funding of emergency and rescue services.*

BARONESS SCOTT OF NEEDHAM MARKET

348 Schedule 11, page 354, line 26, at end insert –

- “(10) IL regulations must include a parish council in the provision for the persons to whom IL must be passed in discharge of a duty under subsection (1).
- (11) In accordance with subsection (10), IL regulations must include provision –
- (a) for a parish council to receive 25% of receipts;
  - (b) for a parish council with a made neighbourhood development plan to receive 35% of receipts; and
  - (c) that, notwithstanding the requirement in subsection (2), a parish council may use money passed to a parish council in discharge of a duty under subsection (1) to fund anything else not described by paragraphs (a) or (b) of subsection (2).”

**Member's explanatory statement**

*This amendment will require a parish council to be a specified recipient of the neighbourhood share of the Infrastructure Levy, for that share to be 25% or 35% for a parish council with a made neighbourhood development plan, and for a parish council to have full flexibility over how receipts are spent.*

## BARONESS TAYLOR OF STEVENAGE

349 Schedule 11, page 355, line 17, at end insert –

“(aa) set out how the charging authority intends to use IL to meet the level of affordable housing need identified in the local development plan, and”

***Member's explanatory statement***

*This amendment would require a charging authority to detail the way in which it intends to use the infrastructure levy to meet its identified housing need in preparing and publishing an infrastructure delivery strategy for its area.*

LORD BEST

LORD YOUNG OF COOKHAM

THE LORD BISHOP OF CHELMSFORD

350 Schedule 11, page 355, line 19, at end insert –

“(c) allocate at least 75% of the IL to meet the requirement for affordable housing identified in the charging authority’s local development plan, and

(d) where the proceeds generated by the IL are likely to be insufficient to meet the requirement mentioned in paragraph (c), set out plans for securing additional funds to address the gap between the level of affordable housing required and the level that the IL can support.”

***Member's explanatory statement***

*This and another amendment in the name of Lord Best tie the application of the Infrastructure Levy to the level of affordable housing requirement identified in the local development plan.*

LORD GREENHALGH

351 Schedule 11, page 356, line 20, at end insert “to address all elements of infrastructure as defined in section 204N(3)”

***Member's explanatory statement***

*This amendment requires infrastructure delivery strategies to show full accounting for all infrastructure types as defined.*

LORD GREENHALGH

352 Schedule 11, page 356, line 26, at end insert –

“(e) the approval of the form and content of particular sections of infrastructure delivery strategies (including any reviews and amendments thereto) by the relevant bodies responsible for the delivery of such infrastructure.”

**Member's explanatory statement**

*This amendment is intended to provide the emergency service and rescue services and other bodies with the opportunity to approve the parts of infrastructure delivery strategies relevant to them in order to ensure that the infrastructure they are responsible for providing is appropriately and accurately covered in IDS (both initially and upon any review) and charging schedules.*

LORD LANSLEY

353★ Schedule 11, page 356, line 36, leave out from beginning to end of line 3 on page 367

**Member's explanatory statement**

*See explanatory statement for the amendment in the name of Lord Lansley at page 339, line 12.*

LORD BEST

354 Schedule 11, page 362, line 16, leave out “(including an examiner appointed under this Part)”

**Member's explanatory statement**

*This and other amendments in the name of Lord Best remove the examination of the charging schedules for infrastructure levy by an appointed examiner.*

BARONESS TAYLOR OF STEVENAGE

355 Schedule 11, page 364, leave out lines 10 to 16.

**Member's explanatory statement**

*This amendment would limit the circumstances under which the Secretary of State could direct a charging authority to review its charging schedule.*

LORD TEVERSON

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

356 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.*

BARONESS TAYLOR OF STEVENAGE

357 Schedule 11, page 365, leave out line 38.

**Member's explanatory statement**

*This amendment would prevent IL regulations making unspecified provision about how powers under section 106 of TCPA 1990 (planning obligations) are used.*

BARONESS ARMSTRONG OF HILL TOP

358 Schedule 11, page 366, line 2, at end insert –

“(2A) IL regulations must contain provision for ensuring that when planning permission is granted under any of the powers specified in subsection (1) subject to requirements for the delivery of affordable housing schemes on the relevant site, such requirements are fully implemented.”

**Member's explanatory statement**

*The purpose of this amendment is to ensure that when planning permission is granted, affordable housing needs of the local community are delivered at the relevant approved site. This amendment would require regulations to contain provision to ensure that, where an affordable housing scheme is a condition of planning permission, that scheme must be implemented on the site.*

LORD BEST

359★ Schedule 11, page 366, line 2, at end insert –

“(2A) IL Regulations must contain provision for ensuring that when planning permission is granted under any of the powers specified in subsection (1) subject to requirements for the delivery of affordable housing schemes on the relevant site, such requirements are fully implemented.

(2B) The requirements for the delivery of affordable housing schemes referred to in subsection (2A) are satisfied only if not less than fifty per cent of the total housing constructed is let as social rent housing.

(2C) In subsection (2B) “social rent housing” has the meaning given in paragraph 7 of the Direction on the Rent Standard 2019 together with paragraph 4 of the Direction on the Rent Standard 2023, as modified by paragraph 8 of the Direction on the Rent Standard 2023.”

**Member's explanatory statement**

*This amendment seeks to ensure not less than half of affordable housing on relevant sites is let as social rent housing.*

LORD GREENHALGH

360 Schedule 11, page 366, line 34, at end insert –

“(7) The emergency and rescue services are entitled to receive the benefit of planning obligations made under section 106 of TCPA 1990 (planning obligations) and Community Infrastructure Levy proceeds

under Part 11 of this Act (Community Infrastructure Levy) and IL regulations must make provisions to require that—

- (a) the local planning authority or charging authority, as the case may be, must accord significant weight to the representations of the emergency and rescue services in connection with the application and passing of such receipts to the emergency and rescue services,
- (b) the timing of payments to the emergency services must ensure the mitigation of the impacts of the development at or prior to the point at which they arise, and
- (c) the provision of facilities and equipment for the emergency and rescue services in connection with their duties and functions may not be taken as development requiring the provision of planning obligations or payment of the Community Infrastructure Levy.”

***Member's explanatory statement***

*This amendment mirrors the IL requirements in CIL and s106 regimes in order to ensure that the emergency services are adequately funded and exempted from liability for their own schemes.*

LORD BEST

**361★** Schedule 11, page 366, line 34, at end insert—

- “(7) The regulation making power in subsection (2A) comes into force no later than one year from the date of enactment of this Act.
- (8) Regulations must provide that the requirements in subsection (2) do not affect housing schemes for which planning permission has been granted before the passing of this Act.”

***Member's explanatory statement***

*This amendment aims to ensure that where affordable housing is made a condition of the grant of planning permission, the intended housing scheme is actually delivered.*

**Clause 126**

BARONESS HAYMAN OF ULLOCK

**362** Clause 126, page 158, line 34, after “the” insert “sustainable”

***Member's explanatory statement***

*This means that the objective of CLA is to support ‘sustainable’ development.*

LORD LANSLEY  
LORD YOUNG OF COOKHAM

*The above-named Lords give notice of their intention to oppose the Question that Clause 126 stand part of the Bill.*

**After Clause 126**

BARONESS TAYLOR OF STEVENAGE

**363** After Clause 126, insert the following new Clause –

**“Community Infrastructure Levy**

- (1) Within 120 days of this Act being passed, a Minister of the Crown must publish an assessment of the Community Infrastructure Levy
- (2) The Secretary of State must publish guidance on how the Infrastructure Levy compares to the Community Infrastructure Levy.”

***Member's explanatory statement***

*This is to probe whether the Community Infrastructure Levy can be used as a benchmark for the new Infrastructure Levy.*

BARONESS TAYLOR OF STEVENAGE

**364** After Clause 126, insert the following new Clause –

**“Assessment of impact on affordable housing**

Within 120 days of this Act being passed, a Minister of the Crown must publish an assessment of the impact of the infrastructure levy on affordable housing levels.”

***Member's explanatory statement***

*This is to probe whether the levy will support affordable housing levels.*

**Clause 127**

LORD LANSLEY  
LORD YOUNG OF COOKHAM

*The above-named Lords give notice of their intention to oppose the Question that Clause 127 stand part of the Bill.*

***Member's explanatory statement***

*This is to probe the purposes and mechanisms of the CLA and to question its relationship to the plan-making process.*



**Clause 134**

BARONESS HAYMAN OF ULLOCK

365 Clause 134, page 167, line 2, at end insert –

“(2A) The report must also be sent to any combined authority that was involved in the pilot.”

***Member's explanatory statement***

*This means that any relevant combined authority is also given the report to scrutinise.*

**Clause 136**

LORD LUCAS

366 Clause 136, page 168, line 30, at end insert “, unless within that period both Houses of Parliament resolve that it should not.”

**Clause 138**

BARONESS HAYMAN OF ULLOCK

367 Clause 138, page 169, line 26, leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment will ensure that climate and other key environmental considerations, including the need to improve the condition of protected sites, will be included in the new EOR regime.*

BARONESS HAYMAN OF ULLOCK

368 Clause 138, page 169, line 28, at end insert –

“(1A) EOR regulations must have consideration to social outcomes.”

***Member's explanatory statement***

*This means that reports must also give consideration to social outcomes.*

BARONESS HAYMAN OF ULLOCK

369 Clause 138, page 169, line 31, at end insert “, using the mitigation hierarchy to avoid and reduce harms”

***Member's explanatory statement***

*This amendment will ensure that climate and other key environmental considerations, including the need to improve the condition of protected sites, will be included in the new EOR regime.*

## BARONESS HAYMAN OF ULLOCK

370 Clause 138, page 169, line 32 after “people” insert “and their long-term health, safety and well-being”

***Member's explanatory statement***

*This amendment will ensure that climate and other key environmental considerations, including the need to improve the condition of protected sites, will be included in the new EOR regime.*

## BARONESS HAYMAN OF ULLOCK

371 Clause 138, page 169, line 35, after “landscape” insert “including improvements to the condition of protected sites;

- (ca) protection of the climate from the effects of human activity, accounting for direct and indirect emissions in line with the precautionary principle, UK carbon budgets and international commitments;”

***Member's explanatory statement***

*This amendment will ensure that climate and other key environmental considerations, including the need to improve the condition of protected sites, will be included in the new EOR regime.*

## BARONESS HAYMAN OF ULLOCK

372 Clause 138, page 169, line 37, at end insert –

- “(e) mitigation of the impact of climate change.”

