

Crown Estate Bill [HL]

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
8 October 2024*

[Amendments marked ★ are new or have been altered]

Clause 1

LORD WIGLEY
BARONESS SMITH OF LLANFAES
BARONESS HUMPHREYS

Clause 1, page 1, line 8, at end insert –

“(4B) The functions of the Crown Estate in Wales may not be exercised without the consent of the Welsh Government.”

Member's explanatory statement

This amendment would require that the Crown Estate must receive the consent of the Welsh Government before exercising its powers in Wales.

EARL RUSSELL

Clause 1, page 1, line 17, after “loans” insert “of no more than £150 million”

Member's explanatory statement

This amendment would place a cap on the amount the Commissioners may borrow.

EARL RUSSELL

Clause 1, page 1, line 19, after “assistance” insert “of no more than £150 million”

Member's explanatory statement

This amendment would place a cap on the amount the Commissioners may borrow.

LORD HOWARD OF RISING

Clause 1, page 1, line 26, at end insert –

- “(c) borrowing by the Commissioners should not exceed an amount equal to 10% of capital and reserves of the Crown Estate.”

Member's explanatory statement

This amendment would retain some flexibility at the same time as preventing overborrowing.

After Clause 1

LORD YOUNG OF COOKHAM

After Clause 1, insert the following new Clause –

“Responsibility for abiding by public undertakings

In section 1 of the Crown Estate Act 1961 (general provision about Crown Estate Commissioners), after section 1(4A) (inserted by section 1 of this Act), insert –

- “(4B) One Commissioner must have responsibility for ensuring that the Crown Estate abides by public undertakings given on its behalf.””

Member's explanatory statement

This is to ensure that the undertaking given on behalf of the Crown on 25 May 2024 is honoured by the Crown Estate.

After Clause 2

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Duty: protection of the seabed

- (1) The Crown Estate Commissioners must take steps to protect the seabed which forms part of the Crown Estate.
- (2) Protection under subsection (1) includes prohibiting all activities, business practices, leisure pursuits and other actions which damage permanently or temporarily the seabed.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Crown Estate objectives

- (1) The Crown Estate Commissioners must prioritise the objectives set out in subsection (2) and (3) in the managing and turning to account of Crown Estate Land.

- (2) The Crown Estate must seek to support the development and promotion of new technologies, including artificial intelligence.
- (3) The Crown Estate must seek to prioritise the food security of the United Kingdom.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Report: energy generation on the Crown Estate

- (1) Within 12 months of the passing of this Act, the Crown Estate Commissioners must publish a report on the potential for energy generation on the Crown Estate, including consideration of offshore wind turbines and onshore wind turbines.
- (2) The report under subsection (1) must also assess the potential impact of wind turbines on the Crown Estate on grid capacity and energy pricing.
- (3) The report under subsection (1) must be submitted to the Secretary of State and laid before Parliament.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Review: nature prescribing

- (1) The Crown Estate Commissioners must publish a review to assess how the Crown Estate assets can be deployed to support nature prescribing.
- (2) The Crown Estate Commissioners must work with NHS England and their devolved counterparts to enable their woodland, shoreline and other nature assets to form part of a major UK wide nature prescribing scheme.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Review: governance and inclusivity

- (1) On the passing of this Act the Crown Estate Commissioners must publish a review to assess the inclusivity of its policies, practices, procedures and assets.
- (2) The review under subsection (1) must consider the corporate governance of the Crown Estate and assess whether new board roles should be created to support inclusion.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Stakeholder consultation

- (1) On the passing of this Act the Crown Estate Commissioners must review methods of consultation with relevant stakeholders.
- (2) The review under subsection (1) should include consideration of alignment assemblies as a method to involve local communities in decision-making.”

LORD HOLMES OF RICHMOND

After Clause 2, insert the following new Clause –

“Additionality principle

- (1) Before making any investment decision, the Crown Estate Commissioners must ensure that the principle of additionality is met.
- (2) The principle of additionality in subsection (1) is that –
 - (a) all activities make a contribution which is beyond what is available or is otherwise absent from the market,
 - (b) all activities do not crowd out the private sector, and
 - (c) all activities have effects that encourage private sector funding to a multiple specified by regulations made by the Treasury.”

