

# English Devolution and Community Empowerment Bill

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EIGHTH MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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*The amendments have been marshalled in accordance with the Instruction of 8th December 2025, as follows –*

|                     |                   |
|---------------------|-------------------|
| Clauses 1 to 4      | Clause 38         |
| Schedule 1          | Schedule 19       |
| Clauses 5 and 6     | Clause 39         |
| Schedule 2          | Schedule 20       |
| Clauses 7 to 9      | Clauses 40 to 43  |
| Schedule 3          | Schedule 21       |
| Clauses 10 to 20    | Clauses 44 to 46  |
| Schedule 4          | Schedule 22       |
| Clauses 21 to 23    | Clause 47         |
| Schedule 5          | Schedule 23       |
| Clause 24           | Clauses 48 to 50  |
| Schedule 6          | Schedule 24       |
| Clause 25           | Clauses 51 and 52 |
| Schedule 7          | Schedule 25       |
| Clause 26           | Clauses 53 to 57  |
| Schedule 8          | Schedule 26       |
| Clauses 27 and 28   | Clauses 58 and 59 |
| Schedule 9          | Schedule 27       |
| Clauses 29 and 30   | Clauses 60 and 61 |
| Schedule 10         | Schedule 28       |
| Clause 31           | Clauses 62 and 63 |
| Schedule 11         | Schedule 29       |
| Clause 32           | Clauses 64 to 73  |
| Schedule 12         | Schedule 30       |
| Clause 33           | Clause 74         |
| Schedules 13 and 14 | Schedule 31       |
| Clause 34           | Clause 75         |
| Schedule 15         | Schedule 32       |
| Clause 35           | Clauses 76 to 84  |
| Schedule 16         | Schedule 33       |
| Clause 36           | Clause 85         |
| Schedule 17         | Schedule 34       |
| Clause 37           | Clauses 86 to 93  |

## Schedule 18

## Title

[Amendments marked ★ are new or have been altered]

**Amendment  
No.**

**After Clause 63**

LORD LUCAS

**222A** After Clause 63, insert the following new Clause –

**“Funding for buying assets of community value**

The Secretary of State may, in conjunction with the National Lottery or otherwise, make funds available for the purchase of assets of community value.”

*Member's explanatory statement*

*This amendment is proposed in order to ensure that there is a dedicated source or sources of funding, to enable this part of the Bill to function well.*

BARONESS MCINTOSH OF PICKERING

**222B** After Clause 63, insert the following Clause –

**“Local planning authority: duty to consult fire and rescue services**

- (1) Where a local planning authority is considering a planning application relating to energy infrastructure, the local planning authority must consult the local fire and rescue service for the place which the application relates to.
- (2) The local planning authority must have regard to any increased fire risk arising from the infrastructure project when assessing the application.”

*Member's explanatory statement*

*This probing amendment seeks to ensure that where a planning application relates to energy projects (for example, battery energy storage systems), fire and rescue services are statutory consultees.*

LORD BANNER  
LORD GRABINER  
LORD PANNICK

*This amendment replaces Amendment 221A and corrects its position on the Marshalled List*

**222C** After Clause 63, insert the following new Clause –

**“CHAPTER 2A**

LAND DISPOSED OF BY LOCAL COUNCILS

*Discharge of statutory trusts*

**Secretary of State to have power to discharge statutory trusts**

- (1) LGA 1972 is amended in accordance with this section.
- (2) After section 128 insert –

*“Discharge of statutory trusts*

**128A Statutory trust discharge orders**

- (1) The Secretary of State may make an order under this section in relation to land in England (a “statutory trust discharge order”).
- (2) The Secretary of State may not make a statutory trust discharge order in relation to land unless –
  - (a) a person has applied to the Secretary of State for the statutory trust discharge order to be made in relation to the land, and
  - (b) the Secretary of State is satisfied that the qualifying conditions are met (see section 128D).
- (3) The effect of an order being made in relation to land is that the land is freed from any trust arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with –
  - (a) section 164 of the Public Health Act 1875 (pleasure grounds), or
  - (b) section 10 of the Open Spaces Act 1906 (duty of local authority to maintain open spaces and burial grounds).
- (4) The order has that effect in relation to that land generally (and so its effect is not limited to that land as freehold or leasehold land as held by the applicant for the order).
- (5) The Secretary of State may, by regulations, make provision as to the making and determination of any application for a statutory trust discharge order.
- (6) Regulations under subsection (5) may in particular make provision as to –
  - (a) the steps to be taken by a person before making an application;
  - (b) the form of an application;
  - (c) the information or evidence to be supplied with an application;

- (d) the publication of an application;
  - (e) the holding of an inquiry before determination of an application;
  - (f) the evidence to be taken into account in making a determination and the weight to be given to any evidence.
- (7) Regulations under subsection (5) may include provision for the Secretary of State to appoint a person to discharge any or all of the Secretary of State's functions in relation to an application for a statutory trust discharge order.
- (8) The power under subsection (5) to make regulations includes power to make –
- (a) different provision for different cases;
  - (b) incidental, supplementary or consequential provision;
  - (c) transitional or saving provision.
- (9) A statutory instrument containing regulations under subsection (5) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) Section 128G contains further provision about the making of statutory trust discharge orders.

#### **128B Applications for statutory trust discharge orders**

- (1) A person making an application must have regard to any guidance issued by the Secretary of State (whether relating to how the application is made or to its form or content).
- (2) Qualifying condition B (see section 128D(3)) limits which kind of person is able to make a successful application.
- (3) An application may be varied after it has been made (and section 128A, this section, and sections 128D to 128G then apply to the application as varied).
- (4) The Secretary of State may require a person making an application to pay a fee before the Secretary of State considers the application (the “application fee”).
- (5) The application fee is to be of an amount specified in, or determined in accordance with, regulations made under section 128A(5).
- (6) The determination of an application for a statutory trust discharge order which relates to particular land does not prevent a further application from being made subsequently in relation to the same land.
- (7) But the Secretary of State may reject a further application if the Secretary of State considers that there has not been a material change in the circumstances relevant to the qualifying conditions.

- (8) If a further application is rejected, the Secretary of State must publish notice of the rejection in the manner which the Secretary of State considers appropriate.

### **128C Applications where land has been divided up**

- (1) This section applies where—
  - (a) a principal council, parish council or parish meeting appropriated or disposed of land, and
  - (b) the freehold or leasehold title to that land has subsequently been divided.
- (2) An application may be made in relation to the land comprised in any of the relevant titles.
- (3) A single joint application may be made in relation to the land comprised in two or more of the relevant titles; and, in the case of such an application, the question of whether the qualifying conditions are met must be decided separately in relation to the land comprised in each title.
- (4) For the purposes of this section—
  - (a) a freehold title is “divided” if either or both of the following occurs—
    - (i) the title is divided into two or more different freehold titles;
    - (ii) a lease (including a sublease) is granted over some or all of the land comprised in the freehold title;
  - (b) a leasehold title is “divided” if—
    - (i) the title is divided into two or more different leasehold titles (for example by an assignment of part);
    - (ii) a sublease (including a sublease that is not immediately inferior to the leasehold title) is granted over some or all of the land comprised in the leasehold title.
- (5) In this section “relevant title” means—
  - (a) the freehold title to the whole or a part of the land appropriated or disposed of;
  - (b) the title to a long lease of the whole or a part of the land appropriated or disposed of.