***Member's explanatory statement***

*This amendment means that “Environmental protection” also includes climate mitigation.*

**Clause 139**

## BARONESS HAYMAN OF ULLOCK

373 Clause 139, page 170, line 36, at end insert “relative to the current status of the environment as assessed in a prepared baseline study”

***Member's explanatory statement***

*This amendment would ensure that the preparation of a baseline study which sets the context for assessing the environmental effects of a proposed project remains a core requirement of producing an EOR.*

**Clause 141**

## BARONESS TAYLOR OF STEVENAGE

374 Clause 141, page 173, line 13, at end insert “based on available data”

***Member's explanatory statement***

*This means that assessment and monitoring must be based on data and available evidence.*

BARONESS TAYLOR OF STEVENAGE

375 Clause 141, page 173, line 21, leave out paragraph (a)

***Member's explanatory statement***

*This amendment and another at line 26 will bring environmental outcomes reports more into line with the mitigation hierarchy, clarifying that requirement under an EOR should first aim to avoid any impacts on environmental outcomes, then mitigating, remedying, compensating, and lastly, increasing the extent to which other environmental outcomes are delivered.*

BARONESS TAYLOR OF STEVENAGE

376 Clause 141, page 173, line 26, at end insert—

“(d) increasing the extent to which a specified environmental outcome is delivered.”

***Member's explanatory statement***

*See explanatory statement to amendment in the name of Baroness Taylor at line 21.*

**Clause 142**

BARONESS HAYMAN OF ULLOCK

377 Clause 142, page 173, line 29, leave out from “if” to “by” in line 31 and insert “doing so will result in no diminution of environmental protection as provided for”

***Member's explanatory statement***

*This amendment would ensure that the new system of environmental assessment would not reduce existing environmental protections in any way other than merely maintaining overall existing levels of environmental protection.*

BARONESS HAYMAN OF ULLOCK

378 Clause 142, page 173, line 32, at end insert—

“(1A) The Secretary of State may make EOR regulations only if satisfied that making the regulations supports the delivery of the United Nations Sustainable Development Goals.”

***Member's explanatory statement***

*This is to probe with the EORs will support the UN Sustainable Development Goals.*

**Clause 143**

BARONESS TAYLOR OF STEVENAGE

379 Clause 143, page 174, line 13, leave out “after consulting” and insert “with the consent of”

***Member's explanatory statement***

*This would ensure that EOR regulations which contain provision within devolved competence can only be made with the consent of the relevant devolved administration.*

BARONESS TAYLOR OF STEVENAGE

380 Clause 143, page 174, line 26, leave out “after consulting” and insert “with the consent of”

***Member's explanatory statement***

*This would ensure that EOR regulations which contain provision within devolved competence can only be made with the consent of the relevant devolved administration.*

BARONESS TAYLOR OF STEVENAGE

381 Clause 143, page 175, line 2, leave out “after consulting” and insert “with the consent of”

***Member's explanatory statement***

*This would ensure that EOR regulations which contain provision within devolved competence can only be made with the consent of the relevant devolved administration.*

THE DUKE OF MONTROSE

382 Clause 143, page 175, line 17, at end insert –

“(6A) The Secretary of State must publish the results of the consultation under subsections (1), (3) and (5) and give reasons for any decision reached.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to publish the results of the consultation and give reasons for any decision reached.*

**Clause 148**

BARONESS TAYLOR OF STEVENAGE

383 Clause 148, page 177, line 37, at end insert –

“(3) The Secretary of State must issue guidance on making EORs accessible.”

***Member's explanatory statement***

*This means that the Secretary of State must issue guidance on making EORs accessible.*

**Clause 149**

LORD RANDALL OF UXBRIDGE  
BARONESS JONES OF WHITCHURCH  
BARONESS WILLIS OF SUMMERTOWN  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 384 Clause 149, page 178, line 6, at beginning insert “Where any requirements made by EOR regulations and environmental outcomes (specified or otherwise) deriving from those requirements are the same as those for existing environmental assessment legislation or the Habitats Regulations,”

***Member's explanatory statement***

*This amendment will align requirements from EOR regulations with requirements from Habitats Regulations and other existing environmental assessment legislation, preventing environmental regression while allowing for any duplications to be resolved.*

BARONESS HAYMAN OF ULLOCK

- 385 Clause 149, page 178, line 26, leave out subsection (3)

***Member's explanatory statement***

*This amendment would ensure that EOR regulations cannot be used to amend, repeal or revoke existing environmental assessment legislation.*

**After Clause 149**

BARONESS HAYMAN OF ULLOCK

- 386 After Clause 149, insert the following new Clause –

**“Wild belt designations**

Within 90 days of this Act being passed, the Secretary of State must publish draft legislation which would allow local authorities to propose wild belt designations for the purpose of improving the results of EORs.”

***Member's explanatory statement***

*This means that the Secretary of State must publish draft legislation to allow local authorities to propose wild belt designations for the purpose of improving the results of EORs.*

**After Clause 151**

LORD RANDALL OF UXBRIDGE  
 BARONESS JONES OF WHITCHURCH  
 BARONESS WILLIS OF SUMMERTOWN  
 BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

387 After Clause 151, insert the following new Clause –

**“Purposes and plans of protected landscapes**

- (1) National Parks, the Broads and Areas of Outstanding Natural Beauty must be managed in order to contribute to –
  - (a) restoring, conserving and enhancing biodiversity and the natural environment;
  - (b) meeting environmental targets under Part 1 of the Environment Act 2021 and the Climate Change Act 2008;
  - (c) the implementation of any relevant local nature recovery strategies under section 104 of the Environment Act 2021;
  - (d) the delivery of an environmental improvement plan prepared under section 8 of the Environment Act 2021; and
  - (e) equitable opportunities for all parts of society to improve their connection to nature of those areas and the enjoyment of their special qualities.
- (2) The purposes included in subsection (1) must be prioritised in addition to the purposes listed in section 5 of the National Parks and Access to the Countryside Act 1949, section 2 of the Norfolk and Suffolk Broads Act 1988 and section 87 of the Countryside and Rights of Way Act 2000.
- (3) Relevant management plans must include targets and actions intended to further the purposes specified in subsection (2).
- (4) Relevant management plans include plans under section 89 of the Countryside and Rights of Way Act 2000, section 66 of the Environment Act 1995 and section 3 of the Norfolk and Suffolk Broads Act 1988.
- (5) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty, any relevant authority must further the purposes specified in subsection (2) and the targets and actions in the relevant management plan.
- (6) The Secretary of State must maintain a publicly available list of relevant authorities who are to comply with subsection (5), publish a statement setting out instructions for relevant authorities, and review this list and statement at least every five years.
- (7) A management plan may not be made operational until it is reviewed by Natural England and approved by the Secretary of State.”

***Member's explanatory statement***

*This new clause supplements the statutory purposes of protected landscapes by giving them additional purposes. Key parts of existing legislation, such as the Sandford Principle, would still apply. The amendment also places stronger duties on relevant authorities and updates requirements*

*for protected landscape management plans, to ensure that all relevant authorities take more action to recover nature and tackle climate change within those landscapes. This implements key recommendations from the Glover Review of Protected Landscapes.*

BARONESS HAYMAN OF ULLOCK

388 After Clause 151, insert the following new Clause –

**“Super-affirmative procedure for EOR regulations made under Part 6**

- (1) If the Secretary of State proposes to make EOR regulations which fall under section 219(5) (regulations subject to the affirmative procedure), the Secretary of State must lay before Parliament a document that –
  - (a) explains the proposal, and
  - (b) sets it out in the form of draft EOR regulations.
- (2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) (“the 60-day period”), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).
- (3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period –
  - (a) any representations, and
  - (b) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations.
- (4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).
- (5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.”

*Member's explanatory statement*

*This new clause would require EOR regulations made under Part 6 to be subject to the super-affirmative procedure.*

BARONESS HAYMAN OF ULLOCK

389 After Clause 151, insert the following new Clause –

**“Super-affirmative procedure for EOR regulations made under Part 6**

- (1) If the Secretary of State proposes to make EOR regulations which fall under section 219(5) (regulations subject to the affirmative procedure), the Secretary of State must lay before Parliament a document that –

- (a) explains the proposal,
  - (b) summarises the consultation undertaken including with the devolved authorities as required by section 143 and how the Secretary of State has taken account of that consultation, and
  - (c) sets it out in the form of draft EOR regulations.
- (2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) (“the 60-day period”), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).
- (3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period –
- (a) any representations, and
  - (b) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations.
- (4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).
- (5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.”

***Member's explanatory statement***

*This new clause would require EOR regulations made under Part 6 to be subject to the super-affirmative procedure.*

**Clause 153**

BARONESS WILLIS OF SUMMERTOWN  
 BARONESS PARMINTER  
 BARONESS JONES OF WHITCHURCH

390

Clause 153, page 182, line 9, at end insert –

- “(c) In upgrading each nitrogen significant plant and each phosphorus significant plant –
- (i) publish a compliance and investment plan for each plant before upgrades are commenced, setting out how upgrades will be delivered,
  - (ii) within each compliance and investment plan set out how upgrades will, wherever feasible and possible, use catchment-based approaches and nature-based solutions to secure a reduction in nutrient discharges equivalent to those required to meet that limit, and



- (iii) report annually to the Water Services Regulation Authority, the Environment Agency and the local planning authority on progress against the agreed compliance and investment plan.”

“(1A) The Water Services Regulation Authority and the Environment Agency must advise the local planning authority if compliance and investment plan monitoring suggests that the pollution standard will not be met; and a local planning authority may disapply its obligations under Schedule 12 to this Act on receipt of such advice.”

***Member's explanatory statement***

*This amendment will require sewage undertakers to clearly set out plans for and provide annual reports on progress towards upgrading plants in sensitive catchment areas, including plans to prioritise use of catchment-based approaches and nature-based solutions to reduce nutrient pollution, thereby unlocking wider environmental benefits.*

BARONESS HAYMAN OF ULLOCK

**391** Clause 153, page 183, line 15, leave out “2000” and insert “500”

***Member's explanatory statement***

*This is to probe the exemptions of this section.*

BARONESS HAYMAN OF ULLOCK

**392** Clause 153, page 183, line 19, after “standard,” insert “following consultation with the Environment Agency”

***Member's explanatory statement***

*This is to probe the role of the Environment Agency in relation to exemptions of this section.*

BARONESS HAYMAN OF ULLOCK

**393** Clause 153, page 183, line 26, leave out “250” and insert “200”

***Member's explanatory statement***

*This is to probe the exemptions of this section.*

**After Clause 155**

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

394 After Clause 155, insert the following new Clause –

**“PART 7A****HEALTHY HOMES****Duty to secure healthy homes**

It is the duty of the Secretary of State to secure the health, safety, wellbeing and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings in England.”