BARONESS SMITH OF LLANFAES
LORD WIGLEY
LORD HAIN
LORD THOMAS OF CWMGIEDD

After Clause 2, insert the following new Clause –

“Management of the Crown Estate in Wales

Within two years of the day on which this Act is commenced, the Treasury must have completed a transfer of the responsibility of the management of the Crown Estate in Wales to the Welsh Government.”

Member's explanatory statement

This new Clause places a duty on the Treasury to transfer management of the Crown Estate in Wales to the Welsh Government within two years of the commencement of the Act.

BARONESS SMITH OF LLANFAES
LORD WIGLEY

After Clause 2, insert the following new Clause –

“Appointment of Crown Estate Commissioners from national parliaments

In Schedule 1 of the Crown Estate Act 1961 (constitution etc of Crown Estate Commissioners), after paragraph 1, sub-paragraph (3), insert –

- “(3B) The House of Commons, Senedd Cymru and the Northern Ireland Assembly may, by a method to be determined by the Speaker of each legislature, nominate individuals to be commissioners of the Crown Estate.
- (3C) When determining the number of commissioners under sub-paragraph (1), His Majesty must ensure equal representation of any individuals nominated by the House of Commons, Senedd Cymru and the Northern Ireland Assembly under sub-paragraph (3B).”

LORD WIGLEY
BARONESS SMITH OF LLANFAES
BARONESS HUMPHREYS
LORD THOMAS OF CWMGIEDD

After Clause 2, insert the following new Clause –

“Transfer of net revenue profit to Wales

In section 3(1) of the Crown Estate Act 1961, at end insert –

- “(1A) The Commissioners must transfer all net profit generated from the Crown Estate’s activities in Wales to the Welsh Government on an annual basis.”

Member's explanatory statement

The new Clause would require that the Crown Estate Commissioners transfer all profit generated by the Crown Estate in Wales to the Welsh Government on an annual basis.

LORD WIGLEY
BARONESS SMITH OF LLANFAES
BARONESS HUMPHREYS

After Clause 2, insert the following new Clause –

“Annual disaggregated reporting of capital and revenue for England, Wales and Northern Ireland

In section 2(4) of the Crown Estate Act 1961, after “income,” insert “separately for the activities of the Crown Estate in England, Wales and Northern Ireland,”

Member's explanatory statement

This amendment requires the separate reporting within the annual accounts of the Crown Estate of capital and revenue for the activities of the Crown Estate in England, Wales, and Northern Ireland.

BARONESS HAYMAN
 BARONESS YOUNG OF OLD SCONE
 LORD TEVERSON
 LORD YOUNG OF COOKHAM

After Clause 2, insert the following new Clause—

“Climate change and nature duty of Crown Estate Commissioners

In the Crown Estate Act 1961, after section 1 insert—

“1A Duty of the Commissioners to contribute to climate change and nature targets

- (1) In complying with the general duty under section 1(3) and in exercising their functions the Commissioners must take all reasonable steps to contribute to—
 - (a) the achievement of targets set under Part 1 of the Climate Change Act 2008,
 - (b) the achievement of biodiversity targets set under sections 1 to 3 of the Environment Act 2021, and
 - (c) adapting to any current or predicted impacts of climate change identified in the most recent report under section 56 of the Climate Change Act 2008.
- (2) In carrying out the duty set under subsection (1), the Crown Estate Commissioners must include conditions in all seabed leases that require the leaseholder to contribute to the conservation and overall enhancement of the natural environment.””

Member's explanatory statement

This amendment would give the Crown Estate a new climate change and nature duty requiring it to take all reasonable steps to contribute to the achievement of the Climate Change Act 2008 and Environment Act 2021 targets in exercising its functions. The duty requires the inclusion of nature conservation measures in all seabed licences granted by the Crown Estate.

BARONESS HUMPHREYS
 LORD WIGLEY

After Clause 2, insert the following new Clause—

“Devolution of Crown Estate powers to Wales

- (1) The Crown Estate Act 1961 is amended as follows.

