

Planning and Infrastructure Bill

FIFTH MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON REPORT

The amendments have been marshalled in accordance with the Instruction of 14th October 2025, as follows –

Clauses 1 to 23	Schedule 4
Schedule 1	Clauses 67 to 83
Clauses 24 to 41	Schedule 5
Schedule 2	Clauses 84 to 90
Clauses 42 to 52	Schedule 6
Schedule 3	Clauses 91 to 113
Clauses 53 to 66	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 90

LORD ROBOROUGH
LORD BLENCATHRA
BARONESS JONES OF MOULSECOOMB

208 Leave out Clause 90

Schedule 6

BARONESS TAYLOR OF STEVENAGE

209 Schedule 6, page 180, line 26, leave out paragraph (a) and insert –

“(a) after paragraph (2) insert –

“(2A) Where it appears to Natural England that a notice of a proposal under section 28E(1)(a) of the WCA 1981 relates to an operation which is or forms part of a plan or project situated wholly in England which –

(a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and

- (b) is not directly connected with or necessary to the management of that site,

it must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

(2B) In the light of the conclusions of the assessment, Natural England may give consent for the operation only after having ascertained that the plan or project will not adversely affect the integrity of the site.”;

Member's explanatory statement

This is the first of a number of amendments to Schedule 6, the effect of which would be that the Habitats Regulations would give protection to Ramsar sites (wherever situated) where they are affected by any plans or projects in England (rather than protecting only Ramsar sites in England).

BARONESS TAYLOR OF STEVENAGE

- 210** Schedule 6, page 180, line 28, leave out “Ramsar sites in England” and insert “certain Ramsar sites”.

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 211** Schedule 6, page 180, line 31, leave out paragraphs (a) and (b) and insert –
- (a) in paragraph (1) –
 - (i) after “where” insert “ –
 - (a)”;
 - (ii) at the end insert “, or
 - (b) a consent for an operation situated wholly in England has been given under section 28E(3)(a) of the WCA 1981 (or has effect as if given under that section) in relation to land included in a site of special scientific interest which, after the date of that consent, becomes land within a Ramsar site.”;
 - (b) in paragraph (3) –
 - (i) in sub-paragraph (a), after “24(1)” insert “or (2A)”;
 - (ii) in sub-paragraph (b), after “24(2)” insert “or (2B)”;
 - (c) in the heading, after “European sites” insert “or Ramsar sites”.

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 212** Schedule 6, page 180, line 35, leave out from “63,” to end of line 36 and insert “for “and European offshore marine sites” substitute “, European offshore marine sites and certain Ramsar sites”.”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 213** Schedule 6, page 180, line 39, leave out paragraph (a) and insert –

“(a) after paragraph (1) insert –

“(1A) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project situated wholly in England which –

- (a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.”;

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 214** Schedule 6, page 180, line 41, at end insert –

“(ba) in paragraph (9), for “paragraph (1)” substitute “paragraphs (1) and (1A)”;

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 215** Schedule 6, page 180, line 42, leave out from “heading,” to end of line 43 and insert “for “and European offshore marine sites” substitute “, European offshore marine sites and certain Ramsar sites”.”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

216 Schedule 6, page 181, line 4, at end insert—

“(b) after “63(1)” insert “or (1A).”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

217 Schedule 6, page 181, line 6, at end insert—

“(za) in paragraph (2), after “(1)” insert “or (1A).”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

218 Schedule 6, page 181, line 13, after “project” insert “in England”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

219 Schedule 6, page 181, line 14, leave out “in England”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

LORD RAVENSDALE

220 Schedule 6, page 181, line 20, at end insert—

“(3) For the purpose of paragraph (1), the appropriate authority may secure measures which benefit Natura 2000 by—

- (a) directly or indirectly benefiting ecosystems affected by the plan or project,
- (b) contributing, anywhere within Natura 2000, to the improvement of the conservation status of protected features affected by the plan or project,
- (c) assisting the appropriate authority in meeting its management objectives under regulation 16A in respect of the affected protected features, or
- (d) contributing to meeting the objectives of a current environmental improvement plan or Environment Act strategy in the vicinity of the plan or project,

and such measures need not be of the same type or scale as the protected features negatively affected by the plan or project or in place or effective prior to the onset of its impact.

(4) In this regulation –

“current environment improvement plan” has the same meaning as in Part 1 of the Environment Act 2021;

“Environment Act Strategy” means a strategy prepared under any of the following provisions of the Environment Act 2021 –

- (a) section 104 (local nature strategies),
- (b) section 109 (species conservation strategies), or
- (c) section 110 (protected site strategies).”

Member's explanatory statement

This amendment, linked to another in the name of Lord Ravensdale, seeks to reverse the impacts of recent case law and other clarifications on the operation of the Conservation of Habitats and Species Regulations 2017.

BARONESS TAYLOR OF STEVENAGE

221 Schedule 6, page 181, line 28, leave out paragraph 14 and insert –

“14 (1) In regulation 75 (general development orders) –

- (a) the existing text becomes paragraph (1);
- (b) at the end insert –

“(2) It is a condition of any planning permission granted by a general development order made by the Secretary of State on or after the day on which this paragraph comes into force that development which –

- (a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of the site,

must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority).”

- (2) In regulation 75(2) (as inserted by sub-paragraph (1)), after “force” insert “or a street vote development order”.