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

395 After Clause 155, insert the following new Clause –

**“Policy statement on healthy homes principles**

- (1) The Secretary of State must prepare a statement in accordance with this Part (the “policy statement on healthy homes principles”).
- (2) The statement must explain how the healthy homes principles are to be interpreted and applied by Ministers of the Crown in making, developing and revising their policies.
- (3) The statement may explain how the principles will be implemented and adhered to in a way that takes account of a building development’s urban, suburban or rural location.”

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

396 After Clause 155, insert the following new Clause –

**“Meaning of “healthy homes principles”**

In this Part “healthy homes principles” are the principles that –

- (a) all new homes should be safe in relation to the risk of fire,

- (b) all new homes should have, as a minimum, the liveable space required to meet the needs of people over their whole lifetime, including adequate internal and external storage space,
- (c) all main living areas and bedrooms of a new dwelling should have access to natural light,
- (d) all new homes and their surroundings should be designed to be inclusive, accessible, and adaptable to suit the needs of all, with particular regard to protected characteristics under the Equality Act 2010,
- (e) all new homes should be built within places that prioritise and provide access to sustainable transport and walkable services, including green infrastructure and play space,
- (f) all new homes should secure radical reductions in carbon emissions in line with the provisions of the Climate Change Act 2008,
- (g) all new homes should demonstrate how they will be resilient to a changing climate over their full lifetime,
- (h) all new homes should be secure and built in such a way as to minimise the risk of crime,
- (i) all new homes should be free from unacceptable and intrusive noise and light pollution,
- (j) all new homes should not contribute to unsafe or illegal levels of indoor or ambient air pollution and must be built to minimise, and where possible eliminate, the harmful impacts of air pollution on human health and the environment, and
- (k) all new homes should be designed to provide year-round thermal comfort for inhabitants.”

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

397 After Clause 155, insert the following new Clause –

**“Policy statement on healthy homes principles: process**

- (1) The Secretary of State must prepare a draft of the policy statement on healthy homes principles.
- (2) The Secretary of State must consult such persons as the Secretary of State considers appropriate in relation to the draft statement.
- (3) The Secretary of State must lay the draft statement before Parliament.
- (4) If, before the end of the period of 21 sitting days beginning with the day after the day on which the draft statement is laid –
  - (a) either House of Parliament passes a resolution in respect of the draft, or
  - (b) a committee of either House, or a joint committee of both Houses, makes recommendations in respect of the draft, the Secretary of State must produce a response and lay it before Parliament.

- (5) The Secretary of State must lay before Parliament, and publish, the final statement, but not before –
  - (a) if subsection (4) applies, the day on which the Secretary of State lays before Parliament the response required by that subsection, or
  - (b) otherwise, the end of the period of 21 sitting days beginning with the day after the day on which the draft statement is laid before Parliament.
- (6) The Secretary of State may revise the policy statement on healthy homes principles at any time (and this section applies in relation to any revised statement).
- (7) “Sitting day” means a day on which both Houses of Parliament sit.”

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

398 After Clause 155, insert the following new Clause –

**“Policy statement on healthy homes principles: effect**

- (1) A Minister of the Crown must have regard to the healthy homes principles when making, developing or revising policies dealt with by the statement.
- (2) Relevant responsible authorities must have regard to the policy statement on healthy homes principles when discharging their duties under the planning, building, and public health acts.
- (3) “Relevant responsible authorities” include but are not limited to –
  - (a) local planning authorities;
  - (b) public health authorities;
  - (c) urban development corporations;
  - (d) new town development authorities;
  - (e) the planning inspectorate;
  - (f) Homes England.”

LORD CRISP  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT  
LORD STUNELL

399 After Clause 155, insert the following new Clause –

**“Annual monitoring**

- (1) The Secretary of State must prepare a progress report for each annual reporting period.
- (2) A progress report for an annual reporting period is a report on progress made in that period about the extent to which all new homes approved and completed

during that period have met the healthy homes principles under section (*Policy statement on healthy homes principles*).

- (3) A progress report must include specific consideration of how the approval and creation of new homes has met the needs of those with protected characteristics under section 4 of the Equality Act 2010.
- (4) A progress report must include consideration of how progress could be improved.
- (5) The Secretary of State must—
  - (a) arrange for the progress report to be laid before Parliament, and
  - (b) publish it.”

BARONESS HAYMAN OF ULLOCK

400 After Clause 155, insert the following new Clause—

**“Sewage disposal works: data monitoring**

The Secretary of State has a duty to monitor data on sewage disposal works and sewage discharge, and whether faulty monitoring stations are contributing to any changes in data.”

*Member's explanatory statement*

*This to probe whether broken sewage monitoring stations are contributing to sewage discharge.*

BARONESS HAYMAN OF ULLOCK

401 After Clause 155, insert the following new Clause—

**“Environmental Action Plan**

The Secretary of State has a duty to implement the Environmental Action Plan insofar as it relates to Part 7 of this Act.”

*Member's explanatory statement*

*This to probe the implementation of the Environmental Action Plan.*

BARONESS HAYMAN OF ULLOCK

402 After Clause 155, insert the following new Clause—

**“Rebuilding sewage works**

Within 90 days of this Act being passed, the Secretary of State must publish a report on the merit of rebuilding sewage works with new concrete and steel, rather than creating woodlands, reed beds and wetlands, insofar as it relates to Part 7 of this Act.”

***Member's explanatory statement***

*This to probe the potential for rebuilding sewage works with new concrete and steel, rather than creating woodlands, reed beds and wetlands.*

**Clause 156**

BARONESS TAYLOR OF STEVENAGE

403 Clause 156, page 193, line 11, at end insert –

“(c) the Secretary of State has published a strategy for ensuring the development corporation is accountable to local residents”

***Member's explanatory statement***

*This is to probe the accountability of development corporations.*

**After Clause 156**

BARONESS TAYLOR OF STEVENAGE

404 After Clause 156, insert the following new Clause –

**“Independent examination of locally-led urban development corporations**

- (1) A proposing authority must submit a proposal for designation of a locally-led urban development area in England under section 134A of the Local Government, Planning and Land Act 1980 to the Secretary of State for independent examination.
- (2) The examination must be carried out by a person appointed by the Secretary of State.
- (3) The purpose of the examination is to determine whether the proposal is in general conformity with national planning policy, the local development plan, and any other material considerations.
- (4) Any person who makes representations seeking to change a proposal for designation of a locally-led urban development area must, if they so request, be given the opportunity to appear before and be heard by the person carrying out the examination.”

***Member's explanatory statement***

*This new clause would ensure that proposals to designate land as an urban development area and to establish a locally-led urban development corporation to oversee it would be subject to independent examination at which the public would have a right to be heard.*

**After Clause 157**

BARONESS TAYLOR OF STEVENAGE

405 After Clause 157, insert the following new Clause –

**“Independent examination of locally-led new town development corporations**

- (1) A proposing authority must submit a proposal for designating an area of land as the site of a proposed new town under section 1ZA of the New Towns Act 1981 to the Secretary of State for independent examination.
- (2) The examination must be carried out by a person appointed by the Secretary of State.
- (3) The purpose of the examination is to determine whether the proposal is in general conformity with national planning policy, the local development plan, and any other material considerations.
- (4) Any person who makes representations seeking to change a proposal for designating an area of land as the site of a proposed new town must, if they so request, be given the opportunity to appear before and be heard by the person carrying out the examination.”

***Member's explanatory statement***

*This new clause would ensure that proposals to designate land as the site of a proposed new town and to establish a locally-led new town development corporation to oversee it would be subject to independent examination at which the public would have a right to be heard.*

BARONESS TAYLOR OF STEVENAGE

406 After Clause 157, insert the following new Clause –

**“Establishment of new towns**

Within 90 days of this Act being passed, the Secretary of State must publish a strategy for establishing further new towns.”

***Member's explanatory statement***

*This is to probe the establishment of new towns.*

**Clause 163**

BARONESS TAYLOR OF STEVENAGE

407 Clause 163, page 205, line 26 at end insert –

- “(4) In the case of a locally-led urban development corporation, the board must include no less than three community members who represent a local qualifying body.
- (5) In this section, “local qualifying body” means a parish or town council, or an organisation or body designated as a neighbourhood forum, authorised for the

purposes of a neighbourhood development plan or such other bodies that reflect the cultural, social or environmental priorities of the locality to be designated as a locally-led urban development area.”

***Member's explanatory statement***

*This amendment would ensure that local communities within the locality to be designated as a locally-led urban development area are represented on the board of a locally-led urban development corporation.*

BARONESS TAYLOR OF STEVENAGE

408 Clause 163, page 205, line 39 at end insert –

“(2ZC) In the case of a locally-led development corporation, the board must include no less than three community members who represent a local qualifying body.

(2ZD) In this section, “local qualifying body” means a parish or town council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan or such other bodies that reflect the cultural, social or environmental priorities of the locality to be designated as the site of a proposed new town.”

***Member's explanatory statement***

*This amendment would ensure that local communities within the locality to be designated as the site of a proposed new town are represented on the board of a locally-led development corporation.*

**After Clause 164**

BARONESS TAYLOR OF STEVENAGE

409 After Clause 164, insert the following new Clause –

**“Urban development corporations: financial situation**

Within 90 days of this Act being passed, the Secretary of State must publish a report on the financial situation of urban development corporations.”

***Member's explanatory statement***

*This is to probe the financial situation of urban development corporations.*

**Clause 165**

BARONESS TAYLOR OF STEVENAGE

410 Clause 165, page 207, line 9 at end insert –

“(1C) The Secretary of State may by regulations define “regeneration” if they have consulted local authorities.”



**Member's explanatory statement**

*This is to probe the meaning of regeneration and to highlight that local authorities should be consulted on its definition.*

**After Clause 165**

BARONESS BENNETT OF MANOR CASTLE

**411** After Clause 165, insert the following new Clause –

**“Acquisition by local authorities for purposes of affordable or social housing**

In section 226 of TCPA 1990 (power of local authority to acquire land compulsorily for development and other planning purposes), after subsection (1)(b) insert –

“(c) if the authority think that the acquisition will facilitate the provision of affordable housing or social housing.””