### **128D The qualifying conditions**

- (1) This section sets out the “qualifying conditions” (referred to in section 128A(2)(b)).
- (2) *Qualifying condition A*: the application for the statutory trust discharge order identifies land in England in relation to which the order is being sought.
- (3) *Qualifying condition B*: the applicant for the order is—
  - (a) the freehold owner of the relevant land, or

- (b) the tenant of the relevant land under a long lease, whether granted before or after commencement,  
at the time of the application (whether or not by virtue of the previous appropriation or disposal).
- (4) *Qualifying condition C*: a principal council, parish council or parish meeting—
- (a) appropriated, or
  - (b) disposed of,
- the relevant land at a time before the application for the statutory trust discharge order is made (the “previous appropriation or disposal”).
- (5) It does not matter whether the previous appropriation or disposal occurred before or after commencement.
- (6) *Qualifying condition D*: the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal.
- (7) For the purposes of determining whether qualifying condition D is met—
- (a) it is sufficient that the previous advertisement procedure was not complied with;
  - (b) accordingly, it is irrelevant—
    - (i) whether the previous advertisement procedure in fact had to be complied with, or
    - (ii) whether the land was in fact land held in trust for enjoyment by the public in accordance with a trust of the kind mentioned in section 128A(3).
- (8) Section 128F includes provision for presuming that the previous advertisement procedure was not complied with; and qualifying condition D must be taken to be met if that presumption is made.
- (9) *Qualifying condition E*: the new publicity requirements have been complied with.
- (10) *Qualifying condition F*: it is in the public interest for the relevant land to be freed from the trusts by virtue of the order.
- (11) The reference in subsection (10) to the public interest includes the public interest in—
- (a) nature conservation;
  - (b) the conservation of the landscape;
  - (c) the protection of public rights of access to the relevant land;
  - (d) the protection of archaeological remains and features of historic interest;
  - (e) development proposals relating to the relevant land;
  - (f) economic, environmental or social benefits which the order would facilitate if made.

**128E The new publicity requirements**

- (1) This section sets out the “new publicity requirements” (referred to in qualifying condition E in section 128D(9)).
- (2) The applicant must publish a notice of the application in four consecutive weeks –
  - (a) in a local newspaper – and, if there are two or more local newspapers, it must be the main local newspaper;
  - (b) if there is no local newspaper, either –
    - (i) in a national newspaper, or
    - (ii) on a website with a readership in the local area that is comparable to the readership of a local newspaper.
- (3) If –
  - (a) a newspaper is published in print and on a website, and
  - (b) it is possible to publish notices of the kind required by subsection (2) in both versions,a requirement under subsection (2) to publish a notice in the newspaper can only be complied with by publication of the notice in both versions.
- (4) If the applicant is a principal council, a parish council or parish trustees, they must also publish a notice of the application for a period of 28 days on their website (if they have one).
- (5) The applicant must display a notice of the application for a period of 28 days at the point of entry, or at the main points of entry, to the relevant land.
- (6) The Secretary of State must publish a notice of the application for a period of 28 days on the website, or main website, containing information about the Secretary of State’s department.
- (7) A notice under this section must identify the relevant land.
- (8) A notice under this section must –
  - (a) state that a person who wishes to make representations about whether or not the order should be made may notify the Secretary of State of the representations, and
  - (b) state the manner in which, and date by which, representations must be notified;and that date must be later than the last day of the period of 56 days beginning with the day when that notice is first published or displayed.
- (9) When publishing or displaying a notice under this section, the applicant must have regard to any guidance issued by the Secretary of State (whether relating to its publication or display or its form or content).
- (10) In this section –

“local area” means area in which the relevant land is situated;

“local newspaper” means a newspaper circulating in the local area.

**128F Previous advertisement procedure: co-operation by councils etc and presumption**

- (1) This section applies if an application has been made to the Secretary of State for a statutory trust discharge order.
- (2) The Secretary of State must notify the relevant council or parish trustees of—
  - (a) the application,
  - (b) the relevant land, and
  - (c) the information about the previous appropriation or disposal which the Secretary of State has as a result of the application.
- (3) Within the response period, the relevant council or parish trustees must give the Secretary of State—
  - (a) notice which—
    - (i) confirms that the previous advertisement procedure was complied with in relation to the previous appropriation or disposal,
    - (ii) confirms that the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal, or
    - (iii) states that the relevant council or parish trustees are not able to confirm either of those things, and
  - (b) any information relating to compliance, or non-compliance, with the previous advertisement procedure which the relevant council or parish trustees have.
- (4) If the relevant council or parish trustees—
  - (a) give the Secretary of State a notice under subsection (3)(a)(iii) within the response period, or
  - (b) do not give the Secretary of State any notice under subsection (3)(a) within the response period,
 the Secretary of State must presume that the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal, unless the Secretary of State is satisfied that the procedure was complied with.
- (5) In this section—
 

“relevant council or parish trustees” means—

  - (a) in a case where a principal council undertook the previous appropriation or disposal, the principal council for the area where the relevant land is situated;
  - (b) in a case where a parish council undertook the previous appropriation or disposal—
    - (i) the parish council or parish trustees for the area where the relevant land is situated, or

- (ii) if the relevant land is no longer in the area of a parish, the principal council for the area where the relevant land is situated;
  - (c) in a case where a parish meeting undertook the previous appropriation or disposal –
    - (i) the parish trustees or parish council for the area where the relevant land is situated, or
    - (ii) if the relevant land is no longer in the area of a parish, the principal council for the area where the relevant land is situated;
- “response period”, in relation to a notification given by the Secretary of State under subsection (2), means the period of 28 days beginning with the day on which the notice is received by the relevant council or parish trustees.

### **128G Making statutory trust discharge orders**

- (1) In deciding whether to make a statutory trust discharge order, the Secretary of State must take into account all matters that are relevant, including these matters –
  - (a) whether, and how, the person making the application has had regard to the guidance issued by the Secretary of State under section 128B(1) and section 128E(9);
  - (b) any representations about whether or not the order should be made that are notified to the Secretary of State (including any representations made by persons who are freehold owners, or tenants, of land comprised in the previous appropriation or disposal but who are not applying for the order).
- (2) A statutory trust discharge order may relate to only some of the relevant land specified in the application.
- (3) A statutory trust discharge order takes effect –
  - (a) on the day after the day on which the order is made, or
  - (b) if the order specifies a later day on which it is to take effect, on that day.
- (4) In relation to each application for a statutory trust discharge order, the Secretary of State –
  - (a) must publish notice of the decision whether or not to make the order, and
  - (b) if the order is made, must publish the order.
- (5) That notice, or the order, is to be published in the manner which the Secretary of State considers appropriate.

### **128H Sections 128A to 128G: interpretation and application to the Crown**

- (1) In sections 128A to 128G and this section –

“application” means an application for a statutory trust discharge order;

“commencement” means the coming into force of section (*Secretary of State to have power to discharge statutory trusts*) of the English Devolution and Community Empowerment Act 2025;

“long lease” means a lease which was granted for a term of 20 years or longer;

“new publicity requirements” has the meaning given in section 128E(1);

“previous advertisement procedure” means whichever of the following applied to the previous appropriation or disposal—

- (a) the requirement to advertise notice of the intention to make the appropriation in accordance with—
  - (i) section 122(2A) in the case of an appropriation by a principal council;
  - (ii) section 126(4A) in the case of an appropriation by a parish council or parish meeting;
- (b) the requirement to advertise notice of the intention to make the disposal in accordance with—
  - (i) section 123(2A) in the case of a disposal by a principal council;
  - (ii) section 123(2A) as applied by section 127(2) in the case of a disposal by a parish council or parish meeting;

“previous appropriation or disposal” has the meaning given in section 128D(4);

“qualifying conditions” has the meaning given in section 128D(1);

“relevant land” means the land identified in the application for a statutory trust discharge order as the land relation to which the order is being sought;

“statutory trust discharge order” has the meaning given in section 128A(1).

- (2) A reference in sections 128A to 128G to the freehold owner, or the tenant under a long lease, is a reference to—
  - (a) the Crown Estate Commissioners, if the freehold or long lease belongs to His Majesty in right of the Crown and forms part of the Crown Estate;
  - (b) the government department having the management of the freehold or long lease, if it belongs to His Majesty in right of the Crown but does not form part of the Crown estate;
  - (c) the government department concerned, if the freehold or long lease belongs to a government department or is held in trust for His Majesty for the purposes of a government department;
  - (d) a person appointed by His Majesty in writing under the Royal Sign Manual, or if no such appointment is made the Secretary of State, if the freehold or long lease belongs to His Majesty in right of His

private estates (which must be construed in accordance with section 1 of the Crown Private Estates Act 1862);

- (e) the Chancellor of the Duchy of Lancaster, if the freehold or long lease belongs to His Majesty in right of the Duchy of Lancaster;
- (f) a person appointed by the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, if the freehold or long lease belongs to the Duchy of Cornwall.”

- (3) In section 266(1) (orders which are to be made by statutory instrument), for “other than section 261 above” substitute “other than section 128A”.

***Member's explanatory statement***

*This would enable the Secretary of State to make an order in relation to land previously appropriated or disposed of by a council. The order would discharge the land from statutory trusts relating to open land that arise under section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1906.*

BARONESS COFFEY

**222D** After Clause 63, insert the following new Clause –

**“Permitted development and demolition: assets of community value**

In paragraph B.1 of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) (permitted development rights: heritage and demolition), after sub-paragraph (e) insert –

- “(f) the building is designated as an asset of community value under the Localism Act 2011.””

**Schedule 29**

BARONESS COFFEY

**222E** Schedule 29, page 295, line 30, leave out from beginning to end of line 5 on page 296

***Member's explanatory statement***

*This amendment explores why assets of community value will automatically be excluded after five years, and the power to change the five year period.*

BARONESS COFFEY

**222F** Schedule 29, page 296, line 36, after “current” insert “or recent”

***Member's explanatory statement***

*This amendment, and others to Schedule 29 in the name of Baroness Coffey, probe the legislation on whether a building or land can be designated an asset of community value.*

THE EARL OF CLANCARTY  
LORD FREYBERG

- 223 Schedule 29, page 296, line 37, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE

*This amendment replaces Amendment 203 and corrects its position on the Marshalled List*

- 223A Schedule 29, page 296, line 37, after “economic” insert “, environmental”

***Member's explanatory statement***

*This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.*

THE EARL OF CLANCARTY  
LORD FREYBERG

- 224 Schedule 29, page 296, line 38, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE

*This amendment replaces Amendment 204 and corrects its position on the Marshalled List*

- 224A Schedule 29, page 296, line 38, after “economic” insert “, environmental”

***Member's explanatory statement***

*This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.*

BARONESS FREEMAN OF STEVENTON  
LORD FREYBERG

- 225 Schedule 29, page 296, line 38, after “community” insert “or furthers the environmental wellbeing of the local communities, as long as the land is not allocated in the local development plan”

***Member's explanatory statement***

*This clause aims to ensure that communities have the right to buy assets for their environmental benefits, not just their economic or social value to the community. For example, their value for health, wellbeing, and environmental services to the community.*

BARONESS COFFEY

- 225A Schedule 29, page 296, line 39, leave out from beginning to end of line 2 on page 297

***Member's explanatory statement***

*This amendment, and others to Schedule 29 in the name of Baroness Coffey, probe the legislation on whether a building or land can be designated an asset of community value.*

BARONESS BENNETT OF MANOR CASTLE

**226** Schedule 29, page 296, line 41, after “economic” insert “, environmental”

***Member's explanatory statement***

*This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.*

THE EARL OF CLANCARTY  
LORD FREYBERG

**227** Schedule 29, page 297, line 1, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE

**228** Schedule 29, page 297, line 1, after “economic” insert “, environmental”

***Member's explanatory statement***

*This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.*

THE EARL OF CLANCARTY  
LORD FREYBERG

**229** Schedule 29, page 297, line 9, after the first “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

**230** Schedule 29, page 297, line 9, after the second “economic” insert “, cultural”

BARONESS COFFEY

**230A** Schedule 29, page 297, leave out lines 11 to 15

***Member's explanatory statement***

*This amendment, and others to Schedule 29 in the name of Baroness Coffey, probe the legislation on whether a building or land can be designated an asset of community value.*

THE EARL OF CLANCARTY  
LORD FREYBERG

**231** Schedule 29, page 297, line 14, after “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

**232** Schedule 29, page 297, line 15, after “economic” insert “, cultural”

BARONESS COFFEY

**232A** Schedule 29, page 297, leave out lines 22 to 31

***Member's explanatory statement***

*This amendment, and others to Schedule 29 in the name of Baroness Coffey, probe the legislation on whether a building or land can be designated an asset of community value.*

BARONESS COFFEY

**232B** Schedule 29, page 297, leave out lines 32 to 34

***Member's explanatory statement***

*This amendment, and others to Schedule 29 in the name of Baroness Coffey, probe the legislation on whether a building or land can be designated an asset of community value.*

THE EARL OF CLANCARTY  
LORD FREYBERG

**233** Schedule 29, page 298, line 8, at end insert—

““cultural interests” includes those represented by venues for the furthering of specialist skills, performance or exhibition including (but not limited to) music venues, recording studios, theatres, rehearsal spaces, visual artists’ studios and other creative spaces.”

***Member's explanatory statement***

*This amendment seeks to establish the status of “cultural interests” as being on a par with economic or social interests; and confirms the nature of these interests, citing examples of relevant assets.*

THE EARL OF CLANCARTY  
LORD FREYBERG

234 Schedule 29, page 298, leave out line 10

## BARONESS COFFEY

234ZA Schedule 29, page 298, line 19, leave out from “ground” to end of line 21

*Member's explanatory statement*

*This amendment probes why the sporting asset of community value allows only certain types of sporting grounds that include accommodation specifically provided for spectators.*

## LORD BASSAM OF BRIGHTON

234A Schedule 29, page 298, line 21, at end insert “or is used wholly or mainly for sporting or physical recreational activities.”

*Member's explanatory statement*

*The definition of sporting asset in the Bill is quite limited; this amendment seeks to broaden the definition to cover more of the grassroots sports clubs - such as football, boxing, cricket etc.*

## BARONESS COFFEY

234B Schedule 29, page 300, line 26, at end insert—

**“86FA Maintenance of nominated assets of community value**

The local planning authority must inspect assets of community value at least once every five years and is required to serve a notice as provided for by section 215 of the Town and Country Planning Act 1990 (power to require proper maintenance of land) if the asset is deemed to be in need of maintenance.”

## BARONESS HOEY

235 Schedule 29, page 311, line 5, at end insert “and the market value is to be assessed in accordance with section 14A of the Land Compensation Act 1961 (cases where prospect of planning permission to be ignored)”

## BARONESS HOEY

235ZA Schedule 29, page 311, line 28, at end insert—

“(9A) Where —

- (a) there is disagreement between the owner of the land and the preferred community buyer regarding the market value as determined by the valuer,

(b) the asset of community value is in danger of being lost, or  
 (c) the owner of the asset is unwilling to sell,  
 the relevant local authority must use their power under section 226 of the Planning Act 1990 to acquire compulsorily the relevant asset of community value, and pay the market value of the asset in accordance with section 14A of the Land Compensation Act 1961.”

BARONESS COFFEY

*Baroness Coffey gives notice of her intention to oppose the Question that Schedule 29 be the Twenty-ninth Schedule to the Bill.*

***Member's explanatory statement***

*This is to allow general probing on the new section 86A being created in the Localism Act 2011 effectively replacing the existing section 87 while removing some of the protections.*

**Clause 65**

LORD BORWICK  
 BARONESS BRINTON  
 BARONESS GREY-THOMPSON  
 LORD BLUNKETT

**235A** Clause 65, page 64, line 16, leave out “may” and insert “must”

***Member's explanatory statement***

*This probing amendment, and others in the name of Lord Borwick, seeks to ensure that the Secretary of State makes regulations related to the licensing of taxis and private hire vehicles within six months of the day on which this Act is passed.*

LORD BORWICK  
 BARONESS BRINTON  
 BARONESS GREY-THOMPSON  
 LORD BLUNKETT

**235B** Clause 65, page 64, line 17, at end insert “, which must require taxis to conform with minimum taxi accessibility requirements under section 160(1) to (3) of the Equality Act 2010 within three years of the day on which such regulations are made.”

***Member's explanatory statement***

*This amendment, and another in the name of Lord Borwick, seeks to commence section 160(1) to (3) of the Equality Act 2010 in relation to minimum taxi accessibility requirements, and ensure that the standards prescribed under clause 65 of this Bill conform with those taxi accessibility requirements in the Equality Act 2010.*

**After Clause 67**

BARONESS PIDGEON  
LORD HAMPTON

**235BA** After Clause 67, insert the following new Clause –

**“Enforcement of private hire vehicles**

- (1) A licensing 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.
- (3) “Licensing authority” in this section means a public authority which has licensing functions under –
  - (a) Part 2 of the Local Government (Miscellaneous Provisions) Act 1976;
  - (b) the Private Hire Vehicles (London) Act 1998;
  - (c) the Plymouth City Council Act 1975.”

***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 68**

LORD BORWICK  
BARONESS BRINTON  
BARONESS GREY-THOMPSON

**235C** After Clause 68, insert the following new Clause –

**“Minimum accessibility requirements for taxis**

- (1) In section 160(1) of the Equality Act 2010 (taxi accessibility regulations), after “regulations)” insert “which must be adhered to in the prescribing of standards for the licensing of taxis under section 65 (standards relating to the grant of a regulated licence) of the English Devolution and Community Empowerment Act 2026.”

- (2) The Secretary of State must, by regulations under section 216(3) of the Equality Act 2010, commence section 160(1) to (3) (taxi accessibility regulations) of that Act on the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment, and another in the name of Lord Borwick, seeks to commence section 160(1) to (3) of the Equality Act 2010 in relation to minimum taxi accessibility requirements, and ensure that the standards prescribed under clause 65 of this Bill conform with those taxi accessibility requirements in the Equality Act 2010.*

LORD BLUNKETT

**235CA** After Clause 68, insert the following new Clause—

**“Strategic authorities: joint committee for the licensing of taxis and private hire vehicles**

- (1) Within six months of the day on which this Act is passed, the Secretary of State must, by regulations, require all strategic authorities to establish a joint committee for the licensing of taxis and private hire vehicles within a strategic authority’s area.
- (2) Joint committees established under subsection (1) must be comprised of councillors from the authorities represented by the strategic authority and within the geographic area of the elected mayor.
- (3) The Secretary of State must ensure joint committees established under subsection (1) have the power to—
- (a) grant,
  - (b) suspend,
  - (c) revoke, and
  - (d) renew
- regulated licences for taxis and private hire vehicles.
- (4) All decisions related to the licensing of taxis and private hire vehicles within a strategic authority’s area must be made by the joint committee, unless the joint committee has delegated licensing power to another licensing authority.
- (5) Regulations under this section are subject to affirmative resolution procedure.”

***Member's explanatory statement***

*This amendment seeks to clarify the democratic oversight of the licensing function, because it is designated to transport authorities and in combined mayoral areas the transport function is assigned to the combined authority.*

BARONESS PIDGEON  
LORD HAMPTON  
LORD BRADLEY  
THE LORD BISHOP OF MANCHESTER

**235CB** After Clause 68, insert the following new Clause –

**“Private hire vehicle licensing**

- (1) The Local Government (Miscellaneous Provisions) Act 1976 is amended as follows.
- (2) In section 55A (sub-contracting by operators), in subsection (1), at the beginning insert “Subject to section 55AB”.
- (3) After section 55A (sub-contracting by operators), insert –

**“55AB Bookings that both start and end within a single strategic authority area**

- (1) Only a person licensed under section 55 (licensing of operators of private hire vehicles) in respect of a controlled district within the relevant strategic authority area may provide a vehicle to carry out a booking for a private hire vehicle for a regulated strategic authority journey.
- (2) A person licensed under section 55 who has in a controlled district accepted a booking for a private hire vehicle must arrange for another person to provide a vehicle to carry out the booking if –
  - (a) the journey is a regulated strategic authority journey;
  - (b) the controlled district in relation to which their licence is issued is not situated within the relevant strategic authority area.
- (3) A person licensed under section 55 (“A”) who has accepted a booking for a private hire vehicle for a regulated strategic authority journey may not arrange in accordance with section 55A(1) for a person licensed outside of the same controlled district (“B”) to provide a vehicle to carry out the booking if B is not licensed in respect of a controlled district within the relevant strategic authority area.
- (4) A London PHV operator or an operator licensed in Scotland who has accepted a private hire booking for a regulated strategic authority journey, must arrange for a person who is licensed under section 55 of this Act in respect of a controlled area within that strategic authority to provide the vehicle for that booking.
- (5) Where a person licensed under section 55 in respect of a controlled district is licensed under section 55 in respect of more than one controlled district each of those licences is to be treated as being held by a different person.
- (6) The provisions of this section do not apply to bookings for specialist private hire services.
- (7) If any person knowingly contravenes the provisions of this section, they are guilty of an offence and are liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

- (4) In section 80 (interpretation of Part II) after the definition for “public service vehicle” insert –

““regulated strategic authority journey” means a journey that both –

- (a) starts in a controlled district, and
- (b) starts and ends in a single strategic authority area;

“specialist private hire services” means any category of service that the Secretary of State may specify by regulations;

“strategic authority” has the same meaning as in section 1 of the English Devolution and Community Empowerment Act 2026;

“strategic authority area” shall mean the geographic area for which a strategic authority has been established or designated;”

***Member's explanatory statement***

*This new clause would introduce a “license where you operate” model, requiring that journeys that start and end within a single strategic authority area are fulfilled by locally licensed operators.*

BARONESS PIDGEON  
LORD HAMPTON

- 235CC** After Clause 68, insert the following new Clause –

**“Private hire vehicle licensing**

- (1) The Private Hire Vehicles (London) Act 1998 is amended as follows.
- (2) After section 3A (London PHV operator's licences for persons subject to immigration control), insert –

**“3B Bookings that both start and end within London**

- (1) Only a person who holds a London PHV operator’s licence may provide a vehicle to carry out a private hire booking for a journey that both starts and ends within London except where the booking is for specialist private hire services.
  - (2) A person who contravenes this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
  - (3) “Specialist private hire services” means any category of service that the licensing authority may specify by regulations.”
- (3) In section 5 (hirings accepted on behalf of another operator), after subsection (1) insert –
- “(1A) Where the first operator has accepted a private hire booking for a journey that both starts and ends within London, they may not arrange for another operator to provide a vehicle to carry out that booking as sub-contractor unless –
- (a) the other operator is a London PHV operator, and

- (b) the sub-contracted booking is accepted at an operating centre in London,  
except where the booking is for specialist private hire services.”
- (4) In section 5 (hirings accepted on behalf of another operator), after subsection (5) insert—
- “(6) An operator that is licensed under section 55 of the 1976 Act by a district council or an operator licensed in Scotland and who has accepted a private hire booking for a journey that both starts and ends within London, may not arrange for another operator to carry out that booking unless—
- (a) the other operator is a London PHV operator, and
- (b) the sub-contracted booking is accepted at an operating centre in London,  
except where the booking is for specialist private hire services.
- (7) An operator who contravenes subsection (6) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.””

### Clause 71

LORD BORWICK  
BARONESS BRINTON  
BARONESS GREY-THOMPSON

**235D** Clause 71, page 68, line 21, at end insert—

“(A1) The Secretary of State must make regulations under section 65 within six months of the day on which this Act is passed.”

***Member's explanatory statement***

*This probing amendment, and others in the name of Lord Borwick, seeks to ensure that the Secretary of State makes regulations related to the licensing of taxis and private hire vehicles within six months of the day on which this Act is passed.*

LORD LANSLEY

**235DA** Clause 71, page 68, line 25, leave out “(whenever passed)” and insert “passed before, or in the same Session as, this Act”

***Member's explanatory statement***

*This amendment seeks to limit the Secretary of State's power to amend future Acts of Parliament using secondary legislation, in line with the DPRRC's recommendation. The 'Henry VIII power' could only be used prospectively for Acts passed in this session, rather than any future Act of Parliament. It is connected to three other amendments in the name of Lord Lansley.*

**Clause 72**

LORD BLUNKETT

235E Clause 72, page 68, line 35, after “means” insert “ –

- (a) a joint committee established under section (*Strategic authorities: joint committee for the licensing of taxis and private hire vehicles*), or”

***Member's explanatory statement***

*This amendment is related to another amendment in Lord Blunkett's name, which seeks to establish joint committees for the licensing of taxis and private hire vehicles in strategic authority areas.*

**After Clause 72**

LORD FOSTER OF BATH  
LORD BUTLER OF BROCKWELL

235F After Clause 72, insert the following new Clause –

**“Permission for gambling premises: cumulative impact assessments**

- (1) A local authority which is a planning authority must, when considering any application for planning permission or change of use for premises which are to be used for gambling, take into consideration any relevant cumulative impact assessment published in accordance with section 349(1A) of the Gambling Act 2005, and where the conditions in that document are satisfied they shall in the absence of very special circumstances refuse the application.
- (2) The Gambling Act 2005 is amended according to subsections (3) and (4).
- (3) In section 153(1)(d), after “statement” insert “, including any cumulative impact assessment,”.
- (4) After section 349(1), insert –
  - “(1A) A licensing authority may include in their statement an assessment (“a cumulative impact assessment”) stating that they consider that the number of premises licences granted under section 163 in one or more parts of their area described in the assessment is such that it is likely that it would be--
    - (a) inconsistent with the licensing objectives in section 1, or
    - (b) harmful to the wellbeing of the community,
 for the authority to grant any further premises licences which would result in an increase in the number of such premises in that part or those parts”.

**Clause 73**

LORD LUCAS

*Lord Lucas gives notice of his intention to oppose the Question that Clause 73 stand part of the Bill.*

***Member's explanatory statement***

*Lord Lucas seeks to encourage debate on the intersection of the powers/responsibilities of national parks and other authorities.*

**After Clause 73**LORD PACK  
BARONESS PIDGEON

**236** After Clause 73, insert the following new Clause –

**“Local authority responsibility for cattle grids**

- (1) Within three months of the day on which this Act is passed, the Secretary of State must, by regulations, make provision to ensure that local authorities have primary responsibility for the maintenance and oversight of cattle grids in their local authority area.
- (2) Regulations under this section are subject to negative resolution procedure.”

LORD BICHARD  
BARONESS EATON  
BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**237** After Clause 73, insert the following new Clause –

**“Duty of local service partners to cooperate**

- (1) The Secretary of State must by regulations designate certain persons or bodies as local public service partners for the purposes of this section.
- (2) Regulations under subsection (1) must include –
  - (a) integrated care boards and NHS Trusts,
  - (b) police and fire authorities, and
  - (c) any other public service provider,exercising functions wholly or partly in the area of the strategic authority or principal council.
- (3) A local public service partner in subsection (2) must, in exercising its functions so far as they affect that area, cooperate with –
  - (a) the strategic authority, and
  - (b) the principal councils for that area.

- (4) The duty to cooperate under subsection (3) includes –
  - (a) a duty to attend any meeting reasonably convened by the mayor of the strategic authority under section 21 (or by the strategic authority acting collectively), when given due notice,
  - (b) a duty to provide information and assistance to the strategic authority and principal councils, insofar as reasonably required to facilitate the exercise of their functions or any joint planning of services for that area, and
  - (c) a duty to engage constructively, actively and on an ongoing basis with the strategic authority and principal councils when formulating or implementing policies, plans or services that affect the area.
- (5) In performing the duty under subsection (3), a local public service partner must have regard to any guidance issues by the Secretary of State on the implementation of the whole-area public service collaboration.
- (6) Regulations under this section are subject to affirmative resolution procedure.
- (7) In this section, “principal councils” means the county, district or London borough councils (including the Common Council of the City of London) whose territories lie within the area of the strategic authority.”

***Member's explanatory statement***

*This amendment seeks to introduce a statutory duty on local public service partners (such as NHS bodies and police and fire authorities) to cooperate with strategic authorities and principal councils. It ensures reciprocal engagement in local decision-making, service planning and policy implementation, strengthening whole-area collaboration across public services.*

BARONESS PINNOCK

238

After Clause 73, insert the following new Clause –

**“Civil enforcement powers of local authorities**

- (1) The Secretary of State may by regulations make provision enabling local authorities to undertake civil enforcement of obligations imposed by or under any enactment or subordinate legislation for which they are responsible.
- (2) Regulations under this section may, in particular, make provision about –
  - (a) the nature and scope of civil enforcement powers that may be exercised;
  - (b) the imposition of penalties, fines, or remedial requirements;
  - (c) procedures to secure compliance with obligations;
  - (d) safeguards to ensure enforcement is proportionate, transparent, and consistent with relevant statutory and procedural requirements.
- (3) A statutory instrument containing regulations under this section may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.”

**Member's explanatory statement**

*This amendment enables the Secretary of State to make regulations granting local authorities civil enforcement powers, with such regulations subject to the affirmative resolution procedure in both Houses.*

BARONESS BOYCOTT

239 After Clause 73, insert the following new Clause –

**“Community cultivation schemes**

- (1) The Secretary of State must by regulations make provision for a system that requires any local authority to maintain a list of land in its area suitable for community cultivation, and permits residents to cultivate suitable land held by public authorities for the purpose of growing food crops or environmental protection, within the meaning of section 45 of the Environment Act 2021, on condition that requirements prescribed by the regulations are met.
- (2) Requirements prescribed by the regulations may, among other things, include requirements to –
  - (a) set out the meaning of “community cultivation” and “meanwhile use leases”;
  - (b) set out what land is suitable and who can nominate land as being suitable;
  - (c) establish parameters around how long a piece of land would need to be available to be considered as suitable, with a principle that any land granted for the purpose of community cultivation is not granted in perpetuity;
  - (d) require local authorities to publish lists of land suitable for cultivation.
- (3) Regulations under this section are subject to the affirmative resolution procedure.”

**Member's explanatory statement**

*This amendment would require the Secretary of State to place a requirement on strategic, combined and local authorities to publish a list of all publicly owned land in their locality which was suitable for either the purposes of community cultivation or environmental improvement, and to allow community groups to bid on listed areas of land to use them for either of the aforementioned purposes.*

LORD BEST

240 After Clause 73, insert the following new Clause –

**“Duty to optimise the use of public land**

- (1) It is the duty of every designated public body to secure the optimal use of land and legal estates owned by them, to promote or improve the economic, social and environmental circumstances of their areas (“the optimal use duty”).
- (2) The optimal use duty also applies to –
  - (a) the disposal of land, whether under the provisions listed in subsection (3),

- (b) any conditions relating to the disposal of any land and legal estates for any purpose and over any timescale, and
  - (c) any requirement to secure the best consideration reasonably obtainable, as part of the disposal of land under the provisions listed in subsections (3)(a) to (c).
- (3) The provisions referred to in subsection (2) are –
- (a) section 123 of the Local Government Act 1972 (disposal of land by principal councils),
  - (b) section 209 of the Localism Act 2011 (restrictions on disposal of land), and
  - (c) section 10 of the Housing and Regeneration Act 2008 (restrictions on disposal of land),
  - (d) section 17 of the New Towns Act 1981 (conditions as to disposal), and
  - (e) section 146 of the Local Government, Planning and Land Act 1980 (disposal by corporations).
- (4) All local authorities must prepare and publish a land use management plan, in a manner to be determined by the Secretary of State, which demonstrates how existing and proposed land uses have been optimised to achieve the economic, social and environmental objectives in subsection (1).
- (5) In this section –
- “designated public bodies” means –
- (a) local authorities in England, including strategic authorities defined in Part 1 of this Act;
  - (b) mayoral development corporations established by section 198 of the Localism Act 2011;
  - (c) new town development corporations established by section 3 of the New Towns Act 1981;
  - (d) Urban Development Corporations established by section 135 of the Local Government, Planning and Land Act 1980, including locally-led urban development corporations established by section 171 of the Levelling Up and Regeneration Act 2023;
- “optimal use” means the most effective use of land and legal estates to contribute to –
- (a) the objectives and requirements of the relevant local and neighbourhood development plans and any national development management policies issued under sections 86 and 87 of the Levelling Up & Regeneration Act 2023 (powers to require data);
  - (b) the environmental principles set out in sections 17 to 19 of the Environment Act 2021 (policy statement on environmental principles) and any direction under Part 6 of the Levelling Up & Regeneration Act 2023 (environmental outcomes reports) relating to environmental outcomes affecting the land and legal estates;
  - (c) any other objectives and requirements determined by the Secretary of State.

- (6) Schedule (*Duty to optimise the use of public land*) makes amendments in connection with a duty of public bodies to optimise the use of public land.”

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Best, seeks to place a statutory duty on English local authorities and all forms of development corporation, to secure the optimal uses of their land, including when disposing of it, to achieve public policy objectives and requirements.*

LORD RAVENSDALE

**241** After Clause 73, insert the following new Clause –

**“Report on Local Area Energy Plans**

The Secretary of State must, within 18 months of the day on which this Act is passed, publish a report setting out –

- (a) the number of strategic, combined, or local authorities that have –
  - (i) developed, or
  - (ii) implementeda Local Area Energy Plan (LAEP);
- (b) barriers to progress that authorities have had in the introduction of LAEPs;
- (c) options for introducing, within one year of publication of the report, a statutory requirement for LAEPs;
- (d) proposals for funding, technical support, training, and capacity building initiatives to assist local authorities in preparing and implementing LAEPs;
- (e) clear evaluation criteria and success metrics for the programme and any pilots carried out.”

LORD PACK

**241A** After Clause 73, insert the following new Clause –

**“Local Authority Social Media Strategies**

- (1) A local authority must prepare and publish a social media strategy.
- (2) The strategy must set out –
  - (a) how the local authority intends to use individual social media platforms,
  - (b) governance and oversight arrangements for social media use, and
  - (c) arrangements for review of the strategy.
- (3) The strategy must include a risk assessment addressing –
  - (a) risks relating to misinformation and disinformation,
  - (b) risks to public trust and confidence, and
  - (c) risks relating to data protection, information security, and the use of automated or algorithmic tools.”

***Member's explanatory statement***

*This amendment would require local authorities to publish a social media strategy, including a risk assessment, setting out how the authority and its elected officials intend to use individual social media platforms.*

BARONESS WILLIS OF SUMMERTOWN  
 BARONESS YOUNG OF OLD SCONE  
 BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

**241B** 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.*

LORD SHIPLEY

**241C** After Clause 73, insert the following new Clause –

**“English National Park authorities: community consultation**

Where a community in England is not part of an English National Park authority area but –

- (a) is surrounded by one, or
- (b) shares a border with one,

that authority must consult with that community on any matter within the competence of that authority which may impact on that community before a decision is made.”

***Member's explanatory statement***

*English National Park authorities will gain a general power of competence at Clause 73. This amendment would require them to consult with communities surrounded or bordered by a National Park on matters that might impact on those communities.*

## LORD LANSLEY

**241D** After Clause 73, insert the following new Clause –

**“Neighbourhood priorities statement**

- (1) In inserted section 15K (neighbourhood priorities statements) in Schedule 7 of LURA 2023 –
  - (a) In subsection (13), after paragraph (d) insert –
    - “(da) a single foundation strategic authority,
    - (db) a development corporation which exercises the responsibilities of a local planning authority, or”;
  - (b) In subsection (14), in the definition for "qualifying body", omit "a parish council" and insert –
    - “(a) a town or parish council or organised structure for a neighbourhood area established under section 60 of the English Devolution and Community Empowerment Act 2026 (local authorities: effective neighbourhood governance),”.
- (2) Within two months of the day on which this Act is passed, the Secretary of State must, by regulations, make provision commencing section 15K of the Planning and Compulsory Purchase Act 2004, as inserted by section 97 of LURA 2023.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

## BARONESS FREEMAN OF STEVENTON

**241E** After Clause 73, insert the following new Clause –

**“National Parks and strategic planning**

In exercising functions under this Act relating to spatial development strategies, the Secretary of State must have regard to the desirability of ensuring that National Park authorities are statutory participators and providers of advice in the development of a strategy where it –

- (a) relates to land within a National Park, or
- (b) is likely to have a significant effect on the purposes of a National Park.”

***Member's explanatory statement***

*This amendment would require a strategic planning authority to include the relevant National Park Authority as a statutory participant in the development a spatial development strategy where this covers all or part of a National Park, ensuring that National Park Authorities are formally involved in the preparation and examination of strategies affecting areas for which they are the statutory local planning authority.*

### Schedule 30

LORD LUCAS

*Lord Lucas gives notice of his intention to oppose the Question that Schedule 30 be the Thirtieth Schedule to the Bill.*

### After Schedule 30

LORD BEST

**242** After Schedule 30, insert the following new Schedule –

#### “SCHEDULE

#### DUTY TO OPTIMISE THE USE OF PUBLIC LAND

- 1 In section 123 of the Local Government Act 1972 (disposal of land by principal councils), after subsection (2B) insert –
  - “(2C) In relation to the disposal of land and legal estates by principal councils in England, the duty in subsection (1) of section (*Duty to optimise the use of public land*) of the English Devolution and Community Empowerment Act 2026 is fulfilled by obtaining the best consideration that can reasonably be obtained for an existing or proposed land use that secures the optimal use of land within the meaning of subsection (5) of that section over any timescale.
  - (2D) In a disposal of land under this section a council must impose any covenant, restriction or charge necessary to secure the optimal use of the disposed land, and the Secretary of State in giving any consent under this section may require the same.”
- 2 In section 209 of the Localism Act 2011 (restrictions on disposal of land), after subsection (4) insert –
  - “(5) In relation to the disposal of land and legal estates by mayoral development corporations, the duty in subsection (1) of section (*Duty to optimise the use of public land*) of the English Devolution and Community Empowerment Act 2026 is fulfilled by obtaining the best consideration that can reasonably be obtained for an existing or proposed land use that secures the optimal use of land within the meaning of subsection (5) of that section.
  - (6) In a disposal of land under this section a mayoral development corporation must impose any covenant, restriction or charge necessary to secure the optimal use of the disposed land, and a mayor in giving any consent under this section may require the same.”

- 3 In section 17 of the New Towns Act 1981 (conditions as to disposal), after subsection (4) insert—
- “(5) In relation to the disposal of land and legal estates by a new town development corporation, the duty in subsection (1) of section (*Duty to optimise the use of public land*) of the English Devolution and Community Empowerment Act 2026 is fulfilled by a disposal that will ensure an existing or proposed land use that secures the optimal use of public land within the meaning of subsection (5) of that section.
- (6) In a disposal of land under this section a new town development corporation must impose a covenant, restriction or charge necessary to secure the optimal use of the disposed land.”
- 4 In section 146 of the Local Government, Planning and Land Act 1980 (disposal by corporation), after subsection (5) insert—
- “(5A) In relation to the disposal of land and legal estates by an urban development corporation, the duty in subsection (1) of section (*Duty to optimise the use of public land*) of the English Devolution and Community Empowerment Act 2026 is fulfilled by a sale that will ensure an existing or proposed land use that secures the optimal use of land within the meaning of subsection (5) of that section.
- (5B) In a disposal of land under this section an urban development corporation must impose a covenant, restriction or charge necessary to secure the optimal use of the disposed land.””

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Best, seeks to place a statutory duty on English local authorities and all forms of development corporation, to secure the optimal uses of their land, including when disposing of it, to achieve public policy objectives and requirements.*

**Clause 74**

LORD SHIPLEY

243 Clause 74, page 70, line 20, at end insert—

- “(3) In performing its functions, the Local Audit Office must pay immediate regard to and investigate any issues concerning risk management identified by audit committees established under section 33A.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

*The above-named Lords give notice of their intention to oppose the Question that Clause 74 stand part of the Bill.*

***Member's explanatory statement***

*This is probing to seek to understand why a Local Audit Office is necessary.*

**Clause 75**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**244** Clause 75, page 72, leave out lines 5 to 23

***Member's explanatory statement***

*This is a probing amendment designed to understand why the Government proposes creating a Local Audit Office to maintain a register of audit providers if the LAO will also have the power to designate another organisation as the external registration body responsible for holding such a register.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**245** Clause 75, page 72, leave out lines 20 to 23

***Member's explanatory statement***

*This amendment removes the LAO's ability to charge fees.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**246** Clause 75, page 74, leave out lines 5 to 11

***Member's explanatory statement***

*This probing amendment removes the clause to seek clarity on why the Local Audit Office should be given powers to form, acquire interests in, or provide financial or other assistance to audit firms. The intention is to understand the rationale for allowing the regulator to act as a market participant.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**247** Clause 75, page 74, line 19, at end insert –

- “(4) Where the Office decides to carry out local audits under this Act, it must comply with all statutory requirements and professional auditing standards applicable to local audit providers under the Local Audit and Accountability Act 2014.
- (5) In particular, the Office must ensure that its audit practice is subject to the same regime of independent supervision, inspection and enforcement as applies to private firms approved to undertake local audits, including those

arrangements overseen by the Financial Reporting Council and recognised supervisory bodies.

- (6) The Office must ensure that no part of its audit practice is exempt from the quality assurance, regulatory oversight or enforcement mechanisms that apply to any other local audit provider.”

***Member's explanatory statement***

*This amendment seeks to ensure that, if the Local Audit Office elects to carry out local authority audits itself, its audit work will be subject to the same standards, scrutiny and independent oversight as apply to private firms undertaking local audits.*

**Clause 76**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

248 Clause 76, page 75, line 7, at end insert –

- “(1A) The specific individual who acts as the Key Audit Partner (KAP) for a local council audit must rotate off the engagement after a maximum of 10 years.”

***Member's explanatory statement***

*This amendment introduces a maximum ten-year rotation period for the individual acting as the Key Audit Partner (KAP) on a local council audit completed by the LAO.*

**Clause 79**

LORD SHIPLEY

249 Clause 79, page 79, line 20, after “resources” insert “are planned to be used or”

LORD SHIPLEY

250 Clause 79, page 79, line 24, at the end insert –

- “and making such reports and recommendations public where the audit committee concludes that it would be in the public interest to do so.”

**Clause 85**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

*The above-named Lords give notice of their intention to oppose the Question that Clause 85 stand part of the Bill.*

**Member's explanatory statement**

*By opposing this clause and Schedule 34, Baroness Scott of Bybrook seeks to remove the ban on upward only rent reviews.*

**After Clause 85**

LORD NORTON OF LOUTH

**251** After Clause 85, insert the following new Clause—

**“Review of the Act**

- (1) The Secretary of State must—
  - (a) carry out a review of the operation and effect of this Act,
  - (b) set out the conclusions of the review in a report,
  - (c) publish the report, and
  - (d) lay a copy of the report before Parliament.
- (2) The report must be published before the end of the period of five years beginning with the day on which this Act is passed.
- (3) The report must, in particular—
  - (a) assess the extent to which the objectives intended to be achieved by this Act have been achieved, and
  - (b) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved more effectively in any other way.
- (4) In carrying out the review, the Secretary of State must publish an invitation for interested parties to make submissions on the operation of the Act.”

LORD SHIPLEY  
LORD LANSLEY

**252** After Clause 85, insert the following new Clause—

**“Review of local and community banking powers**

- (1) The Secretary of State must undertake a review of the powers available to local authorities and combined authorities to support local economic growth through banking and credit provision.
- (2) The review must, in particular, consider—
  - (a) the regulatory, supervisory and authorisation framework governing the establishment and operation of local, community and publicly owned banks,
  - (b) the extent to which local authorities and combined authorities may establish, support, participate in, or otherwise facilitate public or community banking institutions, and
  - (c) the impact of bank credit creation and allocation on—

- (i) local and regional economic growth,
  - (ii) access to finance for small and medium-sized enterprises,
  - (iii) infrastructure investment, and
  - (iv) regional economic inequalities.
- (3) In conducting the review, the Secretary of State must assess whether existing legislative, regulatory or institutional arrangements inhibit the effective devolution of powers relating to local economic development.
  - (4) The review must include recommendations for reform which the Secretary of State considers appropriate to support local economic growth and to advance the objectives of this Act.
  - (5) The Secretary of State must publish a report of the review and lay it before Parliament within 12 months of the day on which this Act is passed.”

## LORD SHIPLEY

253 After Clause 85, insert the following new Clause –

**“Review of regional and national public spending**

- (1) The Secretary of State must undertake a review of the levels of public spending available to the regions of England, and to local authorities and combined authorities, with a view to ensuring that all parts of England have sufficient potential for investment.
- (2) The review must –
  - (a) examine the allocation of public funds across regions, and between local and combined authorities;
  - (b) identify any regional disparities in funding that negatively impact on particular areas;
  - (c) consider whether the current distribution of spending allows all areas adequate capacity to invest in public services and infrastructure;
  - (d) identify any measures that could improve equity and effectiveness in the distribution of funding.
- (3) The Secretary of State must lay a report on the findings of the review before Parliament no later than six months after the day on which this section comes into force.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

254 After Clause 85, insert the following new Clause –

**“Review of market impacts of rent review provisions**

- (1) The Secretary of State must, within the period of 12 months beginning with the day on which section 85 comes into force, carry out a review of the impact of the rent review provisions introduced by that section.

- (2) The review must, in particular, consider the impact of those provisions on—
  - (a) the operation and efficiency of the commercial property market,
  - (b) levels of investment in commercial property,
  - (c) the supply and availability of business tenancies,
  - (d) rent-setting behaviour, including the setting of initial rents and alternative rent review mechanisms,
  - (e) landlord and tenant behaviour, including decisions to grant, renew, or terminate business tenancies, and
  - (f) the availability and terms of longer-duration commercial leases.
- (3) The Secretary of State must prepare and publish a report setting out the findings of the review.
- (4) The Secretary of State must lay a copy of the report before Parliament as soon as reasonably practicable after completing the review.”

THE LORD BISHOP OF MANCHESTER

255

After Clause 85, insert the following new Clause—

**“Duty relating to community empowerment**

- (1) Within one year beginning on the date on which this Act is passed, and each year thereafter, the Secretary of State must publish and lay before Parliament a report assessing the effectiveness of Part 5 of the Localism Act 2011 (Community empowerment).
- (2) The report must—
  - (a) consider the effectiveness of the provisions in Part 5 of the Localism Act 2011 against the criteria in subsection (3), and
  - (b) set out a plan for better meeting those criteria, including potential legislative provision.
- (3) The criteria are, in relation to people in England—
  - (a) access to a clean and healthy environment;
  - (b) access to land or space to play, roam, and swim;
  - (c) access to land for food growing;
  - (d) the ability to contribute to and challenge decisions made at a local level;
  - (e) access to, use of, and ability to propose acquisition of assets of community value.
- (4) Within the period of 21 days beginning on the day on which a Report is published under this section, a Minister of the Crown must move a motion in the House of Commons that the House has considered the Report.
- (5) In reckoning any period of 21 days under subsection (4), no account is taken of any time during which Parliament is dissolved or prorogued, or during which the House of Commons is adjourned for more than four days.”

***Member's explanatory statement***

*This new clause would require the Government to report annually on the effectiveness of community empowerment measures under the Localism Act 2011. It requires that Ministers assess how well communities can access land, green space, and local decision-making mechanisms. The report must include plans to strengthen these rights, including potential new legislation.*

LORD PACK  
LORD NORTON OF LOUTH

256 After Clause 85, insert the following new Clause –

**“Repeal of uncommenced local government provisions**

- (1) The following provisions are repealed –
  - (a) Schedule 8(20) to the Localism Act 2011 (regional strategies amendments to the Marine and Coastal Access Act 2009);
  - (b) section 50(2), (3) and (7) of the Commons Act 2006 (schemes under the Commons Act 1899);
  - (c) section 69 of the Local Government Act 2003 (removal of power to prescribe rateable values);
  - (d) Schedule 27(68) to the Greater London Authority Act 1999 (consequential VAT amendments).
- (2) The repeals made by this section do not affect –
  - (a) the operation of any enactment amended or repealed by the provisions listed in subsection (1), or
  - (b) the continued force of any other provision of the Acts referred to in subsection (1).”

***Member's explanatory statement***

*This new clause repeals a number of local government-related statutory provisions that have never been commenced and therefore have no legal effect. These provisions would have repealed or amended other enactments but were never brought into force. Their removal is a technical and housekeeping measure intended to tidy the statute book without making any substantive policy change.*

LORD FULLER

256A After Clause 85, insert the following new Clause –

**“Major precepting authorities: parish and community councils**

- (1) Section 39 of the Local Government Finance Act 1992 (precepting and precepted authorities) is amended as follows.
- (2) In subsection (1), after paragraph (ac) insert –
  - “(ad) a parish or community council where the population of the authority area is greater than 50,000 people;

- (ae) the chairman of a parish meeting where the parish council's authority area has a population greater than 50,000 people.”
- (3) In subsection (2)–
- (a) in paragraph (c), at end insert “of an area with a population less than 50,000 people;”;
- (b) in paragraph (d), after “meeting” insert “for a parish council of an area with a population less than 50,000 people”.”

***Member's explanatory statement***

*Following local government reorganisation, a number of former billing authorities will become large town or city councils and as a result will largely be unconstrained in their powers to raise council tax. This amendment seeks to ensure that parish and community councils with large populations are constrained in their ability to raise council tax in line with the restrictions placed on major precepting authorities, as defined in the Local Government Finance Act 1992.*

**Schedule 34**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

*The above-named Lords give notice of their intention to oppose the Question that Schedule 34 be the Thirty-Fourth Schedule to the Bill.*

***Member's explanatory statement***

*By opposing this Schedule and clause 85, Baroness Scott of Bybrook seeks to remove the ban on upward only rent reviews.*

**Clause 86**

LORD WALLACE OF SALTIRE

257 Clause 86, page 83, line 7, at end insert –

““community” means an urban or rural area with a sense of shared identity, of variable size;”

LORD WALLACE OF SALTIRE

258 Clause 86, page 83, line 26, at end insert –

““local” means an area suitable for shared government, linked by easy communication among its constituent communities;”

## LORD WALLACE OF SALTAIRE

259 Clause 86, page 83, line 42, at end insert –

““neighbourhood” means a district within a town or city, limited in size by the ability of most of its inhabitants to walk from one extent to another;”

## Clause 89

BARONESS MCINTOSH OF PICKERING  
LORD CAMERON OF DILLINGTON

260 Clause 89, page 85, line 11, at end insert –

“(A1) Before making any regulations under this Act, the Secretary of State must publish an assessment of the impact of this Act on rural areas, including its costs and benefits.”

## Clause 92

LORD BORWICK  
BARONESS BRINTON  
BARONESS GREY-THOMPSON  
LORD YOUNG OF COOKHAM

260A Clause 92, page 86, line 18, leave out subsection (3)

*Member's explanatory statement*

*This probing amendment, and others in the name of Lord Borwick, seeks to ensure that the Secretary of State makes regulations related to the licensing of taxis and private hire vehicles within six months of the day on which this Act is passed.*

BARONESS TAYLOR OF STEVENAGE

261 Clause 92, page 87, line 19, leave out paragraphs (z2) and (z3)

*Member's explanatory statement*

*This is consequential on the amendment of clause 92(6) which would provide for sections 62 and 73 and Schedule 30 to come into force two months after royal assent.*

LORD BORWICK  
BARONESS BRINTON  
BARONESS GREY-THOMPSON

261A Clause 92, page 87, line 20, at end insert –

“(z2a) section 64 (“national minimum standard” and “regulated licence”);  
(z2b) section 65 (standards relating to the grant of a regulated licence);

- (z2c) section 66 (standards relating to the suspension or revocation of a regulated licence);
- (z2d) section 67 (standards relating to the renewal of a regulated licence);
- (z2e) section 68 (further provision about standards);
- (z2f) section 69 (guidance);
- (z2g) section 70 (relationship with existing licensing legislation);
- (z2h) section 71 (regulations);
- (z2i) section 72 (interpretation);”

***Member's explanatory statement***

*This probing amendment, and others in the name of Lord Borwick, seeks to ensure that the Secretary of State makes regulations related to the licensing of taxis and private hire vehicles within six months of the day on which this Act is passed.*

BARONESS PIDGEON

- 261B** Clause 92, page 87, line 23, after “(6)” insert “, (6A)”

***Member's explanatory statement***

*This amendment is connected to the proposal to add subsection (6A).*

BARONESS TAYLOR OF STEVENAGE

- 262** Clause 92, page 88, line 21, at end insert –

- “(z1) section 62 (publication of addresses of members etc in authority registers);
- (z2) section 73 (and Schedule 30) (extension of general power of competence to English National Park authorities and the Broads Authority).”

***Member's explanatory statement***

*This would provide for sections 62 and 73 and Schedule 30 to come into force two months after royal assent.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 263** Clause 92, page 88, line 21 at end insert –

- “(6A) Section 10 does not come into force until guidance under subsections 10(2) and 10(4) has been published by the Secretary of State and laid before Parliament.”

BARONESS PIDGEON

- 263A** Clause 92, page 88, line 21 at end insert –

- “(6A) section (*Private hire vehicle licensing*) comes into force at the end of a period of three years beginning on the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment is connected to the proposal to add a new clause on private hire vehicle licensing and is designed to ensure that the restriction on out of area operation is introduced as early as possible whilst allowing time for drivers, whose licences are generally issued for a period of three years to re-licence in the area in which they predominantly operate should they wish to do so.*

LORD PACK  
LORD NORTON OF LOUTH

- 264 Clause 92, page 88, line 24, at end insert “save that any provision of this Act which has not otherwise come into force shall do so on the fifth anniversary of the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment allows the Secretary of State to commence the Act by regulations but ensures that provisions contained in an Act of Parliament are implemented within a timeframe unless revoked by accordant legislation.*

BARONESS TAYLOR OF STEVENAGE

- 265 Clause 92, page 88, line 26, leave out “regulations” and insert “secondary legislation”

***Member's explanatory statement***

*This would make subsection (8) consistent with subsection (1)(c) (so that they both refer to the wider concept of “secondary legislation”).*

**Clause 93**

BARONESS PINNOCK

- 266 Clause 93, page 88, line 36, leave out “Devolution and Community Empowerment” and insert “Delegation and Local Authority Functions”

***Member's explanatory statement***

*This amendment changes the title of the Bill to more accurately reflect its provisions related to the rebalancing between central and local governments.*

**Title**

BARONESS TAYLOR OF STEVENAGE

- 267 Title, line 2, leave out “councils” and insert “authorities”

***Member's explanatory statement***

*This would change the long title of the Bill to refer to “local authorities” instead of “local councils”. This would reflect the inclusion of clause 73 and Schedule 30 in the House of Commons (which relate to National Park Authorities and the Broads Authority).*

# English Devolution and Community Empowerment Bill

EIGHTH MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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*3 March 2026*

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