14A In regulation 76 (general development orders: opinion of appropriate nature conservation body), in paragraph (7), for “75(a)” substitute “75(1)(a) or (2)(a).”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

222 Schedule 6, page 181, line 39, leave out paragraph (a) and insert –

“(a) after paragraph (2) insert –

“(2A) Where a simplified planning zone scheme for an area in England is adopted or approved, that scheme is not to be taken to grant planning permission for development which –

- (a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of the site,

unless adopted or approved in accordance with the assessment provisions.”;

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

223 Schedule 6, page 182, line 3, leave out paragraph (a) and insert –

“(a) after paragraph (2) insert –

“(2A) Where an order designating an enterprise zone is made for an area wholly in England, or where a modified enterprise zone scheme is approved for such an area, that order or scheme is not to be taken to grant planning permission for development which –

- (a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of the site,

unless made or approved in accordance with the assessment provisions.”;

(aa) after paragraph (4) insert –

“(4A) Paragraph (2A) does not apply to an order made or a scheme approved before the day on which this paragraph comes into force.”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

224 Schedule 6, page 182, line 9, at end insert —

“22A In regulation 85A (assumptions to be made about nutrient pollution standards: general), in paragraph (6)(a), after “63(1)” insert “or (1A)”.”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

225 Schedule 6, page 182, line 12, leave out from “works),” to end of line 13 and insert “at end insert —

“(4) Section 3(10) of that Act is not to be taken to deem planning permission to be granted for development wholly in England which —

(a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site, whether or not the development authorised by the permission has been begun, unless the competent authority has agreed to the plan or project in accordance with the assessment provisions.””

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

226 Schedule 6, page 183, line 3, leave out paragraph (a) and insert —

“(a) after paragraph (1) insert —

“(1A) Where a land use plan relating to an area wholly in England —

(a) is likely to have a significant effect on a Ramsar site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.”;”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 227** Schedule 6, page 183, line 6, leave out “after “European sites” insert “, Ramsar sites”” and insert “for “and European offshore marine sites” substitute “, European offshore marine sites and certain Ramsar sites””

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 228** Schedule 6, page 183, line 14, at end insert –
- “(za) in paragraph (2), after “(1)” insert “or (1A)”;
 - “(zb) in paragraph (3), after “105(1)” insert “or (1A)”;

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

BARONESS TAYLOR OF STEVENAGE

- 229** Schedule 6, page 183, line 24, at end insert –
- “37 In regulation 110A (assessments under this Chapter: required assumptions) –
- (a) in paragraph (5)(a), after “105(1)” insert “or (1A)”;
 - (b) in paragraph (5)(b), after “105(1)” insert “or (1A)”.”

Member's explanatory statement

See the explanatory statement to my amendment to page 180 line 26.

LORD RAVENSDALE
LORD ROBOROUGH

- 230** Schedule 6, page 183, line 24, at end insert –

“PART 1APLANNING CONSENT: AMENDMENTS TO THE CONSERVATION OF HABITATS AND SPECIES
REGULATIONS 2017*Interpretation etc*

- 1 The Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) are amended as follows.

- 2 In regulation 3 (interpretation), in paragraph (1) after the definition of “priority species”, insert –
- ““protected features” means, in relation to a European offshore marine site, any Annex I or Annex II species (as defined in the Habitats Directive) which is an interest feature of that site;”
- 3 In regulation 3A (interpretation: the Directives), in paragraph (4) at end insert “or any matters pertaining to the assessment of, or compensation for, plans or projects pursuant to regulations 63 and 68, or the protection of species and species licensing pursuant to regulations 43 and 55”.

De minimis effects

- 4 Regulation 55 (licences for certain activities relating to animals or plants) is amended as follows.
- 5 After paragraph (6), insert –
- “(6A) Where there is evidence that the effects of a plan or project alone on a protected feature are likely to be de minimis (including due to their temporary duration) and the plan or project’s contribution to in-combination effects with other plans or projects on that protected feature is also likely to be de minimis, there should not be considered to be a likely significant effect on a European site or European offshore marine site for the purpose of paragraph (1)(a) or an adverse effect on the integrity of a European site or European offshore marine site for the purpose of paragraph (5), including in cases where the European site or European offshore marine site has an unfavourable conservation status.
- (6B) For the purpose of paragraph (6A) as it applies to paragraph (5), the manner in which a plan or project is proposed to be carried out and any conditions or restrictions subject to which it is proposed that the consent, permission or other authorisation should be given, may be taken into account when considering whether effects are likely to be de minimis.
- (6C) Paragraph (6A) shall not apply in relation to permanent loss of any part of a natural habitat type whose preservation was the objective justifying the designation of the site.
- (6D) Any evidence or justification provided by an applicant for the purpose of assessment, or to enable a competent authority to determine whether an appropriate assessment is required, shall not (without justification) be accorded less weight by the competent authority than that provided by the appropriate nature conservation body.”.

Cases where subsequent assessment is not required

- 6 In paragraph (7) of regulation 63 (assessment of implications for European sites and European offshore marine sites), after sub-paragraph (c), insert –
- “(d) consents, approvals, permissions or authorisations required pursuant to –
- (i) the conditions of a planning permission granted under the Town and Country Planning Act 1990,

- (ii) the requirements of a development consent order made under the Planning Act 2008,
- (iii) the conditions of a marine license granted pursuant to Marine and Coastal Access Act 2009,
- (iv) the conditions of a consent under section 36 or section 37 of the Electricity Act 1989, or
- (v) the requirements of an infrastructure consent order made under the Infrastructure (Wales) Act 2024,

provided that when planning permission, development consent, a marine license, section 36 or section 37 consent, or infrastructure consent (as relevant) was granted, any assessment required at that time by these Regulations (or any predecessor Regulations in force at that time) was carried out.”.”

Member's explanatory statement

This amendment, linked to another in the name of Lord Ravensdale, seeks to reverse the impacts of recent case law and other clarifications on the operation of the Conservation of Habitats and Species Regulations 2017.

