

Levelling-up and Regeneration Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

LORD SHIPLEY

Clause 1, page 2, line 3, 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 by postcode area and council ward.
- (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) differences in housing supply and tenure,
 - (f) levels of educational attainment,
 - (g) numbers of young people not in education, employment or training,
 - (h) levels of child poverty,
 - (i) success of government policies 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 should be used to evaluate the success or otherwise of levelling up policies across all government departments.

BARONESS FINLAY OF LLANDAFF

Clause 1, page 2, line 3, at end insert –

“(2A) When preparing a statement of levelling-up missions under subsection (1), a Minister of the Crown must include a mission to address health disparities, aimed at reducing gaps in healthy life expectancy between communities, and addressing disparities in health outcomes throughout people’s life course.”

BARONESS PINNOCK

Clause 1, page 2, line 31, at end insert –

- “(12) The first statement of levelling-up missions made under this section must include, but is not limited to, missions relating 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 and decent homes;
 - (k) violent crime;
 - (l) devolution.
- (13) Where a statement of levelling-up missions relates to a relevant levelling-up mission listed in subsection (14), it must set targets in relation to (but is not limited to) the corresponding headline metrics when measuring progress in delivering those levelling-up missions in relation to geographical disparities.
- (14) For the purposes of subsection (13) –
- (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

Relevant levelling-up mission	Corresponding headline metrics
Primary school attainment	Percentage of pupils meeting the expected standard in reading, writing and maths by end of primary school
Skills and training	Further education and skills achievements (qualifications), excluding community learning, the Multiply programme and bootcamps
Life expectancy	Healthy Life Expectancy
Wellbeing	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 require the first statement of levelling-up missions to include the levelling-up missions and metrics as outlined in the Government's Levelling-Up White Paper.

After Clause 1

LORD BERKELEY

After Clause 1, insert the following new Clause –

“Levelling-up missions and local authority tenders

When a local authority is in receipt of an offer of funds to deliver the levelling-up missions, it may refuse applications for planning or other permissions from organisations to carry out what those funds would deliver where it considers the purpose proposed, manner of delivery and outcome to adversely affect the benefits of the levelling-up missions.”

After Clause 5

BARONESS HAYMAN OF ULLOCK

After Clause 5, insert the following new Clause—

“Capital Spending: Impact Assessment

Within 60 days of the passing of this Act, a Minister of the Crown must publish an assessment of the impact of the requirement that the Department for Levelling Up, Housing and Communities seeks consent from His Majesty’s Treasury for all capital spending, on the delivery of Part One of this Act.”

Member’s explanatory statement

This is to probe reports that DLUHC require Treasury consent for all capital spending.

BARONESS HAYMAN OF ULLOCK

After Clause 5, insert the following new Clause—

“Regional Disparities: Cost of Living

The Secretary of State has a duty to monitor regional disparities in the cost of living.”

Member’s explanatory statement

This establishes a new duty on the Secretary of State to monitor regional disparities in the cost of living.

BARONESS HAYMAN OF ULLOCK

After Clause 5, insert the following new Clause—

“Independent Board for the Assessment of Geographical Disparities in England

- (1) The Secretary of State must, within 12 months of the passing of this Act, establish by regulations a body corporate called the Independent Board for the Assessment of Geographical Disparities in England (IBAGDE).
- (2) Regulations under subsection (1) may establish the status, membership and remit of IBAGDE.”

Member’s explanatory statement

This establishes the Independent Board for the Assessment of Geographical Disparities in England.

Clause 8

LORD SHIPLEY

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

Member's explanatory statement

This amendment would ensure that the duty to allocate seats to political groups to the executive of a CCA or to a committee of such an executive would continue to reflect the requirement for political balance defined in the Local Government and Housing Act 1989.

Clause 10

LORD SHIPLEY

Clause 10, page 9, leave out line 35

Member's explanatory statement

This amendment seeks to ensure that only full members of a CCA would have the right to vote.

Schedule 1

LORD STUNELL

Schedule 1, page 280, line 33, leave out “at least one member of an audit committee is” and insert “a minimum of three members of an audit committee are”

Member's explanatory statement

This amendment would help ensure a strong presence of knowledgeable, independent persons on an audit committee thus avoiding too great a dependence on members of constituent councils.

LORD SHIPLEY

Schedule 1, page 280, line 35, at end insert –

“(5) A CCA may not withhold a report of an audit committee from publication where an audit committee resolves publication is in the public interest.”

Member's explanatory statement

This amendment seeks to increase transparency of CCAs by ensuring they cannot withhold reports from the audit committee.

Clause 40

LORD SHIPLEY

Leave out Clause 40

Member's explanatory statement

This amendment and the amendments to leave out clauses 41 and 42 seek to avoid confusion being caused to the general public by the plethora of possible alternative mayoral titles.

Clause 41

LORD SHIPLEY

Leave out Clause 41

Member's explanatory statement

This amendment and the amendments to leave out clauses 40 and 42 seek to avoid confusion being caused to the general public by the plethora of possible alternative mayoral titles.