BARONESS TAYLOR OF STEVENAGE

**412** After Clause 165, insert the following new Clause –

**“Acquisition of residential properties**

In section 226 of TCPA 1990 (power of local authority to acquire land compulsorily for development and other planning purposes), after subsection (9) insert –

“(10) If a local authority acquires compulsorily any land in their area which currently includes residential properties, the local authority must ensure that a greater number of residential properties are built within the local authority.””

**Member's explanatory statement**

*This would mean that if residential property is compulsory purchased, the local authority must replace it with residential properties elsewhere.*

**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.*

**After Clause 175**

BARONESS TAYLOR OF STEVENAGE

**413** After Clause 175, insert the following new Clause –

**“Incorrect compulsory purchase compensation**

The Secretary of State must publish an annual report on the extent of compulsory purchase compensation incorrectly reflecting the value of the property.”

**Member's explanatory statement**

*This is to probe the extent of compulsory purchase compensation incorrectly reflecting the value of the property.*

BARONESS TAYLOR OF STEVENAGE

**414★** After Clause 175, insert the following new Clause –

**“Secretary of State’s power to give direction concerning prospects of alternative development**

(1) The Land Compensation Act 1961 is amended as follows.

(2) In section 14, after subsection (1), insert –

“(1A) This section does not apply where a direction is given by the Secretary of State under section 14A.”

(3) After section 14, insert-

**“14A Direction as to prospects of alternative development**

(1) This section applies for the purpose of determining the open market value of land in accordance with rule (2) in section 5 in order to assess compensation in respect of the compulsory acquisition of an interest in land by a public authority.

(2) A public authority may apply to the Secretary of State for a direction that the value of the land which is subject to a specified scheme for the construction of or redevelopment for social rent housing is to be determined on the assumption that there is no prospect of appropriate alternative

- development within the meaning of section 17(1A) (a) and (b) in relation to the acquisition.
- (3) The ground on which an application for a direction under subsection (2) may be made is that the acquisition of the relevant land will enable the authority to alleviate homelessness and housing need in its area by the provision of social rent housing.
  - (4) A public authority seeking a direction in accordance with subsection (2) must provide such information as required by regulations made under this section which must include—
    - (a) a detailed description of the scheme proposed;
    - (b) an estimate of the amount representing the land value that would be recovered or retained by the authority as a result of a direction for the scheme being issued in the form requested;
    - (c) confirmation that provision for the scheme in question is included in the updated version of the authority's local plan;
    - (d) evidence that the amount captured under paragraph (b) will be applied to the development of the scheme and its supporting infrastructure including additional infrastructure serving the purposes of the scheme; and
    - (e) any other effects which a direction in the form requested is likely to have on the implementation of the scheme for the public benefit.
  - (5) In considering the matters referred to in subsection (4), the Secretary of State must have regard to the proposals for the relief of homelessness and housing need identified in the updated local plan and to the public benefit, and must ensure that the assessment of land values makes provision for supportive infrastructure costs only in so far as these are ancillary to the housing development scheme in question.
  - (6) If the Secretary of State considers that the land value should include an element of appropriate alternative development in respect of the infrastructure costs specified in subsection (5), the Secretary of State must further consider whether the amount attributable to such development should be limited to a specified proportion of the existing use value of the land.
  - (7) Nothing in this section has the effect that compensation payable to the owner of land which is the subject of compulsory acquisition is less than existing use value.
  - (8) In considering an application under this section the Secretary of State may in his or her discretion appoint a person or persons with relevant expertise to make recommendations as to whether a direction should be issued, and if so, as to the terms of the direction.
  - (9) Regulations under this section must make provision for a copy of the application to be served on all parties having an interest in the land and for receiving representations from such parties, and must prescribe the procedure to be followed in considering the application.

- (10) If the Secretary of State is satisfied that in the light of all relevant circumstances the ground for requesting a direction under this section is made out, the Secretary of State must make a direction accordingly.
- (11) Nothing in this section prevents a public authority from entering into an agreement with a person for the acquisition of an interest in land for the purposes of a specified scheme at a value which includes some provision for appropriate alternative development.
- (12) In this section –
  - (a) “public authority” has the same meaning as in section 3 of the Freedom of Information Act 2000;
  - (b) “local plan” means a document prepared in accordance with section 15C of the Planning and Compulsory Purchase Act 2004; and
  - (c) “social rent housing” has the meaning given in article 7 of the Direction on the Rent Standard 2019.

#### **14B Public benefit**

- (1) In determining whether it is in the public interest for a scheme which is the subject of an application under section 14A(2) to proceed on the basis of the direction requested, the Secretary of State must have regard to the scale of homelessness and housing need in the local area, and in particular to the number of households registered on the authority’s waiting list for an allocation of social housing.
- (2) In the light of the evidence considered under subsection (1), it must be assumed that a scheme whose primary purpose is to provide housing for social rent in accordance with the local plan is for the public benefit unless the contrary is shown.”

#### ***Member's explanatory statement***

*This amendment permits public authorities to seek a direction from the Secretary of State disallowing or limiting hope value.*

#### **Clause 176**

BARONESS TAYLOR OF STEVENAGE

**415** Clause 176, page 222, line 14, at end insert –

“(2A) Designations under subsections (1) and (2) may only be made following consultation with the local community.”

#### ***Member's explanatory statement***

*This amendment would require designation of a high street or town centre to be consulted upon.*

## BARONESS TAYLOR OF STEVENAGE

416 Clause 176, page 222, line 14, at end insert –

“(2A) Designations under subsections (1) and (2) can only be made following consultation with local business on possible incentives to address vacant premises.”

*Member's explanatory statement*

*This is to probe the possibility of new incentives for filling empty shops.*

## BARONESS TAYLOR OF STEVENAGE

417 Clause 176, page 222, line 14, at end insert –

“(2A) The local community may make application for designations under subsections (1) and (2) to be made.”

*Member's explanatory statement*

*This amendment would allow the local community to apply for a street or area to be designated as a high street or town centre.*

**Clause 178**

LORD ETHELTON

LORD THURLOW

418 Clause 178, page 223, line 37, at end insert “unless proceedings have been commenced for possession, in which case the premises are to be treated as occupied prior to the termination of such proceedings”

*Member's explanatory statement*

*This amendment makes clear that a property is not to be treated as vacant, even though occupied by a trespasser or by a person who is living in non-residential property if and so long as there are proceedings by the landlord to obtain possession.*

## BARONESS HAYMAN OF ULLOCK

419 Clause 178, page 223, line 38, leave out subsections (5) and (6)

*Member's explanatory statement*

*This amendment would remove the Henry VIII power for the Secretary of State to alter the circumstances of vacancy.*

**Clause 179**

## BARONESS HAYMAN OF ULLOCK

420 Clause 179, page 224, line 13, at end insert “for the purposes of regeneration”.

***Member's explanatory statement***

*This means that a property can only be let if it supports regeneration.*

**Clause 180**

BARONESS HAYMAN OF ULLOCK

**421** Clause 180, page 224, line 22, leave out "ten weeks" and insert "28 days"

***Member's explanatory statement***

*This amendment would reduce the period after which an initial letting notice would expire to 28 days.*

**Clause 181**

BARONESS HAYMAN OF ULLOCK

**422** Clause 181, page 224, line 31, at end insert –

“(c) transfer the premises to a related entity.”

***Member's explanatory statement***

*This amendment would prevent the landlord from transferring the premises between related entities while the initial letting notice is in force.*

**Clause 183**

BARONESS HAYMAN OF ULLOCK

**423** Clause 183, page 226, line 6, leave out "eight" and insert "two"

***Member's explanatory statement***

*This amendment would reduce the period of time before a final letting notice can be issued to two weeks.*

**Clause 186**

BARONESS HAYMAN OF ULLOCK

**424** Clause 186, page 228, line 6, leave out subsection (5)

***Member's explanatory statement***

*This amendment would remove the Henry VIII power that allows the Secretary of State to add or remove grounds of appeal.*

**Schedule 16**

## THE EARL OF LYTTON

425 Schedule 16, page 386, line 27 at end insert –

- “8 That the landlord has used all reasonable endeavours to let the property at a fair market rent and on such other terms as may be reasonably necessary to be attractive to potential occupiers and has demonstrated this to the reasonable satisfaction of the local authority; always provided that:
- (a) the landlord is not obliged to undertake works to the premises or offer incentives to any incoming occupier such as would be commercially uneconomic;
  - (b) nothing in the proposed terms of any letting shall oblige the landlord to breach pre-existing contracts with third parties in relation to the property; and
  - (c) in the event of disagreement over any question of reasonableness, commercial economics or legal arrangements with third parties, the matter may be referred on the application of either the landlord or the local authority to an independent expert knowledgeable in matters of high street property letting and valuation and appointed by the president for the time being of the RICS or such other body with relevant expertise as may be nominated for the purpose by the Secretary of State.”

## THE EARL OF LYTTON

426★ Schedule 16, page 386, line 27, at end insert –

- “8 That the landlord has used all reasonable endeavours to let the property at a fair market rent and on such other terms as may be reasonably necessary to be attractive to potential occupiers and has demonstrated this to the reasonable satisfaction of the local authority; provided that –
- (a) the landlord is not obliged to undertake works to the premises or offer incentives to any incoming occupier such as would be commercially uneconomic;
  - (b) nothing in the proposed terms of any letting obliges the landlord to breach pre-existing contracts with third parties in relation to the property; and
  - (c) in the event of disagreement over any matter of reasonableness or commercial economics or legal arrangements with third parties, the matter may be referred on the application of either the landlord or the local authority to an independent expert knowledgeable in matters of high street property letting and valuation and appointed by the President of the Royal Institution of Chartered Surveyors or such other body with relevant expertise as may be nominated for the purpose by the Secretary of State.”