BARONESS TAYLOR OF STEVENAGE

231 Schedule 6, page 185, line 39, at end insert –

“Marine and Coastal Access Act 2009

41A(1) The Marine and Coastal Access Act 2009 is amended as follows.

- (2) In section 125 (general duties of public authorities in relation to MCZs), after subsection (12) insert –

“(12A) This section does not apply to the exercise by a public authority of functions under or by virtue of Part 3 of the Planning and Infrastructure Act 2025 (development and nature recovery).”

- (3) In section 141 (exceptions to offences under section 139 or 140), in subsection (1), after paragraph (a) insert –

“(aa) was done by a public authority exercising functions under or by virtue of Part 3 of the Planning and Infrastructure Act 2025 (development and nature recovery);”.”

Member's explanatory statement

This amendment disapplies the duties in s.125 of the MCAA 2009 where a public authority exercises functions under Part 3, such as drafting or approving an EDP. This is necessary to enable an EDP to include network conservation measures (see further the explanatory statement to my amendment to Schedule 4 (at page 171, line 28)). It also makes a consequential amendment to s.141.

LORD ROBOROUGH
LORD BLENCATHRA

231A Leave out Schedule 6

After Schedule 6

LORD LANSLEY

232 After Schedule 6, insert the following new Schedule—

“SCHEDULE

**MAYORAL DEVELOPMENT CORPORATIONS FOR PLANNING AND DEVELOPMENT PURPOSES:
AMENDMENT OF THE LOCALISM ACT 2011**

Introduction

1 The Localism Act 2011 is amended in accordance with this Schedule.

Part 8

2 In the heading of Part 8, after “London” insert “and areas of other mayoral strategic authorities”.

Interpretation

3 In section 196—
(a) before the definition of “the Mayor” insert—

““CCA” means a combined county authority established under Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023;

“combined authority” means a combined authority established under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;

“constituent council” means—

(a) in relation to a combined authority—

(i) a county council the whole or any part of whose area is within the area of the authority, or

(ii) a district council whose area is within the area of the authority;

(b) in relation to a CCA—

(i) a county council for an area within the area of the authority, or

(ii) a unitary district council for an area within the area of the authority;

and here “unitary district council” means the council for a district for which there is no county council;”;

- (b) for the definition of “the Mayor” substitute –
 - ““the Mayor” means –
 - (a) the Mayor of London,
 - (b) the mayor for the area of a combined authority, or
 - (c) the mayor for the area of a CCA;”;
- (c) after the definition of “MDC” insert –
 - ““strategic authority area” means –
 - (a) in relation to the Mayor of London or a mayoral development area designated by that Mayor, Greater London;
 - (b) in relation to the mayor for the area of a combined authority or a mayoral development area designated by the mayor for such an area, the area of the combined authority, or
 - (c) in relation to the mayor for the area of a CCA or a mayoral development area designated by the mayor for such an area, the area of the CCA;”.

Designation of Mayoral development areas

- 4 (1) Section 197 is amended in accordance with this paragraph.
- (2) In subsection (1), for “Greater London” substitute “a strategic authority area”.
- (3) In subsection (3), in the words before paragraph (a), for “the Mayor” substitute “the Mayor of London”.
- (4) After subsection (5) insert –
 - “(5A) The mayor for the area of a combined authority or CCA may designate a Mayoral development area only if –
 - (a) the Mayor considers that designation of the area is expedient for furthering economic development and regeneration in the strategic authority area,
 - (b) the Mayor has consulted the persons specified by subsection (5B) and, if applicable, subsection (5C),
 - (c) the Mayor has had regard to any comments made in response by the consultees,
 - (d) in the event that those comments include comments made by a constituent council or a district council consulted under subsection (5C) that are comments that the Mayor does not accept, the Mayor has published a statement giving the reasons for the non-acceptance,
 - (e) the Mayor has laid before the combined authority or CCA, in accordance with its standing orders, a document stating that the Mayor is proposing to designate the area, and
 - (f) the combined authority or CCA approves the proposal.

- (5B) The persons who have to be consulted before an area may be designated are —
 - (a) the constituent councils,
 - (b) each Member of Parliament whose parliamentary constituency contains any part of the area, and
 - (c) any other person whom the Mayor considers it appropriate to consult.
- (5C) In the case of a combined county authority, any district council whose local authority area contains any part of the area also has to be consulted before the area may be designated.
- (5D) For the purposes of subsection (5A)(f) the combined authority or CCA approves a proposal if it resolves to do so on a motion considered at a meeting of the combined authority or CCA throughout which members of the public are entitled to be present.”.

Exclusion of land from Mayoral development areas

- 5 (1) Section 199 is amended in accordance with this paragraph.
- (2) In subsection (2), for “the Mayor” substitute “the Mayor of London”.
- (3) After subsection (2) insert —
 - “(2A) Before making an alteration, the mayor for the area of a combined authority or CCA must consult —
 - (a) the constituent councils, and
 - (b) any other person whom the Mayor considers it appropriate to consult.”.

Transfers of property etc to a Mayoral development corporation

- 6 (1) Section 200 is amended in accordance with this paragraph.
- (2) In subsection (1), for “a person within subsection (3)” substitute “an eligible transferor”.
- (3) After subsection (1) insert —
 - “(1A) In the case of an MDC for an area in Greater London, “eligible transferor” means —
 - (a) a London borough council,
 - (b) the Common Council of the City of London in its capacity as a local authority,
 - (c) any company whose members —
 - (i) include the Mayor of London and a Minister of the Crown, and
 - (ii) do not include anyone who is neither the Mayor or London nor a Minister of the Crown, or
 - (d) a person within subsection (3).

