

English Devolution and Community Empowerment Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
6 March 2026*

[Amendments marked ★ are new or have been altered]

Clause 2

THE EARL OF CLANCARTY
BARONESS GRIFFIN OF PRINCETHORPE
LORD FREYBERG

- ★ Clause 2, page 2, line 24, at end insert –
“(h) the arts, culture and heritage.”

Member's explanatory statement

This amendment adds the arts, culture and heritage as an area of competence for strategic authorities.

Clause 9

THE EARL OF CLANCARTY

- ★ Clause 9, page 11, line 4, leave out “7” and insert “8”

Member's explanatory statement

This amendment is connected to an amendment in the Earl of Clancarty's name to clause 2, which would add the arts, culture and heritage as an area of competence.

THE EARL OF CLANCARTY
BARONESS MCINTOSH OF PICKERING

- ★ Clause 9, page 11, line 29, leave out “7” and insert “8”

Member's explanatory statement

This amendment is connected to an amendment in the Earl of Clancarty's name to clause 2, which would add the arts, culture and heritage as an area of competence.

After Clause 37

BARONESS MCINTOSH OF PICKERING

★ After Clause 37, insert the following new Clause –

“Sustainable drainage assessments

- (1) In their functions under this Part related to planning applications, strategic authorities must conduct and publish a sustainable drainage assessment.
- (2) The assessment under subsection (1) must include consideration of whether existing public sewerage systems have capacity to support proposed developments in planning applications.”

After Clause 61

LORD PACK

★ After Clause 61, insert the following new Clause –

“Restriction on powers to change years of local elections

- (1) In the Local Government Act 2000, for section 87 (power to change years in which elections held) substitute –

“87 Restriction on changing years of ordinary elections

- (1) The years in which ordinary elections of any local authority councillors or mayors are held may be changed only by an Act of Parliament.
- (2) No provision may be made under this Act enabling the Secretary of State or any other person to change the years in which ordinary elections of councillors are to be held by order, regulations or other delegated legislation.”
- (2) In section 88 (separate power to make incidental provisions) omit “or 87” in both places it occurs.
- (3) In the Police Reform and Social Responsibility Act 2011, in section 50 (ordinary elections), after subsection (5) insert –
 - “(5A) An order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of Police and Crime Commissioners would otherwise be held.”
- (4) In the Local Government and Public Involvement in Health Act 2007 –

- (a) in section 7 (implementation of proposals by order), after subsection (3) insert—
 - “(3A) Except where an order provides for the dissolution of a local authority, an order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of councillors for a local authority or mayors would otherwise be held.”;
 - (b) in section 10 (implementation of recommendations by order), after subsection (4) insert—
 - “(4A) Except where an order provides for the dissolution of a local authority, an order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of councillors for a local authority would otherwise be held.”.
- (5) Any existing power in any other enactment which permits the Secretary of State by order or regulations to change the year in which a local government election is held shall cease to have effect in relation to that power.
- (6) Any Act whose effect shall include or solely be the changing of the years in which ordinary elections of councillors, mayors, or Police and Crime Commissioners are to be held, shall not be presented to His Majesty and become an Act of Parliament on the Royal Assent being signified, unless and until the Secretary of State has—
- (a) made a statement to both Houses of Parliament certifying that due regard has been given to the impact of the proposed change on the administration and costs of any other elections or referendums scheduled to be held on the same day,
 - (b) made such relevant financial provision as is necessary to ensure that parish councils, town councils, or other smaller authorities do not incur additional financial liabilities resulting from the loss of cost-sharing arrangements with the cancelled or postponed election, and
 - (c) laid before Parliament a written statement setting out the arrangements for ensuring that the democratic mandate of any authority not subject to the change is not undermined by the administrative separation of the polls.”

Member's explanatory statement

This amendment ensures that the years in which ordinary elections for local councillors, mayors, and Police and Crime Commissioners are held can only be changed by an Act of Parliament.

After Clause 62

BARONESS MCINTOSH OF PICKERING

★ After Clause 62, insert the following new Clause –

“Local authorities: meetings

- (1) The Secretary of State may by regulations establish arrangements where, in circumstances specified in those regulations, a meeting of a local authority is not limited to a meeting of persons who are all present in the same place.
- (2) Circumstances specified may include circumstances affecting –
 - (a) individual councillors, such as illness or disability, or
 - (b) a council as a whole, such as adverse weather or flooding.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

Member's explanatory statement

This amendment seeks to ensure that local authorities can hold council meetings online, for example if travelling to the council chamber was made difficult by heavy snowfall or flooding.

After Clause 63

BARONESS MCINTOSH OF PICKERING

★ After Clause 63, insert the following new Clause –

“Agent of change: integration of new development with existing businesses and facilities

- (1) In this section –
 - “agent of change principle” means the principle requiring planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities so that those businesses and facilities do not have unreasonable restrictions placed on them as a result of developments permitted after they were established;
 - “development” has the same meaning as in section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”);
 - “licensing functions” has the same meaning as in section 4(1) of the Licensing Act 2003 (general duties of licensing authorities);
 - “provision of regulated entertainment” has the same meaning as in Schedule 1 to the Licensing Act 2003 (provision of regulated entertainment);
 - “relevant authority” means a local planning authority construed in accordance with Part I of the Town and Country Planning Act 1990, or a licensing authority within the meaning of section 3 of the Licensing Act 2003 (licensing authorities)
- (2) In exercising any functions under the Town and Country Planning Act 1990 or any licensing functions concerning development which is or is likely to be affected

by an existing business or facility, a relevant authority shall have special regard to the agent of change principle.

- (3) An application for development within the vicinity of any premises licensed for the provision of regulated entertainment shall contain a noise impact assessment.
- (4) In determining whether noise emitted by or from an existing business or community facility constitutes a nuisance to a residential development, the decision-maker shall have regard to—
 - (a) the chronology of the introduction of the relevant noise source and the residential development, and
 - (b) what steps have been taken by the developer to mitigate the entry of noise from the existing business or facility to the residential development.”

After Clause 73

BARONESS MCINTOSH OF PICKERING

- ★ After Clause 73, 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.

Clause 89

BARONESS MCINTOSH OF PICKERING

- ★ Clause 89, page 86, line 35, 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.”

Schedule 3

BARONESS MCINTOSH OF PICKERING

- ★ Schedule 3, page 123, line 4, at end insert—

“(1A) The mayor must appoint a commissioner with competence for rural affairs if their authority is a majority or intermediate rural authority according to the Rural Urban Classification.”

Member's explanatory statement

This amendment, connected with others in the name of Baroness McIntosh of Pickering, seeks to ensure that Mayors in rural areas must appoint an extra commissioner, who would have responsibility for rural affairs.

BARONESS MCINTOSH OF PICKERING

- ★ Schedule 3, page 130, line 27, at end insert—

“(1A) The mayor must appoint a commissioner with competence for rural affairs if their authority is a majority or intermediate rural authority according to the Rural Urban Classification.”

Member's explanatory statement

This amendment, connected with others in the name of Baroness McIntosh of Pickering, seeks to ensure that Mayors in rural areas must appoint an extra commissioner, who would have responsibility for rural affairs.

Schedule 5

BARONESS MCINTOSH OF PICKERING

- ★ Schedule 5, page 146, line 11, at end insert—

“(3) The regulations must make provision for a licence to prohibit the provider of micromobility vehicles from providing a pedal cycle or electrically assisted pedal cycle to a person who does not have insurance.”

Schedule 20

BARONESS MCINTOSH OF PICKERING

- ★ Schedule 20, page 227, line 22, at end insert—

“(2A) The mayoral combined authority must include amongst the projects identified measures that will promote growth through the safeguarding and promotion of existing cultural, creative, and community infrastructure such as grassroots music venues, theatres and other live performance spaces.”

Member's explanatory statement

This amendment, connected with another in the name of Baroness McIntosh of Pickering, seeks to ensure that local growth plans include provision about cultural venues.

BARONESS MCINTOSH OF PICKERING

★ Schedule 20, page 229, line 23, at end insert—

“(2A) The mayoral CCA must include amongst the projects identified measures that will promote growth through the safeguarding and promotion of existing cultural, creative, and community infrastructure such as grassroots music venues, theatres and other live performance spaces.”

Member's explanatory statement

This amendment, connected with another in the name of Baroness McIntosh of Pickering, seeks to ensure that local growth plans include provision about cultural venues.

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