(2) After section 7 (Powers of Minister of Works in Regent’s Park) insert –

“7A Commissioners’ functions in Wales

- (1) The Treasury must set out a scheme to transfer all the existing Welsh functions of the Crown Estate Commissioners (“the Commissioners”) to the Welsh Ministers or a person nominated by Welsh Ministers.
- (2) The existing Welsh functions under subsection (1) are the Commissioners’ functions relating to the part of the Crown Estate that, immediately before the transfer date, consists of –
 - (a) property, rights or interests in land in Wales, and
 - (b) rights in relation to the Welsh zone.
- (3) The Secretary of State must by regulations set a date to implement the scheme under subsection (1) to the transfer of functions to the Welsh Ministers or a person nominated by Welsh Ministers.
- (4) A statutory instrument containing regulations under subsection (3) is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This amendment would require the Treasury to devolve Welsh functions of the Crown Estate Commissioners to Welsh Ministers or a person nominated by Welsh Ministers.

LORD TEVERSON

After Clause 2, insert the following new Clause –

“Offshore wind developments: regional wealth funds

- (1) The Commissioners must ensure that a percentage of the Crown Estate’s license fee for leases of Crown Estate land for offshore wind power development is given to a regional wealth fund.
- (2) The Secretary of State must agree regional boundaries of the regional wealth fund in consultation with local government.
- (3) Funds from the Crown Estate’s license fee for such leases must be distributed to the nearest regional wealth fund to the offshore wind power development.
- (4) The Secretary of State must by regulations set the percentage of the license fee which must be given to a regional wealth fund under subsection (1).
- (5) A statutory instrument containing regulations under subsection (4) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment would require the Crown Estate to ensure all leases for offshore wind power developments contain an agreed percentage that is contributed to a regional wealth fund. The money from this fund would be distributed to local communities.

LORD TEVERSON
EARL RUSSELL

After Clause 2, insert the following new Clause—

“Maintaining the seabed

In carrying out their duties under the Crown Estate Act 1961, the Commissioners must pay particular regard to maintaining the seabed in good condition especially in regard to biodiversity and the organic storage of carbon.”

Member's explanatory statement

The amendment places a particular duty on the Crown Estate to protect the seabed that it owns around the coast of the UK.

EARL RUSSELL

★ After Clause 2, insert the following new Clause—

“Crown Estate Commissioner Duties

- (1) The Crown Estate Act 1961 is amended as follows.
- (2) After section 1(3) insert—
 - “(3A) In complying with the duty under subsection (3), the Commissioners must—
 - (a) act in the way best calculated to further the achievement of sustainable development, and
 - (b) seek to manage the assets in a way that is likely to contribute to the promotion or the improvement of—
 - (i) economic development,
 - (ii) regeneration,
 - (iii) social wellbeing, and
 - (iv) environmental wellbeing.””

Member's explanatory statement

This amendment would require the Commissioners to carry out their duties under subsection 3 with regards to sustainable development, economic development, regeneration, social wellbeing, environmental wellbeing.

EARL RUSSELL

★ After Clause 2, insert the following new Clause—

“Nature Recovery Duty

- (1) In carrying out their duties under the Crown Estate Act 1961, the Commissioners must take steps to meet the nature recovery duty.
- (2) The nature recovery duty includes taking steps to—

- (a) embed nature into spatial planning and seabed leasing,
- (b) allocate space for nature recovery in all projects, and
- (c) invest in clean energy projects.”

Member's explanatory statement

This amendment places a nature recovery duty on the Crown Estate.

Clause 3

BARONESS SMITH OF LLANFAES
LORD WIGLEY

Clause 3, page 2, line 14, leave out “beginning with the day on which it is passed” and insert “after the publication of an agreed fiscal framework between the Treasury and the Crown Estate on the powers to lend under this Act”

Member's explanatory statement

This amendment would require that the Act may only come into force two months after the publication of a fiscal framework agreement between the Treasury and the Crown Estate relating to the powers within the bill.

LORD BERKELEY

Clause 3, page 2, line 15, at end insert “, or after the Crown Estate Commissioners have published the Crown Estate’s lease extension policy and a Minister of the Crown has tabled a motion in both Houses of Parliament to debate that policy, whichever is the later.”

Member's explanatory statement

This amendment would require the Crown Estate to fulfil part of the Crown undertaking given during Report stage of the passage of the Leasehold and Freehold Reform Act 2024, specifically the commitment that it would publish its lease extension policy.

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