- (1B) In the case of an MDC for an area in the area of a combined authority, “eligible transferor” means a person within subsection (3).
- (1C) In the case of an MDC for an area in the area of a CCA, “eligible transferor” means —
 - (a) any district council whose local authority area is within the area of the CCA, or
 - (b) a person within subsection (3).”.
- (4) In subsection (3) —
 - (a) omit paragraphs (a) and (b);
 - (b) in paragraphs (d) and (e), for “Greater London” substitute “the strategic authority area”;
 - (c) omit paragraph (k).
- (5) In subsection (4), for “liabilities of —” substitute “liabilities of an eligible transferee.”
 - (4A) In the case of an MDC for an area in Greater London, “eligible transferee” means —”.
- (6) Before subsection (5) insert —
 - “(4A) 20 In the case of an MDC for an area in the area of a combined authority or CCA, “eligible transferee” means —
 - (a) the combined authority or CCA, o
 - (b) a company that is a subsidiary of the combined authority or CCA.”.
- (7) In subsection (9), after “(4)(c)” insert “or (4A)(b)”.

Functions in relation to Town and Country Planning

- 7 (1) Section 202 is amended in accordance with this paragraph.
- (2) In subsection (7), for “the Mayor” substitute “the Mayor of London”.
- (3) After subsection (7) insert —
 - “(7A) The mayor for the area of a combined authority or CCA may make a decision under any of subsections (2) to (6) only if —
 - (a) the Mayor has consulted the persons specified by section 197(5B) and, if applicable, section 197(5C), in relation to the area,
 - (b) the Mayor has had regard to any comments made in response by the consultees, and
 - (c) in the event that those comments include comments made by the constituent council or a district council specified by section 197(5C) that are comments that the Mayor does not accept, the Mayor has published a statement giving the reasons for the non-acceptance.”.

Arrangements for discharge of, or assistance with, planning functions

- 8 In section 203, in subsections (1) and (4), after “City of London” insert “, or a county council or district council”.

Acquisition of land

- 9 (1) Section 207 is amended in accordance with this paragraph.
- (2) In subsection (2), for “Greater London” substitute “the strategic authority area”.
- (3) For subsection (3) substitute –
- “(3) Before submitting a compulsory purchase order authorising an acquisition under subsection (2) to the Secretary of State for confirmation –
- (a) 15 an MDC for an area in Greater London must obtain the consent of the Mayor of London;
- (b) an MDC for an area in the area of a combined authority or CCA must obtain the consent of the mayor for that area.”.

Clause 91

LORD ROBOROUGH
LORD BLENCATHRA
BARONESS JONES OF MOULSECOOMB

233 Leave out Clause 91

Clause 92

LORD ROBOROUGH
LORD BLENCATHRA
BARONESS JONES OF MOULSECOOMB

234 Leave out Clause 92

Clause 94

LORD LANSLEY

235 Clause 94, page 124, line 33, leave out “and” and insert “to”

Member's explanatory statement

This amendment is connected to another amendment in Lord Lansley's name to clause 94.

LORD LANSLEY

236 Clause 94, page 125, line 6, at end insert—

“(2A) After section 1 (designation of areas), insert the following new Clause—

“1A Procedure for orders under section 1

- (1) If, as a result of any consultation with respect to a proposed order under section 1(1), it appears to the Secretary of State that it is appropriate to change the whole or any part of the Secretary of State's proposals, the Secretary of State must undertake such further consultation with respect to the changes as the Secretary of State considers appropriate.
- (2) If, after the conclusion of the consultation required by section 1 and subsection (1), the Secretary of State considers it appropriate to proceed with the making of an order under section 1(1), the Secretary of State must lay before Parliament—
 - (a) a draft of the order, and
 - (b) an explanatory document explaining the proposals and giving details of—
 - (i) any consultation undertaken under section 1(1) and subsection (1),
 - (ii) any representations received as a result of the consultation, and
 - (iii) the changes (if any) made as a result of those representations.
- (3) Section 18 of the Legislative and Regulatory Reform Act 2006 (super-affirmative parliamentary procedure) applies in relation to an explanatory document and draft order laid under subsection (2) but as if references to the Minister were references to the Secretary of State.”.

Member's explanatory statement

This amendment would require the super-affirmative procedure for any orders made under section 1 of the New Towns Act 1981.

BARONESS COFFEY

236A [Withdrawn]

After Clause 95

BARONESS WILLIS OF SUMMERTOWN
LORD GASCOIGNE
BARONESS YOUNG OF OLD SCONE
BARONESS MILLER OF CHILTHORNE DOMER

237 After Clause 95, insert the following new Clause —

“Provision of green and blue spaces

In section 4(1) of the New Towns Act 1981 (objects and general power of development corporations), at end insert “and to provide green and blue spaces which are publicly accessible to local communities”.

Member's explanatory statement

This would require development corporations to provide green and blue spaces when securing the layout and development of new towns.

Clause 96

LORD FULLER
BARONESS SCOTT OF BYBROOK
LORD JAMIESON

238 Clause 96, page 130, line 15, at end insert —

“(c) the funding and financing of development proposals, which may extend to the issuance of bonds, debt or similar financial instruments.”

Member's explanatory statement

This amendment seeks to empower development corporations to seek finance from the widest number of sources whether from PWLB, private money, sovereign wealth, pension funds or value in-kind as part of a joint-venture together with the ability to issue bonds, individually or severally with other development corporations.

Clause 100

LORD LUCAS

238ZA Clause 100, page 141, line 23, at end insert —

“(A1) In section 7 of the Acquisition of Land Act 1981 (interpretation), after the definition of “local authority” insert —

““local news publisher” has the meaning prescribed to it in Schedule 2ZA.”.

(A2) After Schedule 2 of the Acquisition of Land Act 1981, insert –

“SCHEDULE 2ZA

LOCAL NEWS PUBLISHERS

Definition of local news publisher

- 1 The term “local news publisher” means a business that –
 - (a) has as its principal purpose the publication of original, local news content, where such material, whether or not publication is done with a view to making profit –
 - (i) is published, online or in print, no less than once every 31 days;
 - (ii) is subject to editorial control;
 - (iii) is regulated by the Independent Press Standards Organisation (IPSO), or by IMPRESS;
 - (b) is legally resident in the United Kingdom;
 - (c) is owned and operated within the community; and
 - (d) is considered by the relevant local authority to be an effective means of drawing the notice to the attention of local people who would be interested to read it but are not actively looking for it.
- 2 An organisation is a relevant local authority if it is –
 - (a) identified as a principal council within the meaning of section 2 of the Local Government Act 1978 for England or section 21 of that Act for Wales, and
 - (b) required by law (such as section 14 of the Road Traffic Regulation Act 1984) to issue a public notice relating to any powers it exercises.””

Member's explanatory statement

This amendment, together with two others to this Clause in the name of Lord Lucas, is to update the 1981 definition of newspaper so that it takes account of the substantial changes in local media this century, in relation to newspaper notices required under the Acquisition of Land Act 1981.

LORD LUCAS

238ZB Clause 100, page 141, line 27, after “order),” insert –

“(a) in subsection (1)(a), for “newspapers” substitute “news publishers”;”

LORD LUCAS

238ZC Clause 100, page 141, line 31, at end insert –

“(za) in subsection (3)(a), for “newspapers” substitute “news publishers”;”

Clause 105

LORD MESTON

- 238A** Clause 105, page 149, line 41, at end insert “unless the person displaced can show that he or she did not deliberately allow the dwelling to fall into disrepair or to remain derelict and that his or her failure to take steps or action required by the notice or order served was due to that person’s poor health or other infirmity, or was due to his or her inability to afford the cost of the work required.”

Member's explanatory statement

This amendment seeks to mitigate the potentially harsh and punitive application of the proposed new section 32A of the 1973 Act when a dwelling is compulsorily acquired.

After Clause 106

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
BARONESS HODGSON OF ABINGER

- 239** After Clause 106, insert the following new Clause –

“Protection of villages

- (1) The Secretary of State must, within six months of the day on which this Act is passed, issue guidance for local planning authorities, or update any relevant existing guidance, relating to the protection of villages from over-development and change of character.
- (2) Any guidance issued under this section must provide villages with equivalent protection, so far as is appropriate, as is provided for towns in relation to –
 - (a) preventing villages from merging into one another, and
 - (b) preserving the setting and special character of historic villages, under the National Planning Policy Framework.”

Member's explanatory statement

This amendment seeks to provide existing villages with protection equivalent to that currently provided to towns under the National Planning Policy Framework.

BARONESS HODGSON OF ABINGER

- 240** After Clause 106, insert the following new Clause –

“Land purchasing: duty to declare other approaches to purchase or lease land

- (1) Any developer or company approaching a landowner to buy or lease land for the purpose of development must declare whether they are also approaching other owners of land in the vicinity to buy or lease land for the purpose of development.
- (2) The declaration required under subsection (1) must include whether the combined amount of land intended to be purchased or leased will be submitted for

application as a nationally significant infrastructure project as set out in Part 3 of the Planning Act 2008.

- (3) In subsection (1), “in the vicinity” means any land immediately adjoining or within ten miles of the land intended to be leased or purchased.”

Member's explanatory statement

This amendment seeks to ensure that any landowner being approached is aware of whether it is just their land that is the subject of purchase/leasing or whether there are others being approached so that the total sum of the land obtained may result in application for designation as a nationally significant infrastructure project.

BARONESS HODGSON OF ABINGER

241 After Clause 106, insert the following new Clause –

“Land banking: prevention

- (1) Any developer or company seeking to buy or lease land from a landowner for the purpose of development must declare to the landowner whether they already hold planning permission for similar developments within ten miles of the land being purchased or leased.
- (2) If any such land declared under subsection (1) has been held for over one year without development commencing, any planning permission for the land to be purchased or leased under subsection (1) may not be approved.”

Member's explanatory statement

This amendment seeks to prevent “land banking” – the practice of purchasing undeveloped land and holding it for future development or resale, rather than immediately building on it.

Clause 107

LORD ROBOROUGH
LORD BLENCATHRA

242 Leave out Clause 107 and insert the following new Clause –

“The Land Compensation Act 1961

In the Land Compensation Act 1961, omit section 14A (cases where prospect of planning permission to be ignored).”

Member's explanatory statement

This amendment would remove the Levelling-up and Regeneration Act 2023’s changes to Compulsory Purchase Orders which enabled the Secretary of State to ignore “hope value”.

LORD ROBOROUGH
LORD BLENCATHRA

243 Leave out Clause 107

Member's explanatory statement

This amendment would remove Clause 107 (amendments relating to section 14A of the Land Compensation Act 1961) which would enable LAs to ignore “hope value” when using compulsory purchase orders.

After Clause 108

BARONESS SCOTT OF BYBROOK

244 After Clause 108, insert the following new Clause —

“Report: local government reorganisation and devolution

Within three months of the day on which this Act is passed, the Secretary of State must lay before both Houses of Parliament a report setting out —

- (a) how this Act is intended to operate following local government reorganisation,
- (b) the arrangements that will apply in respect of this Act in the interim period while devolution settlements are being negotiated, and
- (c) what provisions must be in place to ensure the effective operation of this Act during the interim period.”