Clause 42

LORD SHIPLEY

Leave out Clause 42

Member's explanatory statement

This amendment and the amendments to leave out clauses 40 and 41 seek to avoid confusion being caused to the general public by the plethora of possible alternative mayoral titles.

Clause 48

LORD SHIPLEY

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 amendment would empower a CCA to drive its regeneration plans forward using enhanced fiscal powers.

After Clause 78

LORD SHIPLEY

After Clause 78, insert the following new Clause –

“Repeal of section 13 of the Elections Act 2022

Section 13 of the Elections Act 2022 is repealed.”

Member's explanatory statement

This amendment would repeal section 13 of the Elections Act 2022, thereby reinstating the supplementary vote system for PCCs in England and Wales, the Mayor of London, combined authority mayors and local authority mayors in England.

Schedule 12

LORD STUNELL

Schedule 12, page 406, line 22, at end insert –

- “(5) Any regulations made by virtue of subsection (4)(b) must have regard to the ability to pay of a household of median income within the relevant local planning authority area.”

Member's explanatory statement

This amendment would require regulations defining “affordable housing” for the purpose of the Infrastructure Levy to take into account ability to pay within a local area.

After Clause 131

LORD STUNELL

After Clause 131, insert the following new Clause –

“Developer contributions: commercial interest exemption

Section 43 of the Freedom of Information Act 2000 (commercial interests) does not apply in relation to information relevant to charges levied in accordance with Schedule 12 of this Act (infrastructure levy) or Section 106 of the Town and Country Planning Act 1990 (planning obligations).”

Member's explanatory statement

This amendment would remove the exemption from disclosure of relevant information on the grounds of commercial confidentiality in relation to developer contributions.

After Clause 94LORD BERKELEY
LORD YOUNG OF COOKHAM

After Clause 94, 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 must also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any

rights of way improvement plan which have not been included as part of the development plan, so far as is material to the application.

- (3) In this section –
- (a) “local planning authority” has the same meaning as in section 15LF of PCPA 2004;
 - (b) “local transport authority” has the same meaning as in section 108 of the Transport Act 2000;
 - (c) a “rights of way improvement plan” is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.”

Member's explanatory statement

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

After Clause 128

BARONESS TAYLOR OF STEVENAGE

After Clause 128, insert the following new Clause –

“Local authorities: duty to consider small and medium-sized enterprises in granting planning permission

A local planning authority may not grant planning permission to an application which has involved, or will involve, the invitation of tenders by a local authority for the award of a contract for construction, unless the local authority has –

- (a) given regard to the fact that small and medium-sized enterprises may face particular barriers in competing for a contract, and
- (b) considered whether such barriers can be removed or reduced, including but not limited to through the separation of large contracts into small contracts.”

Member's explanatory statement

This new Clause would require a local planning authority, before granting planning permission, to have regard to the particular barriers to competing for a contract that small and medium-sized enterprises may have, and remove or reduce them where possible.

Clause 158

BARONESS WILLIS OF SUMMERTOWN
BARONESS PARMINTER

Clause 158, page 184, line 21, 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) A sewerage undertaker may not publish a plan under subsection (1)(c) before a draft of the plan has been approved by the Water Services Regulation Authority and the Environment Agency.
- (1B) 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 13 of the Levelling-up and Regeneration Act 2023 on receipt of such advice.
- (1C) The Environment Agency may exercise its functions under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (S.I. 2015/810) if compliance and investment plan monitoring suggests that the pollution standard will not be met.”

Member's explanatory statement

This amendment will require sewage undertakers to secure OFWAT & Environment Agency approval for plans for upgrading plants in sensitive catchment areas, including plans to prioritise use of nature-based solutions to reduce nutrient pollution, thereby unlocking wider environmental benefits. The amendment also requires water companies to provide annual reports on progress towards meeting those plans, with failures to deliver plans on time leading to financial penalties.

Clause 223

LORD STUNELL

Leave out Clause 223

Member's explanatory statement

This amendment and the amendment to leave out clause 224 would remove the ability of the Secretary of State to replace the Health and Safety Executive as building safety regulator by regulations.

Clause 224

LORD STUNELL

Leave out Clause 224

Member's explanatory statement

This amendment and the amendment to leave out clause 223 would remove the ability of the Secretary of State to replace the Health and Safety Executive as building safety regulator by regulations.

Clause 231

BARONESS HAYMAN OF ULLOCK

Clause 231, page 272, line 26, at end insert –

“(za) under section (Independent Board for the Assessment of Geographical Disparities in England);”

Clause 234

LORD LANSLEY

Clause 234, page 275, line 44, at end insert –

“(3A) Part 4 does not come into force until the Secretary of State has published proposals for the implementation of the Infrastructure Levy and the Government have responded to the Technical consultation on the Infrastructure Levy, published on 17 March 2023.”

LORD LANSLEY

Clause 234, page 276, line 1, leave out “Parts 4 and 5 come” and insert “Part 5 comes”

Levelling-up and Regeneration Bill

AMENDMENTS
TO BE MOVED
ON REPORT

6 July 2023

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS