

English Devolution and Community Empowerment Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Supplementary to the Marshalled List]

Schedule 1

BARONESS JANKE

Schedule 1, page 96, line 22 at end insert –

- “(2A) The Secretary of State has obtained consent for the proposal from any affected local government area.”

BARONESS JANKE

Schedule 1, page 97, line 11, at end insert –

- “(6A) After preparing a proposal the Secretary of State must publish a statement demonstrating how the physical geography, community identity, and the boundaries of other public services in the area would be affected by the proposal.”

Schedule 3

LORD BASSAM OF BRIGHTON

Schedule 3, page 121, leave out lines 1 to 32

Member's explanatory statement

This amendment removes restrictions limiting appointments by mayors to one commissioner per competence.

After Clause 30

LORD BASSAM OF BRIGHTON

After Clause 30, insert the following new Clause —

“Workplace Parking Levy: mayoral authority

- (1) The Transport Act 2000 is amended as follows.
- (2) In section 184(1) (confirmation of licensing schemes), after “national authority” insert “or strategic authority mayor”.
- (3) In section 185 (licensing schemes: consultation and inquiries) —
 - (a) in subsection (3), after “national authority” insert “or established strategic authority mayor”;
 - (b) in subsection (4), after “national authority” insert “or established strategic authority mayor”.
- (4) In section 198(1) (interpretation of part 3), after the definition of “road”, insert ““strategic authority mayor” has the meaning given by the English Devolution and Community Empowerment Act 2026”.

Member's explanatory statement

This new clause seeks to allow an established strategic authority mayor to approve a workplace parking levy in their area, rather than requiring Secretary of State approval.

Clause 53

LORD HUNT OF KINGS HEATH

Lord Hunt of Kings Heath gives notice of his intention to oppose the Question that Clause 53 stand part of the Bill.

Member's explanatory statement

This is to probe the Government's intentions as to the further devolution of health service functions to mayors and strategic authorities.

After Clause 56

LORD BASSAM OF BRIGHTON

After Clause 56, insert the following new Clause —

“Business rates supplement: mayoral authority

- (1) The Business Rate Supplements Act 2009 is amended as follows.
- (2) In section 2 (levying authorities), for (1)(b) and (c), substitute —

“(b) an established mayoral authority in England;”

- (3) In section 4, omit paragraph (1)(c).
- (4) In section 10, omit –
 - (a) subsection (2)(c);
 - (b) subsection (10);
 - (c) subsection (11).
- (5) In Schedule 1, omit paragraphs 19 and 20.”

Member's explanatory statement

This new clause seeks to allow an established mayoral authority in England to levy a Business Rates Supplement. It would remove the ability of county and district councils in England to act as a levying authority and would remove the existing requirement for such a supplement to be approved by referendum.

Clause 60

THE EARL OF LYTTON

Clause 60, page 62, line 4, at end insert –

- “(4A) Regulations under this section must not –
- (a) confer on any neighbourhood governance structure (including but not limited to neighbourhood area committees and any equivalent bodies established by or under those regulations) any power, authority, function or status that overrides or takes precedence over the statutory powers, functions, duties, finances, governance or operational independence of any parish or town council established under Part IV of the Local Government Act 1972 (or any successor enactment);
 - (b) limit, constrain, abrogate or otherwise diminish any statutory power, function, duty, financial autonomy or governance responsibility of any such parish or town council;
 - (c) abolish, merge, dissolve, or alter the constitution, electoral arrangements or any statutory function of any such parish or town council, except where such abolition, merger, dissolution or alteration is expressly authorised by an Act of Parliament.
- (4B) In exercising the power to make regulations under this section, the Secretary of State must –
- (a) consult representatives of parish and town councils, including appropriate national associations, and
 - (b) have special regard to the need to preserve the independence, financial autonomy and status as the primary tier of local government of parish and town councils in any area where they exist.
- (4C) In this section “parish or town council” means a council established under Part IV of the Local Government Act 1972 or any successor enactment.”

Member's explanatory statement

This amendment would ensure that regulations made under Clause 60 to secure “effective neighbourhood governance” cannot be used to elevate new neighbourhood structures above existing parish and town councils or to erode their statutory powers, financial autonomy or governance responsibilities. It would also prevent such regulations being used to abolish or restructure parish and town councils and require consultation with their representative bodies with a view to preserving their independence and primacy where they exist.