LORD GOLDSMITH OF RICHMOND PARK
LORD LAMONT OF LERWICK
LORD GOVE
BARONESS COFFEY

245 After Clause 108, insert the following new Clause —

“Building regulations: swift bricks

- (1) The Secretary of State must, within six months of the day on which this Act is passed, introduce regulations under section 1 of the Building Act 1984 (power to make building regulations) to make provision for the installation of an average of one swift brick per dwelling or unit greater than 5 metres in height.
- (2) Regulations must require the installation of swift bricks in line with best practice guidance, except where such installation is not practicable or appropriate.
- (3) For the purposes of this section —
 - “swift brick” means an integral nest box integrated into the wall of a building suitable for the nesting of the common swift and other cavity nesting species;
 - “best practice guidance” means the British Standard BS 42021:2022.”

Member's explanatory statement

This new Clause would require the Secretary of State to introduce regulations to require the installation of integral bird nest boxes and swift boxes in developments greater than 5 metres in height. Swift bricks provide nesting habitats for all bird species reliant on cavity nesting habitats in buildings to breed.

BARONESS FREEMAN OF STEVENTON
BARONESS BENNETT OF MANOR CASTLE
BARONESS GRENDER

246

After Clause 108, insert the following new Clause —

“National Planning Policy Framework: bird safety of buildings

- (1) The Secretary of State must, within six months of the day on which this Act is passed —
 - (a) amend the National Planning Policy Framework to ensure that buildings incorporate, to the extent practicable, features, practices and strategies to reduce bird fatalities resulting from collisions with buildings, and
 - (b) issue guidance on such features, practices and strategies to reduce bird fatalities resulting from collisions with buildings.
- (2) The amendments under subsection (1)(a) must apply to any building that is constructed, or of which more than 50 per cent of the façade is substantially altered, after the date of the updated National Planning Policy Framework coming into force.
- (3) The Secretary of State may issue exemptions to the amendments made by subsection (1)(a) for listed buildings.
- (4) The guidance under subsection (1)(b) must include —
 - (a) features for reducing bird fatality resulting from collisions with buildings throughout all stages of construction, taking into account the risks and available information on bird fatalities that occur at different types of buildings, and
 - (b) methods and strategies for reducing bird fatality resulting from collisions with buildings during the operation and maintenance of such buildings, including using certified bird-safe glass.
- (5) The Secretary of State must review the guidance under subsection (1)(b) on a regular basis to ensure that it reflects current knowledge on effective methods to reduce bird fatalities.”

Member's explanatory statement

This amendment seeks to introduce bird safety (in design and in the use of bird-safe glass) into the National Planning Policy Framework for new builds and non-heritage buildings being extensively modified.

LORD CRISP
LORD YOUNG OF COOKHAM
BARONESS PINNOCK
BARONESS BENNETT OF MANOR CASTLE

247 After Clause 108, insert the following new Clause —

“Secretary of State’s duty to promote health improvement and reduce health inequalities

When considering whether or how to exercise any of their functions under the planning Acts the Secretary of State must have regard to the need to —

- (a) improve the health of persons living in England, and
- (b) reduce health inequalities between persons living in England.”

Member’s explanatory statement

This amendment, connected with another in the name of Lord Crisp, would place a duty upon the Secretary of State to consider health promotion when they discharge their planning functions. The amendments use the same wording for the duty and definitions as are used in the English Devolution and Community Empowerment Bill (Clause 43, Health improvement and health inequalities duty).

LORD MOYNIHAN
As an amendment to Amendment 247

247A At end insert —

- “(2) Sport England may make representations to the Secretary of State about the extent to which the Secretary of State is meeting the duty in subsection (1).
- (3) The Secretary of State must have regard to the representations in subsection (2).”

LORD CRISP
LORD YOUNG OF COOKHAM
BARONESS PINNOCK
BARONESS BENNETT OF MANOR CASTLE

248 After Clause 108, insert the following new Clause —

“Definitions: duty to promote health improvement and reduce health inequalities

- (1) Health inequalities “between persons” living in an area means health inequalities between persons, or persons of different descriptions, living in, or in different parts of, England.
- (2) “Health inequalities” means inequalities in respect of life expectancy or general state of health which are wholly or partly a result of differences in respect of general health determinants.
- (3) “General health determinants” are —
 - (a) standards of housing, transport services or public safety,

- (b) employment prospects, earning capacity and any other matters that affect levels of prosperity,
 - (c) the degree of ease or difficulty with which persons have access to public services,
 - (d) the use, or level of use, of tobacco, alcohol or other substances, and any other matters of personal behaviour or lifestyle, that are or may be harmful to health, and any other matters that are determinants of life expectancy or the state of health of persons generally, other than genetic or biological factors.
- (4) In section (*Secretary of State's duty to promote health improvement and reduce health inequalities*)(a), the reference to improving the health of persons includes a reference to mitigating any detriment to health which would otherwise be occasioned by the exercise of the Secretary of State's function.
- (5) In section (*Secretary of State's duty to promote health improvement and reduce health inequalities*)(b), the reference to reducing health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the exercise of the Secretary of State's function."

Member's explanatory statement

This amendment, connected with another in the name of Lord Crisp, would place a duty upon the Secretary of State to consider health promotion when they discharge their planning functions. The amendments use the same wording for the duty and definitions as are used in the English Devolution and Community Empowerment Bill (Clause 43, Health improvement and health inequalities duty).

LORD CAMERON OF DILLINGTON

249

After Clause 108, insert the following new Clause –

“Compulsory purchase for planning and development: code of practice

- (1) Within six months of the day on which this Act is passed, the Secretary of State must publish a code of practice to be followed by all bodies or individuals exercising powers of compulsory purchase for the purposes of planning and development.
- (2) On publication of the code of practice, the Secretary of State must by regulations establish –
 - (a) an enforcement mechanism for the code of practice, including nominating a responsible body or individual for monitoring compliance,
 - (b) penalties for non-compliance with the code of practice, and
 - (c) a system for appealing against findings of non-compliance with the code of practice.
- (3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This is to ensure that all acquiring authorities, and their agents, are bound by the normal code of conveyancing practice exercised by a willing seller to a willing buyer.