***Member's explanatory statement***

*The Bill makes no allowance for the range of circumstances that might, despite all reasonable endeavours, prevent the successful letting of retail premises including: market shifts, planning, disrepair, inadequacy or critical failure of essential services, legal landlord/tenant issues etc. This amendment is intended to allow debate to explore the parameters, the Government's intentions and potential consequences, given an apparent lack of industry wide consultation.*

**Clause 188**

BARONESS HAYMAN OF ULLOCK

427 Clause 188, page 229, line 40, at end insert –

“(10) The regulations must first be laid before Parliament before the end of the period of 90 days beginning with the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to lay any regulations under this section before Parliament within a period of 90 days.*

**Before Clause 199**BARONESS PINNOCK  
LORD SHIPLEY

428 Before Clause 199, insert the following new Clause –

**“Review into business rates system**

- (1) The Chancellor of the Exchequer must undertake a review of the business rates system.
- (2) The review must consider the extent to which the business rates system –
  - (a) is achieving its objectives;
  - (b) is conducive to the achievement of the levelling-up and regeneration objectives of this Act.
- (3) The review must consider whether alternatives of local business taxation would be more likely to achieve the objectives in subsections (2)(a) and (b).
- (4) The review must in particular consider the effects of business rates and alternative local business taxation systems on –
  - (a) high streets, and
  - (b) rural areas.
- (5) The review must consider the merits of devolving more control over local business taxation to local authorities.



- (6) The Chancellor of the Exchequer must lay a report of the review before each House of Parliament before the end of the period of one year beginning with the day on which this Act is passed.”

*Member's explanatory statement*

*This new Clause would require the Secretary of State to review the business rates system.*

**Clause 201**

BARONESS HAYMAN OF ULLOCK

**429** Clause 201, page 237, line 8, at end insert –

- “(1A) Compensation for damage under subsection (1) does not include damage that reasonably occurred gaining access to the site or premises where a landlord fails to grant such access.”

*Member's explanatory statement*

*This amendment would exempt from compensation damage that is caused when the authority, or their agent, needs to force access to a site following the failure to allow such access by the landlord.*

**After Clause 202**

BARONESS HAYMAN OF ULLOCK

**430** After Clause 202, insert the following new Clause –

**“Resources**

- (1) Within the period of 90 days beginning with the day on which this Act is passed the Secretary of State must publish a report detailing the new resources made available by His Majesty’s Government to local authorities in order to exercise Part 11 powers.
- (2) In order to discharge the powers under Part 8, local authorities may charge landlords for associated reasonable costs.”

BARONESS TAYLOR OF STEVENAGE

**431** After Clause 202, insert the following new Clause –

**“Business rates and council tax**

Within 90 days of this Act being passed, a Minister of the Crown must publish an assessment of the impact of business rates and council tax on the number of vacant high-street premises.”

*Member's explanatory statement*

*This is to probe the impact of business rates and council tax on the number of vacant high-street premises*

## BARONESS TAYLOR OF STEVENAGE

432 After Clause 202, insert the following new Clause –

**“Pedestrianisation**

Within 90 days of this Act being passed a Minister of the Crown must publish an assessment of the impact of pedestrianisation on the number of vacant high-street premises.”

*Member's explanatory statement*

*This is to probe the impact of pedestrianisation on the number of vacant high-street premises.*

## BARONESS HAYMAN OF ULLOCK

433 After Clause 202, insert the following new Clause –

**“Vacant pubs**

Within 90 days of this Act being passed, a Minister of the Crown must publish an assessment of the impact of vacant pubs on the number of vacant high-street premises.”

*Member's explanatory statement*

*This is to probe the impact of vacant pubs on the number of vacant high-street premises.*

## BARONESS HAYMAN OF ULLOCK

434 After Clause 202, insert the following new Clause –

**“Access to cash and high street banks**

Within 90 days of this Act being passed, a Minister of the Crown must publish an assessment of the impact of access to cash and high street banks on the number of vacant high-street premises.”

*Member's explanatory statement*

*This is to probe the impact of access to cash and high street banks on the number of vacant high-street premises.*

## BARONESS TAYLOR OF STEVENAGE

435 After Clause 202, insert the following new Clause –

**“Disparity in costs between online and high street retail**

Within 90 days of this Act being passed, a Minister of the Crown must publish an assessment of the impact of disparity in costs between online and high street retail on the number of vacant high-street premises.”

***Member's explanatory statement***

*This is to probe the impact of disparity in costs between online and high street retail on the number of vacant high-street premises.*

BARONESS TAYLOR OF STEVENAGE

436 After Clause 202, insert the following new Clause –

**“Dwell time**

- (1) Within 90 days of this Act being passed, a Minister of the Crown must publish a review of how leisure, culture, sport and tourism in town centres can increase dwell time for the purpose of regeneration.
- (2) For the purposes of this section “dwell time” is defined as the amount of time spent in high-street premises.”

***Member's explanatory statement***

*This is to probe how increasing dwell time can support regeneration.*

**Clause 203**

BARONESS HAYMAN OF ULLOCK

437 Clause 203, page 238, line 2 at end insert –

“(2A) “The local community” means persons resident in the vicinity of premises.”

***Member's explanatory statement***

*This defines local community.*

**After Clause 203**

LORD BEST

438 After Clause 203, insert the following new Clause –

**“Vacant higher value local authority housing**

In the Housing and Planning Act 2016, omit Chapter 2 of Part 4 (vacant higher value local authority housing).”

***Member's explanatory statement***

*This amendment would remove all sections relating to the sale of vacant higher value local authority housing in the Housing and Planning Act 2016 (sections 69 to 79). This is intended to implement the Government’s commitment to not take forward the powers to require councils to sell higher value council homes.*

**After Clause 204**

BARONESS HAYMAN OF ULLOCK

439 After Clause 204, insert the following new Clause –

**“Information requests to Secretary of State**

The Secretary of State has a duty to respond to information requests relating to Section 204.”

***Member's explanatory statement***

*This is to probe how local communities can request land ownership information.*

**Clause 206**

BARONESS HAYMAN OF ULLOCK

440 Clause 206, page 240, line 8, leave out subsection (4)

***Member's explanatory statement***

*This is to probe the retrospective application of the section.*

**Clause 210**

LORD MOYLAN  
LORD BEST  
LORD STUNELL

441 Clause 210, page 241, line 25, leave out “requiring or permitting” and insert “permitting a local planning authority at its discretion to undertake”

***Member's explanatory statement***

*This and certain other amendments in the name of Lord Moylan probe the Government's intentions as to the detailed character and implementation of the proposed register of properties available for short-term letting.*

BARONESS HAYMAN OF ULLOCK

442 Clause 210, page 241, line 26, at end insert –

“(1A) Local authorities may request further regulations on short term rental properties.”

***Member's explanatory statement***

*This is to probe whether local authorities may request that the SoS limits the number of short-term lets in their area.*

LORD MOYLAN  
LORD BEST  
BARONESS THORNHILL

443 Clause 210, page 241, line 33, at end insert –

“(iv) for a period of no less than 90 days in a calendar year, and”

***Member's explanatory statement***

*This and certain other amendments in the name of Lord Moylan probe the Government's intentions as to the detailed character and implementation of the proposed register of properties available for short-term letting.*

LORD MOYLAN  
LORD BEST  
BARONESS THORNHILL

444 Clause 210, page 241, line 36, at end insert –

“(2A) Nothing in this section applies to accommodation consisting of a room or rooms in a dwelling occupied by the host as their sole or primary home.”

***Member's explanatory statement***

*This and certain other amendments in the name of Lord Moylan probe the Government's intentions as to the detailed character and implementation of the proposed register of properties available for short-term letting.*

LORD FOSTER OF BATH

445 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.”

***Member's explanatory statement***

*This amendment ensures that the host of a property made available for short-term lets must ensure safety checks on electrical installations and appliances are carried out at least every five years.*

LORD MOYLAN  
LORD BEST

- 446 Clause 210, page 243, line 1, at end insert “but any fees or other charges must be set so as to aim to achieve an overall income no greater than the cost to the local planning authority of administering the registration scheme”

***Member's explanatory statement***

*This and certain other amendments in the name of Lord Moylan probe the Government's intentions as to the detailed character and implementation of the proposed register of properties available for short-term letting.*

LORD FOSTER OF BATH

- 447 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);”

***Member's explanatory statement***

*This amendment provides definitions for an “electrical installation certificate” and an “electrical installation condition report”.*

**Clause 211**

BARONESS TAYLOR OF STEVENAGE

- 448 Clause 211, page 243, line 20, at end insert –

“(2) Schedule 18 may not come in to force until an assessment has been made of its impact on accessibility.”

***Member's explanatory statement***

*This means that schedule 18 does not come in to force until an assessment has been made of the impact on accessibility.*

**Schedule 18**

LORD HOLMES OF RICHMOND

449 Schedule 18, page 388, line 8, at end insert –

“1A In section 1 of the 2020 Act (pavement licences), in subsection (5)(b), for “or maintained by Network Rail” substitute “and which is not publicly maintainable”.”

***Member's explanatory statement***

*This amendment would ensure that pavement licences may not be granted over a privately-maintainable highway, where the highway is not vested in the highway authority but belongs to the owner of the subsoil.*

LORD HOLMES OF RICHMOND

450 Schedule 18, page 388, line 8, at end insert –

“1A In section 1 of the 2020 Act (pavement licences), in subsection (5), at the end insert –

“or any part of a vehicular highway which is adjacent to such a highway.””

***Member's explanatory statement***

*This amendment enables the pavement licence to include part of the carriageway, where the carriageway is adjacent to, for example, an eligible pavement. This would enable a licensing authority to grant licences which occupy part of the highway shared between space for pedestrians and vehicles.*

LORD HOLMES OF RICHMOND

451 Schedule 18, page 388, line 23, at end insert “, together with any profit share, the maintenance fee and the cleansing fee.”

***Member's explanatory statement***

*This amendment and the amendment in the name of Lord Holmes of Richmond at line 26 would enable the local authority to share in the additional profit accruing from a licence enabling the licensed business to trade on the highway, and to recharge to the licensee the cost of maintaining and cleansing the licensed part of the highway.*

LORD HOLMES OF RICHMOND

452 Schedule 18, page 388, line 26, at end insert –

“(1C) In subsection (1A) –

- (a) “the profit share” is such sum as the person who applies for a pavement licence, as part of an entity employing more than 250 people, and the local authority may agree represents one half of the additional profits arising from the grant of the licence during its

- term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement;
- (b) “the maintenance fee” is such sum as the person who applies for a pavement licence and the local authority may agree represents the cost of maintaining that part of the highway comprised in the licence during its term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement;
- (c) “the cleansing fee” is such sum as the person who applies for a pavement licence and the local authority may agree represents the cost of sweeping and cleansing that part of the highway comprised in the licence during its term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement.”