After Clause 61

LORD FULLER

After Clause 61, insert the following new Clause –

“Changes to years in which ordinary elections are held

- (1) The Local Government Act 2000 is amended as follows.
- (2) In section 87 (power to change years in which elections held) –
 - (a) in subsection (1), at beginning insert “In cases of national emergency,”;
 - (b) after subsection (1), insert –
 - “(1A) In all other circumstances, the Secretary of State may, by order, make provision which changes the years in which the ordinary elections of councillors of any specified local authority are to be held but which does not change the scheme which prevails (whether by virtue of an order under section 86 or otherwise) for the ordinary elections of those councillors.
 - (1B) Proposals for orders under subsection (1A) must be laid before Parliament no less than six months before the ordinary date of the election.
 - (1C) Draft orders must be laid before Parliament for approval no less than three months before the ordinary date of the election.
 - (1D) Prior to making an order under subsection (1A), the Secretary of State must consult each principal council and Member of Parliament in the affected area.”
- (3) In section 105 (orders and regulations) –
 - (a) in subsection (5), after “(6)” insert “, (6ZA)”;
 - (b) after subsection (6), insert –
 - “(6ZA) Regulations under section 87(1A) are subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006.”

Member's explanatory statement

This amendment seeks to enable full Parliamentary scrutiny of proposals to cancel local elections with a timetable to provide certainty for candidates and parties to prepare for the election.

LORD FULLER

After Clause 61, insert the following new Clause –

“Changes to time of mayoral elections

- (1) The Local Government Act 2000 is amended as follows.
- (2) In section 9HB (time of elections etc) –
 - (a) in subsection (1)(a), at end insert “, subject to subsections (2) and (3)”;
 - (b) at end insert –
 - “(2) Proposals for regulations made under the super-affirmative procedure as required by section 105(6ZA) must be laid before Parliament no less than six months before the ordinary date of the election and draft regulations must be laid before Parliament for approval no less than three months before the ordinary date of the election.
 - (3) Prior to making regulations under this section, the Secretary of State must consult each principal council and Member of Parliament in the affected area.”
- (3) In section 105 (orders and regulations) –
 - (a) in subsection (5), after “(6)” insert “, (6ZA)”;
 - (b) after subsection (6), insert –
 - “(6ZA) Regulations under section 9HB(1)(a) are subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006 unless they are being made in cases of national emergency.”

Member's explanatory statement

This amendment seeks to enable full Parliamentary scrutiny of proposals to change timing of mayoral elections with a timetable to provide certainty for candidates and parties to prepare for the election.

LORD FULLER

After Clause 61, insert the following new Clause –

“Police Reform and Social Responsibility Act 2011: changes to election years

- (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 50 (ordinary elections) –
 - (a) in subsection (4), after “But,” insert “in cases of national emergency,”;
 - (b) after subsection (5), insert –
 - “(5A) In circumstances which are not cases of national emergency, the Secretary of State may, by order, make provision which changes

the years in which the election of police and crime commissioners are to be held.

- (5B) Proposals for orders under subsection (5A) must be laid before Parliament no less than six months before the ordinary date of the election.
- (5C) Draft orders must be laid before Parliament for approval no less than three months before the ordinary date of the election.
- (5D) Prior to making an order under subsection (5A), the Secretary of State must consult each principal council and Member of Parliament in the affected area.”

(3) In section 154 (orders and regulations), after subsection (2), insert –

- “(2A) A statutory instrument containing orders under section 50(5A) is subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006.””

Member's explanatory statement

This amendment seeks to enable full Parliamentary scrutiny of proposals to change timing of police and crime commissioner elections with a timetable to provide certainty for candidates and parties to prepare for the election.

After Clause 67

BARONESS PIDGEON

After Clause 67, insert the following new Clause –

“Enforcement of private hire vehicles

- (1) A relevant local transport enforcement authority may exercise enforcement functions in respect of any private hire vehicle operating within its area, regardless of the licensing authority by which the vehicle is licensed.
- (2) The enforcement functions referred to in subsection (1) include, in particular –
 - (a) stopping and inspecting a private hire vehicle;
 - (b) requiring the production of any licence, permit, record or other document required to be held in connection with the operation of the vehicle or the activities of the driver;
 - (c) conducting compliance checks for the purpose of determining whether –
 - (i) the vehicle is licensed, insured and roadworthy, and
 - (ii) the driver is licensed and authorised to operate the vehicle;
 - (d) taking such enforcement action as is available to the authority under this Act.”

Member's explanatory statement

This amendment enables a relevant local transport enforcement authority to carry out enforcement checks on any private hire vehicle operating in its area, irrespective of the licensing authority by which the vehicle is licensed.

After Clause 73

BARONESS WILLIS OF SUMMERTOWN

After Clause 73, insert the following new Clause –

“Duty to deliver on the environment and climate change

Strategic authorities, mayoral, or local authorities must, in the exercise of their functions, and when delivering on areas of competence in section 2, 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;
- (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.”

Member's explanatory statement

This amendment would ensure that local government was aligned with the Government's national targets for climate change and the environment, and give them a duty to advance progress towards meeting them.

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