LORD BANNER
LORD PANNICK
LORD GRABINER
LORD O'DONNELL

250

After Clause 108, insert the following new Clause –

“Amendment to the Local Government Act 1972 to enhance provisions for protection of purchasers of land from local authorities

For section 128(2) of the Local Government Act 1972 (consents to land transactions by local authorities and protection of purchasers), substitute –

“(2) Where under the foregoing provisions of this Part of this Act or under any other enactment, whether passed before, at the same time as, or after, this Act, a local authority purport to acquire, appropriate or dispose of land by any method whatsoever after 13 November 1980, then –

- (a) in favour of any person claiming under the authority, the acquisition, appropriation or disposal so purporting to be made shall not be invalid by reason that any consent of a Minister which is required thereto has not been given or that any requirement as to advertisement or consideration of objections has not been complied with, and
- (b) a person dealing with the authority or a person claiming under the authority shall not be concerned to see or enquire whether any such consent has been given or whether any such requirement has been complied with;

and any such person who acquires land to which this subsection applies shall take such land free of any trusts arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1906 notwithstanding any failure by the relevant authority to comply with the requirements of section 122(2A) or section 123(2A) of this Act.””

Member's explanatory statement

This amendment seeks to clarify purchasers' protection machinery in the Local Government Act 1972 following the Supreme Court's decision in R (Shropshire) v Day [2023] AC 955 for persons who acquire land from local authorities.

LORD SANDHURST

251 After Clause 108, insert the following new Clause –

“Report on compatibility of compulsory purchase powers with the European Convention on Human Rights

- (1) The Secretary of State must, within one month of the day on which this Act is passed, lay before Parliament a report assessing whether the exercise of compulsory purchase powers by local authorities is compatible with the rights and freedoms set out in the European Convention on Human Rights.
- (2) The report must, in particular, consider –
 - (a) whether current legislative and procedural safeguards on compulsory purchase adequately protect the right to peaceful enjoyment of possessions under Article 1 of Protocol No. 1 to the Convention (protection of property);
 - (b) the extent to which affected individuals have access to effective remedies under Article 6 of the Convention;
 - (c) any patterns of concern arising from recent uses of compulsory purchase powers.
- (3) In this section, “the European Convention on Human Rights” has the same meaning as in section 21(1) of the Human Rights Act 1998.”

Member's explanatory statement

This amendment would require the Secretary of State to report on the compatibility of CPOs with the ECHR.

LORD ROBOROUGH
LORD BLENCATHRA

252 After Clause 108, insert the following new Clause –

“Return of compulsorily purchased land

- (1) Natural England must return land acquired under a compulsory purchase order to the person from whom it was compulsorily purchased where the following conditions have been met –
 - (a) the owner of the land has refused to agree to a contract offered by Natural England,
 - (b) any works specified under the contract have been undertaken on behalf of Natural England and relate to an environmental development plan,
 - (c) a compulsory purchase order has been made by Natural England in relation to the land, and
 - (d) the cost of work undertaken on the land by Natural England exceeds the value of the contract offered by Natural England to the owner.
- (2) When returning land under subsection (1), Natural England must not –
 - (a) impose any charge on, or
 - (b) require any sum from

the person from whom the land was compulsorily purchased.”

Member's explanatory statement

This amendment requires Natural England to return land that has been subject to a Compulsory Purchase Order to the original owner if Natural England spends more on the contracted work than the money they were originally offering the landowner.

BARONESS ROCK
BARONESS COFFEY
BARONESS GRENDER

253★ After Clause 108, insert the following new Clause —

“Tenant farmers (compensation for disturbance following change of use for farm business tenancies let under the Agricultural Tenancies Act 1995)

In the Agricultural Tenancies Act 1995, after section 21 insert —

“21A Compensation payable to the tenant for disturbance

- (1) This section applies where a farm business tenancy terminates in whole or in part by reason of a notice to quit given by the landlord following the granting of a planning consent for change of use and the tenant quits the holding in consequence of the notice.
- (2) Where this section applies there shall be payable by the landlord to the tenant by way of compensation for disturbance a sum equal to the tenant’s actual loss limited to the extent of the farm business tenancy and any consented activities connected to this.”.

Member's explanatory statement

This amendment introduces reasonable compensation provisions payable to farm tenants within the Agricultural Tenancies Act 1995. It will ensure that farm tenants receive compensation equivalent to their real loss for any land removed from their tenancy agreements for development. There are currently no compensation provisions within the Act.

BARONESS ROCK
BARONESS GRENDER

253A★ After Clause 108, insert the following new Clause —

“Tenant farmers (compensation for disturbance following change of use for holdings let under the Agricultural Holdings Act 1986)

- (1) Section 60 of the Agricultural Holdings Act 1986 (right to, and measure of, compensation for disturbance) is amended as follows.
- (2) At the beginning of subsection (3) insert “Subject to subsection (3A),”.

(3) After subsection (3) insert –

- “(3A) Where the termination in accordance with subsection (1) takes place following the granting of planning consent for a change of use relating to some or all of the holding, the amount of basic compensation shall be –
- (a) an amount equal to one year’s rent of the holding at the rate at which rent was payable immediately before the termination of the tenancy, or
 - (b) where the tenant has complied with the requirements of subsection (6) below, a greater amount equal to either the amount of the tenant’s actual loss limited to the extent of the holding and any consented activities connected to this, or two years’ rent of the holding, whichever is the greater.”