***Member's explanatory statement***

*See explanatory statement to amendment in the name of Lord Holmes at line 23.*

LORD HOLMES OF RICHMOND

**453** Schedule 18, page 389, line 2, at end insert –

“(2A) In subsection (7), for “it is sent to” substitute “a receipt for the application is sent to the person who applies for a pavement licence by”.”

***Member's explanatory statement***

*This amendment would cause the public consultation period to begin from the date on which the local authority sends a receipt to the applicant.*

LORD HOLMES OF RICHMOND  
LORD MOYLAN

**454** 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  
LORD BLENCATHRA  
BARONESS TAYLOR OF STEVENAGE

**455** Schedule 18, page 389, line 14, leave out paragraph 7 and insert –

“7 (1) Section 3 of the 2020 Act (determination) is amended as follows.

(2) After subsection (8) insert –

“(8A) A local authority, in deciding whether to grant a pavement licence under subsection (3), must have regard to the desirability of maintaining the



free flow of pedestrians and other road users along the highway, and the avoidance of inconvenience to such persons.”.”

***Member's explanatory statement***

*This amendment would require a local authority to have regard to the needs of road users in deciding whether to grant a pavement licence.*

LORD HOLMES OF RICHMOND  
LORD MOYLAN  
LORD BLENCATHRA  
BARONESS RANDESON

456 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  
LORD MOYLAN  
LORD BLENCATHRA  
BARONESS RANDESON

457 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.*

LORD HOLMES OF RICHMOND  
LORD BLENCATHRA  
BARONESS RANDESON

458 Schedule 18, page 389, line 25, at end insert –

“8A (1) Section 5 of the 2020 Act (conditions) is amended as follows.

(2) After subsection (7) insert –

“(7A) The conditions to which a licence granted by a local authority may be subject include –

(a) a condition that any furniture which may be placed on the highway under the licence must be removed from the highway at times when the premises are not open to the public;

(b) a condition that, where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose

of consuming food or drink, the licence-holder must ensure that smoking or vaping does not affect others.”

(3) After subsection (8) insert –

“(9) But regulations under subsection (8) must not prevent a local authority imposing a condition, nor affect a condition imposed by a local authority for the purposes of subsection (7A)(b).”

***Member's explanatory statement***

*This amendment would allow a local authority to require that furniture is removed from the highway when it is not in use, as well as imposing a condition to require the licensee to prevent smoke-drift affecting those in the vicinity.*

LORD YOUNG OF COOKHAM  
LORD FAULKNER OF WORCESTER  
BARONESS NORTHOVER  
LORD HUNT OF KINGS HEATH

459 Schedule 18, page 389, line 25, at end insert –

“8A In section 5 of the 2020 Act (conditions), after subsection (6) insert –

“(6A) Pavement licences may only be granted by a local authority subject to the condition that smoking is prohibited.”

***Member's explanatory statement***

*The purpose of the amendment is to ensure that all pavement licences are smoke free.*

LORD HOLMES OF RICHMOND

460 Schedule 18, page 389, line 25, at end insert –

“8A In section 5 of the 2020 Act (conditions), after subsection (6) insert –

“(6A) Pavement licences may only be granted by a local authority subject to the condition that licensed area must be clearly and safely demarked with either tactile marking or designated physical barriers, or both.”

BARONESS TAYLOR OF STEVENAGE

461 Schedule 18, page 389, line 25, at end insert –

“8A (1) Section 5 of the 2020 Act (conditions), is amended as follows.

(2) After subsection (7) insert –

“(7A) The conditions to which a licence granted by a local authority may be subject include –

(a) a condition that any furniture which may be placed on the highway under the licence must be removed from the highway at times when the premises are not open to the public;

- (b) a condition that, where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must ensure that smoking or vaping does not affect others.”
- (3) After subsection (8) insert—
- “(9) But regulations under subsection (8) must not prevent a local authority imposing a condition, nor affect a condition imposed by a local authority for the purposes of subsection (7A)(b).”

***Member's explanatory statement***

*This amendment would allow a local authority to require that furniture is removed from the highway when it is not in use, as well as imposing a condition to require the licensee to prevent smoke-drift affecting those in the vicinity.*

BARONESS TAYLOR OF STEVENAGE

462 Schedule 18, page 391, line 4, at end insert—

- “(4A) If the person leaves or puts removable furniture on the relevant highway in contravention of the notice, the local authority may issue a fixed penalty notice of £500 to the person in accordance with guidance issued by the Secretary of State.
- (4B) Subsection (4A) applies whether or not the local authority has taken the action specified in subsection (4).”

***Member's explanatory statement***

*This amendment would enable local authorities to issue £500 fixed penalty notices to persons who leave or put removable furniture on a street in contravention of a notice.*

BARONESS TAYLOR OF STEVENAGE

463 Schedule 18, page 391, line 4, at end insert—

- “(4A) It is an offence to leave or put removable furniture on the highway in contravention of a notice issued under subsection (3).
- (4B) A person guilty of an offence under subsection (4A) is liable on summary conviction to a fine.
- (4C) A person may be prosecuted for an offence under subsection (4A) notwithstanding whether or not the local authority has taken action against the person under subsection (4).”

***Member's explanatory statement***

*This amendment would make it an offence to contravene a local authority notice requiring a person to remove furniture or to refrain from putting it on the highway.*

## BARONESS TAYLOR OF STEVENAGE

464 Schedule 18, page 391, line 30, at end insert –

“17A In Section 3(2)(c) of the 2020 Act, at end insert “(d) consider to what extent it will increase high street footfall for the purpose of regeneration.”

*Member's explanatory statement*

*This is to probe to what extent pavement licenses can increase high street footfall for the purpose of regeneration.*

## BARONESS TAYLOR OF STEVENAGE

465 Schedule 18, page 392, line 3, at end insert –

*“Impact Assessment*

20 (1) Within 30 days of this Act being passed a Minister of the Crown must publish a report to consider the impact of this Schedule.

(2) The report must consider whether further legislation is required on pavement licences, including in relation to –

(a) the relevant consultation periods in the Highways Act

(b) the introduction of mandatory tactile markers or physical barriers around licensed areas

(c) the removal of automatic approval of licences.”

*Member's explanatory statement*

*This is to probe whether further legislation is necessary in relation to pavement licences.*

**Clause 213**

LORD SIKKA

466★ Clause 213, page 245, line 20, leave out “may, from time to time” and insert “must, at least once every three years”

LORD SIKKA

467★ Clause 213, page 245, line 22, after “Surveyors,” insert “including its processes for electing council and officeholders, the appropriation of fines for misconduct levied upon its members, and accountability to stakeholders,”

**After Clause 214**

BARONESS PINNOCK  
BARONESS RANDERSON

468 After Clause 214, insert the following new Clause –

**“Disability accessibility standards for railway stations**

- (1) The Secretary of State must take all reasonable steps to ensure that railway stations in England –
  - (a) provide step-free access from street to train, and
  - (b) meet in full and as soon as possible the disability access standards in the Design Standards for Accessible Railway Stations Code of Practice published by the Department for Transport and Transport Scotland in March 2015.
- (2) Any requirements made in conjunction with that duty may not make any exemptions or concessions for small or remote stations.
- (3) In undertaking the duty in subsection (1) the Secretary of State may –
  - (a) make an application to the Office of Rail and Road under section 16A (provision, improvement and development of railway facilities) of the Railways Act 1993;
  - (b) revise the code of practice under section 71B (code of practice for protection of interests of rail users who are disabled) of the Railways Act 1993;
  - (c) amend the contractual conditions of any licenced railway operator;
  - (d) instruct Network Rail to take any action the Secretary of State considers necessary in connection to the duty.
- (4) The Secretary of State must report annually to Parliament on performance against the duty.”

***Member's explanatory statement***

*This new Clause places a duty on the Secretary of State to ensure that railway stations meet disability access standards.*

BARONESS PINNOCK  
BARONESS RANDERSON

469 After Clause 214, insert the following new Clause –

**“Strengthening local powers on bus services**

Notwithstanding section 66 of the Transport Act 1985, a local authority in England shall have power to provide a service for the carriage of passengers by road which requires a PSV operator’s licence.”

***Member's explanatory statement***

*This new Clause would confer new powers on local authorities to run their own bus services.*

LORD BERKELEY  
BARONESS SCOTT OF NEEDHAM MARKET  
THE EARL OF LYTTON

470 After Clause 214, insert the following new Clause –

**“Electric vehicle charging points**

In section 3A(2)(a) of the Electricity Act 1989 (The principal objective and general duties of the Secretary of State and the Authority), after “met” insert “, and in particular the facilitation of accelerated roll-out of Electric Vehicle charging points for domestic and commercial customers”.

*Member's explanatory statement*

*This amendment would add an additional duty to the Secretary of State of State and the Board of OFGEM to ensure that customers across the country have adequate access to EV charging points.*

LORD HODGSON OF ASTLEY ABBOTTS  
BARONESS SCOTT OF NEEDHAM MARKET  
LORD BERKELEY

471 After Clause 214, insert the following new Clause –

**“Extinguishment of unrecorded rights of way**

In the Countryside and Rights of Way Act 2000, the following sections are repealed –

- (a) section 53 (Extinguishment of unrecorded rights of way);
- (b) section 54 (Excepted highways and rights of way);
- (c) section 55 (Bridleway rights over ways shown as bridleways);
- (d) section 56 (Cut-off date for extinguishment etc).”

*Member's explanatory statement*

*This new Clause would enact a Government commitment to repeal the deadline for recording unrecorded rights of way.*

LORD MOYLAN

472 After Clause 214, insert the following new Clause –

**“Duty to consult on the licensing of hackney carriages and private hire vehicles**

- (1) The Secretary of State must consult such persons as the Secretary of State considers appropriate about the merits of amending Part 2 of the Local Government (Miscellaneous Provisions) Act 1976 (hackney carriages and private hire vehicles) such that only upper-tier authorities in England, outside of Greater London and the City of Plymouth, would become permitted to grant licences to –
  - (a) hackney carriages,
  - (b) drivers of hackney carriages,
  - (c) private hire vehicles,

- (d) drivers of private hire vehicles, or
  - (e) operators of private hire vehicles.
- (2) In this section –
- “upper-tier authority” means –
    - (a) a unitary authority, or
    - (b) a combined authority;
  - “unitary authority” has the meaning given in regulation 2(3) of the Local Government Changes for England Regulations 1994 (S.I. 1994/867);
  - “combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009.”

***Member's explanatory statement***

*This new Clause would require the Secretary of State to consult within a reasonable timeframe on the proposal of the Government within its Levelling Up White Paper of February 2022 "...to explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities".*

LORD HOLMES OF RICHMOND

**473** After Clause 214, insert the following new Clause –

**“Regional mutual banks**

- (1) The Secretary of State must report to Parliament, within 3 months of the date of the passing of this Act, on existing barriers to the establishment of regional mutual banks in the United Kingdom.
- (2) The report must consider –
  - (a) current capital adequacy requirements,
  - (b) other limiting features of the current regime,
  - (c) regional mutual bank structures in jurisdictions outside the United Kingdom and the adoption and adaptation to the United Kingdom of best practice, and
  - (d) the use of dormant assets as seed capital for the establishment of such regional mutual banks.”

LORD ETHERTON  
 BARONESS TAYLOR OF STEVENAGE  
 LORD RAVENSDALE  
 BARONESS RANDERSON

**474** After Clause 214, insert the following new Clause –

**“Review of business rates**

- (1) Within three months of this Act being passed, the Secretary of State must instigate a review of the arrangements and charges for non-domestic rates.

- (2) The Secretary of State must undertake a public consultation for that purpose.
- (3) The Secretary of State must, within six months of the conclusion of the consultation, take such steps as may be necessary or appropriate to reform non-domestic rates so as to make them fairer to businesses and to sustain economic activity and growth, especially in high streets and town centres.”

***Member's explanatory statement***

*This amendment provides for the Secretary of State to undertake a general review of business rates, with public consultation as part of that review, with the objective of giving economic support to businesses, especially in high streets and town centres.*

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

475 After Clause 214, insert the following new Clause –

**“Access to nature: wild camping**

- (1) In section 114(1) of the National Parks and Access to the Countryside Act 1949 (interpretation), in the definition of “open-air recreation” at the end insert “but does include wild camping”.
- (2) In section 2(1) of the Dartmoor Commons Act 1985 (interpretation), after the definition of “newspaper advertisement” insert –  
““open-air recreation” includes wild camping.”
- (3) Within six months of the day on which this Act is passed the Secretary of State must undertake a review of access to wild camping in National Parks, and make a recommendation as to whether further measures should be taken, in addition to those in this section, to extend that access.”

***Member's explanatory statement***

*This amendment would amend existing legislation to ensure the definition of “open-air recreation” includes wild camping. This would ensure wild camping can take place in Dartmoor National Park in particular, but would also require the Secretary of State to review whether wild camping rights should be extended.*

BARONESS HAYMAN OF ULLOCK

476 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

477

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.*

BARONESS HAYMAN  
 BARONESS SHEEHAN  
 LORD BOURNE OF ABERYSTWYTH  
 BARONESS BLACKSTONE

478

After Clause 214, insert the following new Clause –

**“Solar panel requirements for new homes and buildings**

The Secretary of State must, within the period of six months beginning on the day this Act is passed, exercise the power under section 1 of the Building Act 1984 (power to make building regulations) to make building regulations, including appropriate exemptions, for the purpose of requiring that all new homes and buildings built in England on or after 1 April 2025 must have solar panels installed.”

*Member's explanatory statement*

*This new Clause would require new homes and buildings in England from 1 April 2025 to have solar panels.*

BARONESS HAYMAN OF ULLOCK

479 After Clause 214, insert the following new Clause –

**“Interaction with the Retained EU Law (Revocation and Reform) Act 2023**

Within 90 days of this Act being passed, the Secretary of State must publish an assessment of the interaction of this Act with any Act of Parliament resulting from the Retained EU Law (Revocation and Reform) Bill that was introduced into the House of Commons on 22 September 2022.”

*Member's explanatory statement*

*This means that the Secretary of State must publish an assessment of the interaction of this Act with the Retained EU Law (Revocation and Reform) Bill.*

BARONESS BENNETT OF MANOR CASTLE

480 After Clause 214, insert the following new Clause –

**“Public rights for recreational access to land in England**

- (1) Within six months of the passing of this Act, the Secretary of State must publish a review of public rights for recreational access to land in England (“the Review”).
- (2) The Review must include –
  - (a) a comparison of public rights to access land for recreational purposes in England and the other parts of the United Kingdom;
  - (b) a public consultation on rights to access land for recreational purposes in England; and
  - (c) proposals to set long-term targets to increase people's enjoyment of the natural environment by increasing rights for recreational access to land.”

BARONESS BENNETT OF MANOR CASTLE

481 After Clause 214, insert the following new Clause –

**“Local authorities: report of land contamination**

- (1) Within 24 months of the passing of this Act, the Secretary of State must publish a review of the incidence of land contamination in the UK.
- (2) The review must –
  - (a) publish the reports in subsection (3),
  - (b) have regard to the reports in subsection (3),

- (c) identify the resources required to bring all land contamination in England to safe levels, and
  - (d) identify any necessary legislative changes to bring all land contamination to safe levels.
- (3) Within 12 months of the passing of this Act, local authorities in England must report to the Secretary of State on the overall incidence of land contamination in their area, and the resources needed to bring this contamination to safe levels.”

***Member's explanatory statement***

*This amendment would require the Secretary of State and Local Authorities to identify the level of contaminated land in England and the necessary resources to bring contamination to safe levels*

BARONESS BENNETT OF MANOR CASTLE

**482** After Clause 214, insert the following new Clause –

**“20 Mile Per Hour speed limits**

In section 81(1) of the Road Traffic Regulation Act 1984 (general speed limit for restricted roads), for “30” substitute “20”.

***Member's explanatory statement***

*This amendment reduces the national speed limit for restricted roads from 30mph to 20mph.*

BARONESS BOYCOTT  
 BARONESS SCOTT OF NEEDHAM MARKET  
 BARONESS YOUNG OF OLD SCONE

**483** After Clause 214, insert the following new Clause –

**“Community cultivation schemes**

- (1) The Secretary of State must by regulations make provision for a system that requires local authorities to maintain a list of land in its area suitable for community cultivation, and permits residents to cultivate suitable land held by public authorities for either food growing or environmental enhancement on condition that certain requirements prescribed by the regulations are met.
- (2) Requirements prescribed by the regulations may, among other things, include requirements to –
  - (a) lay out the meaning of community cultivation;
  - (b) lay out what land is suitable and who can nominate land as being suitable;
  - (c) establish parameters around how long a piece of land would need to be available to be considered as suitable, with a principle that any land granted for the purpose of community cultivation is not granted in perpetuity;
  - (d) require local authorities to publish lists of land suitable for cultivation.”

***Member's explanatory statement***

*This amendment would allow the Secretary of State to place a requirement on local authorities to publish a list of all publicly owned land in their vicinity which was suitable for either the purposes of community cultivation or environmental improvement, and to allow community groups to bid on listed areas of land to use them for either of the aforementioned purposes.*

LORD RAVENSDALE  
LORD STUNELL  
BARONESS HAYMAN OF ULLOCK

484

After Clause 214, insert the following new Clause –

**“Embodied Carbon Emissions in Buildings**

- (1) Within six months of this Act being passed, the Secretary of State must publish regulations which amend the Building Regulations 2010 (S.I. 2010/2214) to include provision for –
  - (a) the approval of a methodology of calculation of the whole-life carbon emissions of building work separated into operational and embodied carbon,
  - (b) ways in which the whole-life carbon emissions of building work, as calculated in accordance with the methodology, must be expressed,
  - (c) a reporting platform through which the whole-life carbon emissions of building work (applicable to all new buildings or building works with a total useful floor area of 1,000m<sup>2</sup> or creating more than 10 dwellings) as calculated in accordance with the methodology, must be reported, separated into operational and embodied carbon, and
  - (d) a tool, or tools, that may be used to carry out whole-life carbon assessments by competent persons, prior to the Secretary of State approving a whole-life carbon accreditation scheme.
- (2) “Whole-life carbon” means the sum total of all asset related greenhouse gas emissions and removals, both operational and embodied, over the life cycle of an asset including its disposal, as set out in Modules A1 to A5, B1 to B7 and C1 to C4 of British Standard BS EN 15978: 2011 (Sustainability of construction works).
- (3) “Embodied carbon” means the total greenhouse emissions and removals associated with materials and construction processes throughout the whole life cycle of an asset.
- (4) “Operational carbon” means the greenhouse gas emissions arising from all energy consumed (Module B6) and water supply and wastewater treatment (Module B7) in accordance with British Standard BS EN 15978: 2011 by an asset in-use.”

***Member's explanatory statement***

*This new clause would require the Secretary of State to publish regulations amending the Building Regulations 2010 to introduce provisions for the reporting of whole-life carbon emissions of buildings and to set limits on embodied carbon emissions in the construction of buildings.*

THE LORD BISHOP OF BRISTOL  
LORD CORMACK  
LORD BEST  
BARONESS ANDREWS

485 After Clause 214, insert the following new Clause –

**“Removal of prohibition on local authority from making grants to churches etc.**

In section 8(1)(i) of the Local Government Act 1894 (works to church property), omit “, not being property relating to affairs of the church or held for an ecclesiastical charity”.

*Member's explanatory statement*

*This amendment would remove the prohibition concerning churches and ecclesiastical charities in section 8(1)(i) of the Local Government Act 1894 and would ensure that local authorities' spending power under section 8(1)(k) could be used to make grants to places of worship.*

BARONESS RANDESON

486 After Clause 214, insert the following new Clause –

**“Electric vehicle charging network**

- (1) Within six months of the day on which this Act is passed, and every six months thereafter, the Secretary of State must lay before both Houses of Parliament a statement containing an update on the Government's electric vehicle (“EV”) infrastructure strategy.
- (2) The statement under subsection (1) must outline the progress the strategy has made in developing a comprehensive network of publicly accessible EV charge-points, with particular reference to –
  - (a) areas with higher density housing, and
  - (b) discrepancies in access to EV charge-points across the country.
- (3) The statement must outline whether the Government is intending to introduce further measures to improve the EV charging network.”

*Member's explanatory statement*

*This amendment would require the Government to update Parliament on its electric vehicle infrastructure strategy (published in March 2022) and any future measures intended to improve the EV charging network, with particular reference to discrepancies in access to EV charge-points across the country.*

## BARONESS TAYLOR OF STEVENAGE

487 After Clause 214, insert the following new Clause –

**“Minimum Infrastructure Targets**

- (1) A Minister of the Crown must consult with local authorities to produce a statement of minimum infrastructure targets.
- (2) The statement must include targets for a minimum level of –
  - (a) hospitals;
  - (b) schools;
  - (c) leisure centres;
  - (d) libraries;
  - (e) parks;
  - (f) nurseries;
  - (g) railway stations;
  - (h) bus routes;in each travel to work area.”