Member's explanatory statement

This amendment would revise the compensation provisions payable to farm tenants set out within the Agricultural Holdings Act 1986 to ensure that farm tenants receive compensation equivalent to their real loss for any land removed from their tenancy agreements for development, rather than a multiple of the rent they are paying.

BARONESS ROCK

253B★ After Clause 108, insert the following new Clause –

Compensation for disturbance

- (1) Within three months of the day on which this Act is passed, the Secretary of State must, by regulations made by statutory instrument, make the provision in subsection (2).
- (2) The provision is that a person, vacating their dwelling following the serving of a compulsory purchase order for the purposes of a development, must receive compensation from the developer in respect of any disturbance caused.
- (3) The compensation in subsection (2) must be a sum equal to the tenant’s actual loss limited to the extent of any business they are carrying on in their dwelling and any activities connected to this.
- (4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This amendment seeks to ensure that people whose properties are compulsorily purchased are compensated for any disturbance to a business they run from that property.

Clause 111

BARONESS TAYLOR OF STEVENAGE

254 Clause 111, page 157, line 13, at end insert –

“(ca) section (*Wind generating stations that may affect seismic array systems*);”

Member's explanatory statement

This amendment would provide for my new clause entitled “Wind generating stations that may affect seismic array systems” to extend to England and Wales and Scotland. However, it would have no application in Wales as there are no relevant seismic array systems situated there.

BARONESS TAYLOR OF STEVENAGE

255 Clause 111, page 157, line 15, leave out paragraph (e)

Member's explanatory statement

This amendment would remove a stray reference to provisions that were left out in Committee.

Clause 112

BARONESS TAYLOR OF STEVENAGE

256 Clause 112, page 157, line 23, leave out paragraph (a) and insert –

- “(a) sections 1 and 2 come into force on such day as the Secretary of State may by regulations appoint;
- (aa) section (*Projects relating to water*) comes into force on the day on which this Act is passed;
- (ab) sections 3 to 8 come into force on such day as the Secretary of State may by regulations appoint;”

Member's explanatory statement

This amendment would provide that my new clause entitled “Projects relating to water” would come into force on the day the Bill receives Royal Assent.

BARONESS TAYLOR OF STEVENAGE

257 Clause 112, page 158, line 20, at end insert –

“(na) section (*Wind generating stations that may affect seismic array systems*) comes 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 would provide for my new clause entitled “Wind generating stations that may affect seismic array systems” to come into force two months after Royal Assent.

BARONESS TAYLOR OF STEVENAGE

258 Clause 112, page 158, line 37, leave out paragraph (u) and insert –

- “(u) sections 39 and 40 come into force at the end of the period of two months beginning with the day on which this Act is passed;
- (ua) section 41 comes into force on such day as the Secretary of State may by regulations appoint;
- (ub) sections 42 and 43 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 would provide for my proposed replacement for Clause 41 to come into force by regulations.

BARONESS TAYLOR OF STEVENAGE

259 Clause 112, page 159, line 25, at end insert –

- “(ca) section (*Directions restricting refusal of planning permission in England*) comes into force on the day on which this Act is passed;”

Member's explanatory statement

This amendment would provide that my new clause entitled “Directions restricting refusal of planning permission in England” would come into force on the day the Bill receives Royal Assent.

BARONESS TAYLOR OF STEVENAGE

260 Clause 112, page 159, line 25, at end insert –

- “(ca) in section (*Directions giving deemed planning permission: special regard to heritage assets*) –
 - (i) subsection (1) comes into force at the end of the period of two months beginning with the day on which this Act is passed;
 - (ii) subsection (2) comes into force at the same time as section 102(1) of the Levelling-up and Regeneration Act 2023;”

Member's explanatory statement

This amendment would provide for my new clause entitled “Directions giving deemed planning permission: special regard to heritage assets” to come into force two months after Royal Assent.

BARONESS TAYLOR OF STEVENAGE

261 Clause 112, page 159, line 25, at end insert –

- “(ca) section (*Planning permission etc: extension of time in event of legal challenge*) comes 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 would provide that my new clause entitled “Planning permission etc: extension of time in event of legal challenge” would come into force two months after Royal Assent.

BARONESS TAYLOR OF STEVENAGE

262 Clause 112, page 159, line 25, at end insert —

“(ca) section (*Provision of advice by Natural England to public authorities*) comes into force on such day as the Secretary of State may by regulations appoint;”

Member's explanatory statement

This amendment would provide that my new clause entitled “Provision of advice by Natural England to public authorities” would come into force on such day as the Secretary of State may by regulations appoint.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

263 Clause 112, page 159, line 25, at end insert —

“(ca) section (*Use of hotels as accommodation for asylum seekers: requirement for planning permission*) comes into force on the day on which this Act is passed.”

Member's explanatory statement

This ensures that the new clause ‘Use of hotels as accommodation for asylum seekers: requirement for planning permission’ (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

264 Clause 112, page 159, line 25, at end insert —

“(ca) section (*Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission*) comes into force on the day on which this Act is passed.”

Member's explanatory statement

This ensures that the new clause ‘Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission’ (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

BARONESS TAYLOR OF STEVENAGE

265 Clause 112, page 159, line 33, at end insert “, except that paragraph 14(2) of Schedule 6 comes into force at the same time as section 106 of the Levelling-up and Regeneration Act 2023.”

Member's explanatory statement

This amendment is a technical amendment linked to my amendments to Part 1 of Schedule 6. It means that a reference to street vote development orders is only inserted into the Habitats Regulations when the provisions in the Levelling-up and Regeneration Act introducing SVDOs themselves come into force.

Planning and Infrastructure Bill

FIFTH MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

30 October 2025

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