*Member's explanatory statement*

*This means that minimum infrastructure targets must be created for each travel to work area.*

## BARONESS HAYMAN OF ULLOCK

488 After Clause 214, insert the following new Clause –

**“Assessment of infrastructure in coastal and rural communities**

Within 120 days of this Act being passed, a Minister of the Crown must publish an assessment of infrastructure levels in coastal and rural communities.”

*Member's explanatory statement*

*This means that a Minister must publish an assessment of infrastructure levels in coastal and rural communities.*

## BARONESS TAYLOR OF STEVENAGE

489 After Clause 214, insert the following new Clause –

**“High street and town centre signage**

The Secretary of State may by regulations allow local authorities to designate permissible town centre signage for the purpose of regeneration.”

*Member's explanatory statement*

*This is to probe how better signage can contribute to town centre regeneration.*

## BARONESS HAYMAN OF ULLOCK

490 After Clause 214, insert the following new Clause –

**“Town markets**

Within 90 days of this Act being passed, a Minister of the Crown must publish a review of support available to town markets for the purpose of regeneration.”

*Member's explanatory statement*

*This is to probe the support available to town markets.*

## BARONESS TAYLOR OF STEVENAGE

491 After Clause 214, insert the following new Clause –

**“Homes and workspaces**

- (1) Within 90 days of this Act being passed, a Minister of the Crown must publish a review of how homes and workspaces in town centres can support regeneration.
- (2) The review must consider whether further legislation should be introduced to designate empty units as working spaces.”

*Member's explanatory statement*

*This is to probe whether homes and workspaces in town centres can support regeneration.*

## BARONESS TAYLOR OF STEVENAGE

492 After Clause 214, insert the following new Clause –

**“No fault evictions**

Within one year of this Act being passed, a Minister of the Crown must publish a review of whether legislating to prohibit no fault evictions would support the implementation of this Act.”

## BARONESS HAYMAN OF ULLOCK

493 After Clause 214, insert the following new Clause –

**“Regeneration of market towns**

Within one year of this Act being passed, a Minister of the Crown must publish a strategy for the regeneration of market towns.”

*Member's explanatory statement*

*This means a Minister must publish a strategy for the regeneration of market towns.*

## BARONESS HAYMAN OF ULLOCK

494 After Clause 214, insert the following new Clause –

**“Regeneration of coastal communities**

Within one year of this Act being passed, a Minister of the Crown must publish a strategy for the regeneration of coastal communities.”

*Member's explanatory statement*

*This means a Minister must publish a strategy for the regeneration of coastal communities.*

## BARONESS HAYMAN OF ULLOCK

495 After Clause 214, insert the following new Clause –

**“Regeneration of new towns**

Within one year of this Act being passed, a Minister of the Crown must publish a strategy for the regeneration of new towns established under the New Towns Act 1946 and New Towns Act 1965.”

*Member's explanatory statement*

*This means a Minister must publish a strategy for the regeneration of new towns.*

## BARONESS HAYMAN OF ULLOCK

496 After Clause 214, insert the following new Clause –

**“Clean air targets**

Within one year of this Act being passed, a Minister of the Crown must publish clean air targets for the purposes of levelling up.”

*Member's explanatory statement*

*This means a Minister must publish new clean air targets for the purposes of levelling up.*

## BARONESS HAYMAN OF ULLOCK

497 After Clause 214, insert the following new Clause –

**“Green Prosperity Plan**

Within one year of this Act being passed, a Minister of the Crown must publish a Green Prosperity Plan to –

- (a) decarbonise the economy,
- (b) create jobs, and
- (c) boost energy,

insofar as those objectives support levelling up and regeneration.”



***Member's explanatory statement***

*This means a Minister must publish a Green Prosperity Plan for the purposes of levelling up and regeneration.*

BARONESS TAYLOR OF STEVENAGE

498 After Clause 214, insert the following new Clause –

**“Social mobility**

- (1) Within one year of this Act being passed, a Minister of the Crown must publish a strategy for increasing social mobility which includes an assessment, in respect of each local authority, of –
  - (a) the number of pupils previously in receipt of free school meals now attending university,
  - (b) available careers guidance, and
  - (c) access to apprenticeships.
- (2) The strategy must consider the impact of this Act on social mobility.”

***Member's explanatory statement***

*This means a Minister must publish a strategy for increasing social mobility.*

BARONESS HAYMAN OF ULLOCK

499 After Clause 214, insert the following new Clause –

**“Cost of living in rural and urban areas**

Within one year of this Act being passed, a Minister of the Crown must publish an assessment of the disparities in cost of living between rural and urban areas and the impact of this on implementing this Act.”

BARONESS TAYLOR OF STEVENAGE

500 After Clause 214, insert the following new Clause –

**“Social housing targets**

Within one year of this Act being passed, a Minister of the Crown must publish targets for constructing social housing insofar as they relate to levelling up.”

## BARONESS HAYMAN OF ULLOCK

501 After Clause 214, insert the following new Clause –

**“Nature and levelling up**

- (1) Within one year of this Act being passed, a Minister of the Crown must publish a report on the link between nature and levelling-up.
- (2) The report must include an assessment on the extent to which the following support the implementation of this Act –
  - (a) targets for improving access to nature for deprived communities,
  - (b) duties on public authorities to support the recovery of nature, and
  - (c) nature restoration targets.”

## BARONESS HAYMAN OF ULLOCK

502 After Clause 214, insert the following new Clause –

**“Levelling Up Fund**

Within one year of this Act being passed, a Minister of the Crown must publish a review of the effectiveness of the levelling up fund bidding processes.”

## BARONESS HAYMAN OF ULLOCK

503 After Clause 214, insert the following new Clause –

**“Civil service redistribution**

Within one year of this Act being passed, a Minister of the Crown must publish a review of whether redistributing civil service to different locations throughout the United Kingdom would support in the implementation of this Act.”

## LORD NORTHBROOK

504★ After Clause 214, insert the following new Clause –

**“Control of Pollution Act 1974: publication of notices and consents**

In the Control of Pollution Act 1974 –

- (a) in section 60(2) for “may if it thinks fit publish notice of the requirements in such way as appears to the local authority to be appropriate” substitute “must publish notice of the requirements promptly and permanently on its planning website”;
- (b) in section 61(6) for “may if it thinks fit publish notice of the consent, and of the works to which it relates, in such way as appears to the local authority to be appropriate” substitute “must publish notice of the consent, and of the works to which it relates, promptly and permanently on its planning website”.

**Clause 221**

THE LORD BISHOP OF BRISTOL  
LORD BEST  
LORD CORMACK  
BARONESS ANDREWS

- 505 Clause 221, page 250, line 34, leave out “section 212” and insert “, sections 212 and (*Removal of prohibition on local authority from making grants to churches etc.*)”

***Member's explanatory statement***

*This consequential amendment would provide for the new clause amendment after clause 214 in the name of the Lord Bishop of Bristol to extend only to England and Wales.*

**After Clause 221**

BARONESS TAYLOR OF STEVENAGE

- 506★ After Clause 221, insert the following new Clause –

**“Extension of Act**

Within one year of this Act being passed, a Minister of the Crown must publish a review of whether the provisions of this act should be extended in relation to parish councils and town councils in England, and community councils in Wales and Scotland.”

***Member's explanatory statement***

*This means that a Minister of the Crown must publish a review of whether the provisions of this Act should be extended in relation to parish councils and town councils in England, and community councils in Wales and Scotland.*

**Clause 222**

BARONESS SCOTT OF BYBROOK

- 507 Clause 222, page 251, line 6, at end insert –

“(aa) in Schedule 4 –

- (i) if a provision amended by any of paragraphs 51, 55, 56 and 57 has not come into force before the end of the period mentioned in paragraph (b), that paragraph comes into force when the provision that it amends comes into force (but otherwise it comes into force at the end of that period);
- (ii) paragraphs 59 to 63 come into force on such day as the Secretary of State may by regulations appoint;”

***Member's explanatory statement***

*This amendment makes provision for the commencement of certain amendments made by Schedule 4 in cases where the provisions amended are not yet in force.*

## BARONESS SCOTT OF BYBROOK

- 508 Clause 222, page 251, line 20, leave out “sections 70 to 72 come” and insert “section 70 comes”

***Member's explanatory statement***

*This amendment is consequential on the amendment in the Minister's name inserting provision after line 21 of Clause 222.*

## BARONESS SCOTT OF BYBROOK

- 509 Clause 222, page 251, after line 21 insert –
- “(ia) section (*disposal of land*) comes into force on such day as the Secretary of State may by regulations appoint;
  - (ib) sections 71 and 72 come into force at the end of the period of two months beginning with the day on which this Act is passed;”

***Member's explanatory statement***

*This amendment provides for new Clause (*disposal of land*) to be brought into force by regulations made by the Secretary of State and makes other consequential amendments to clause 222.*

THE LORD BISHOP OF BRISTOL  
LORD BEST  
LORD CORMACK  
BARONESS ANDREWS

- 510 Clause 222, page 252, line 9, after “213” insert “and (*Removal of prohibition on local authority from making grants to churches etc.*)”

***Member's explanatory statement***

*This consequential amendment would provide for the new clause amendment after clause 214 in the name of the Lord Bishop of Bristol to come into force two months after Royal Assent.*

## BARONESS TAYLOR OF STEVENAGE

- 511★ Clause 222, page 252, line 22, at end insert –
- “(15) The Secretary of State must inform each local authority of any new responsibilities before the commencement of relevant provisions likely to affect them.”

***Member's explanatory statement***

*This means that the Secretary of State must inform each local authority of any new responsibilities before the commencement of relevant provisions.*

**Title**

THE LORD BISHOP OF BRISTOL  
LORD BEST  
LORD CORMACK  
BARONESS ANDREWS

- 512** In the Title, line 8, after “permanent;” insert “about the power of a local authority to make grants to churches;”

***Member's explanatory statement***

*This consequential amendment would amend the long title to include express reference to the subject matter of the new clause amendment after clause 214 in the name of the Lord Bishop of Bristol.*

# Levelling-up and Regeneration Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*16 February 2023*

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