

English Devolution and Community Empowerment Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
17 March 2026*

[Amendments marked ★ are new or have been altered]

Clause 2

LORD FREYBERG

Clause 2, page 2, line 21, at end insert “, including through tourism”

Member's explanatory statement

This probing amendment adds tourism to the “economic development and regeneration” area of competence for strategic authorities.

BARONESS TAYLOR OF STEVENAGE

★ Clause 2, page 2, line 24, at end insert —

“(h) culture.”

Member's explanatory statement

This would add culture to the list of “areas of competence” in the Bill.

THE EARL OF CLANCARTY
BARONESS GRIFFIN OF PRINCETHORPE
LORD FREYBERG
BARONESS PRASHAR

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.

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

★

Clause 2, page 2, line 24, at end insert –

“(h) rural affairs.”

Member's explanatory statement

This amendment seeks to include rural affairs as an area of competence of strategic authorities.

After Clause 2

LORD SHIPLEY
BARONESS BENNETT OF MANOR CASTLE

After Clause 2 insert the following new Clause –

“Devolution of powers within strategic authority areas

- (1) A strategic authority may devolve to any local authority within its area any power which it holds.
- (2) In carrying out any action under subsection (1), a strategic authority must –
 - (a) consider whether any of its powers may be exercised at a more local level, and
 - (b) where it considers that to be the case, act so as to enable such devolution.
- (3) Each local authority within the area of a strategic authority must –
 - (a) consider whether any of its powers may be exercised at a more local level, and
 - (b) where it considers that to be the case, act so as to enable such devolution.
- (4) Within the period of one year beginning with the day on which this section comes into force, a strategic authority must publish a plan setting out how the strategic authority and its member local authorities intend to carry out their duties under subsections (2) and (3) (a “Community Empowerment Plan”).
- (5) A Community Empowerment Plan must set out how the strategic authority and local authorities within its area will consult local communities on the exercise of those powers which are not devolved to lower-tier bodies.
- (6) A strategic authority must review a Community Empowerment Plan at least once during the period of four years beginning with the day on which the Plan is published.
- (7) In carrying out any function under this section, a strategic authority must ensure effective collaboration with any local authority or other body to which it has devolved powers.

- (8) The Secretary of State may by regulations made by statutory instrument make further provision about the powers of a strategic authority in circumstances where the strategic authority considers there to have been a serious failure or breach of duty in relation to a power devolved to a more local level.
- (9) Regulations made under subsection (8) are subject to the affirmative procedure.”

Member's explanatory statement

This amendment would allow a strategic authority to devolve a competency or function to a lower tier of local government.

Clause 9

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 9, page 11, line 4, leave out “7” and insert “10”

Member's explanatory statement

This would increase the maximum number of commissioners that the mayor of a CCA may appoint from 7 to 10.

THE EARL OF CLANCARTY
LORD FREYBERG
LORD PARKINSON OF WHITLEY BAY

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.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 9, page 11, line 29, leave out “7” and insert “10”

Member's explanatory statement

This would increase the maximum number of commissioners that the mayor of a combined authority may appoint from 7 to 10.

THE EARL OF CLANCARTY
BARONESS MCINTOSH OF PICKERING
LORD FREYBERG
LORD PARKINSON OF WHITLEY BAY

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.

LORD SHIPLEY

Leave out Clause 9

Member's explanatory statement

This amendment would remove the ability of Mayors to appoint commissioners.

After Clause 9

LORD SHIPLEY
BARONESS BENNETT OF MANOR CASTLE

After Clause 9, insert the following new Clause —

“Scrutiny of mayoral commissioners

- (1) The mayor of a combined county authority must establish, for each commissioner appointed by the mayor, a scrutiny committee composed of elected members of the constituent local authorities.
- (2) The purpose of each scrutiny committee is to review, assess and report on the exercise of the policy responsibilities of the commissioner to whom it relates.
- (3) Each scrutiny committee must have the following powers —
 - (a) to require the mayor, the relevant commissioner, or any member of their staff to attend before the committee to give evidence;
 - (b) to require the production of any documents relevant to the exercise of the commissioner's functions;
 - (c) to publish reports on the committee's findings and recommendations.
- (4) The mayor and the relevant commissioner must have regard to any report or recommendation made by the corresponding scrutiny committee under this section.”

Member's explanatory statement

This amendment requires a mayor of a combined county authority to establish a scrutiny committee of elected members with powers of summons to examine and report on the mayor's exercise of functions.

Clause 10

BARONESS SCOTT OF BYBROOK
LORD JAMIESON



Clause 10, page 12, line 33, after “publish” insert “quarterly”

Member's explanatory statement

This amendment ensures that reports on allowances are published quarterly.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 10, page 12, line 34, after “amounts” insert “and evidence submitted by members of the CCA who have special responsibilities”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 10, page 12, line 34, at end insert —
“(3A) Any report produced under subsection (3) must be published on the website of the CCA.”

Member's explanatory statement

This amendment ensures that reports on allowances are published online.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 10, page 14, line 2, after “publish” insert “quarterly”

Member's explanatory statement

This amendment ensures that reports on allowances are published quarterly.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 10, page 14, line 3, after “amounts” insert “and evidence submitted by members of the combined authority who have special responsibilities”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 10, page 14, line 3, at end insert —
“(3A) Any report produced under subsection (3) must be published on the website of the combined authority.”

Member's explanatory statement

This amendment ensures that reports on allowances are published online.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 10, page 14, line 31, leave out “CCA” and insert “combined authority”

Member's explanatory statement

This provision is about combined authorities, and so this amendment would correct the reference to “CCA” that appears here.

After Clause 10

BARONESS TAYLOR OF STEVENAGE

- ★ After Clause 10, insert the following new Clause—

“Mayoral combined authorities & CCAs: overview and scrutiny committees

- (1) Schedule (*Mayoral CCAs: overview and scrutiny committees*) changes the system of overview and scrutiny committees for mayoral CCAs.
- (2) Schedule (*Mayoral combined authorities: overview and scrutiny committees*) changes the system of overview and scrutiny committees for mayoral combined authorities.”

Member's explanatory statement

This new clause would introduce the new Schedules about overview and scrutiny committees of mayoral CCAs and combined authorities (which would be inserted after Schedule 3 by other amendments in my name).

Clause 11BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 11, page 14, line 33, leave out subsection (1)

Member's explanatory statement

This amendment seeks to remove amendments to the precept arrangements set out in section 40 of the Local Government Finance Act 1992.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ Clause 11, page 14, line 40 at end insert—

“(e) after subsection (12) insert—

- “(13) A mayoral combined authority or a mayoral CCA may not increase a precept by an amount greater than that permitted for county councils and unitary authorities under principles determined by the Secretary of State for the relevant financial year.””

Member's explanatory statement

This amendment would limit increases in the mayoral precept in accordance with the same principles that apply to county and unitary authorities.

Clause 16

LORD SHIPLEY

Clause 16, page 21, line 5, after “United Kingdom” insert “or an elected member of a local authority”

Member's explanatory statement

This amendment extends the disqualification provisions in Clause 16 to elected members of a local authority.

LORD SHIPLEY

Clause 16, page 21, line 28, at end insert —

“(e) a councillor of a local authority.”

Member's explanatory statement

This amendment is connected with another amendment in Lord Shipley's name and extends the disqualification provisions in Clause 16 to elected members of a local authority.

Clause 21

BARONESS TAYLOR OF STEVENAGE

★

Clause 21, page 25, line 28, leave out “one or more of the areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

BARONESS TAYLOR OF STEVENAGE

★

Clause 21, page 26, line 20, leave out “one or more of the areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 21, page 27, line 7, leave out “one or more of the areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

Clause 22

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 22, page 27, line 17, leave out “one or more areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 22, page 30, line 17, leave out “one or more areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 22, page 33, line 19, leave out “one or more areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

After Clause 22

LORD SHIPLEY
BARONESS PIDGEON

After Clause 22, insert the following new Clause—

“People’s Question Time

- (1) The mayor for the area of a mayoral strategic authority or mayoral combined authority must twice in every financial year hold and attend a meeting under this

section (to be known as a “People’s Question Time”) which is to be open to all members of the public.

- (2) The purpose of a People’s Question Time is to afford an opportunity to members of the public to put questions to the mayor and to enable the mayor to respond.
- (3) The form of, and procedure for, a People’s Question Time is to be such as the mayor may determine.
- (4) At least one month prior to the date on which each People’s Question Time is to be held, the mayor must –
 - (a) determine the place at which the meeting is to be held, and
 - (b) take such steps as will in the mayor's opinion give adequate notice of the date and place of the meeting to members of the public.”

Member's explanatory statement

This amendment requires the mayor of a mayoral combined authority or combined county authority to hold a public meeting known as a “People’s Question Time” twice a financial year to answer questions from the public. This ensures regional mayors are subject to the same level of democratic scrutiny as the Mayor of London, mirroring the existing mayoral provisions contained in section 48 of the Greater London Authority Act 1999.

LORD SHIPLEY

After Clause 22, insert the following new Clause –

“Annual appearance of mayor before constituent authorities

- (1) The mayor of a strategic or combined authority must, at least once in each calendar year, attend a meeting convened by each constituent authority of the combined authority area for the purpose of scrutiny.
- (2) At a meeting convened under subsection (1), the mayor must answer questions from members of the constituent authority relating to the exercise of the mayor’s functions.
- (3) A meeting under subsection (1) may be attended by members of the constituent authority who are elected councillors of that authority.
- (4) Each constituent authority must make arrangements for the meeting to be held in public, subject to any provision made under section 100A of the Local Government Act 1972 (admission to meetings of principal councils).
- (5) The Secretary of State may by regulations make further provision about –
 - (a) the timing of meetings under this section;
 - (b) the procedure to be followed at such meetings;
 - (c) the publication of records of proceedings.
- (6) Regulations under this section are subject to affirmative resolution procedure.
- (7) In this section –

“combined authority” has the same meaning as in section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 “constituent authority” means a local authority that is a constituent member of the combined authority.”

Member's explanatory statement

This amendment requires a combined authority mayor to appear annually before each constituent local authority to answer questions from elected councillors, strengthening democratic accountability within devolved areas.

Clause 27

LORD MOYLAN

Leave out Clause 27

Member's explanatory statement

This amendment removes Clause 27 to avoid a potential conflict of interest that would arise from transferring the power to approve the disposal of Transport for London operational land to the Mayor of London, who oversees Transport for London and is also responsible for housing policy in London.

After Clause 30

LORD MOYLAN

After Clause 30, insert the following new Clause —

“Devolution of passenger rail services: national strategy

- (1) The Secretary of State must, within three months of the passing of this Act, prepare and publish a national strategy for the devolution of passenger rail services in England.
- (2) The strategy must set out the Government’s objectives for the devolution of passenger rail services to mayoral combined authorities and other strategic authorities.”

Member's explanatory statement

This amendment requires the Secretary of State to publish a national strategy setting out the Government’s objectives for the devolution of passenger rail services to mayoral combined authorities and other strategic authorities.

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.”

LORD BEST

LORD SHIPLEY

LORD LANSLEY

BARONESS BENNETT OF MANOR CASTLE

After Clause 37, insert the following new Clause –

“Chief Planner

After section 1 of the Town and Country Planning Act 1990 (local planning authorities), insert –

“1A Local planning authorities and strategic authorities: Chief Planner

- (1) Each local planning authority and each strategic authority, as defined in section 1(2) of the English Devolution and Community Empowerment Act 2026 (strategic authorities), must appoint an officer, to be known as Chief Planner, for the purposes of their functions in relation to planning and spatial development.
- (2) Two or more authorities may, if they consider that the same person can efficiently discharge for both or all of the authorities the functions of Chief Planner, concur in the same appointment of a person as Chief Planner for both or all of these authorities.
- (3) An authority may not appoint a person as Chief Planner unless satisfied that the person has appropriate qualifications and experience for the role.”

Member's explanatory statement

This amendment would require authorities with planning and spatial development functions to appoint a Chief Planner to lead this professional work.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- ★ After Clause 37, insert the following new Clause –

“Brownfield land priority

- (1) A mayor, combined authority, or combined county authority may not designate greenfield land for development unless it is satisfied that no suitable brownfield land is available within the relevant area.
- (2) In determining suitability under subsection (1), regard must be had to –
 - (a) the availability of land, and
 - (b) the viability and environmental impact of development.”

Clause 41

BARONESS TAYLOR OF STEVENAGE

- ★ Transpose Clause 41 to after Clause 50

Member's explanatory statement

The amendment of clause 2 in my name would add culture as an “area of competence” in the Bill, and it would appear as the last in the list of areas. Clause 41 falls more readily in the new “culture” competence and so this amendment would mean that its position in the Bill reflects the order in which the areas of competence appear.

Clause 50

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 50, page 57, line 14, after “the” insert “GLA and the”

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

Clause 51

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 51, page 57, line 22, leave out “one or more areas” and insert “any aspect of any area”

Member's explanatory statement

This would make this wording consistent with the wording used in paragraph 4 of Schedule 25 (in the definition of “eligible function”).

After Clause 56

LORD WALLACE OF SALTAIRE

After Clause 56, insert the following new Clause —

“Mayoral Council for England

- (1) Elected mayors for combined and strategic authorities shall constitute a Mayoral Council for England.
- (2) The Council shall meet with the Secretary of State at least four times a year.
- (3) The functions of the Council are —
 - (a) to work with central government to create a framework for the further devolution of power within England,
 - (b) to work with central government to agree the fair funding of local and strategic authorities, and
 - (c) to choose representatives of the Mayoral Council to participate in the Council of Nations and Regions.”

Clause 59

LORD SHIPLEY

Leave out Clause 59

Member's explanatory statement

This amendment and another in Lord Shipley's name removes the requirement to retain a leader and cabinet structure in local government, instead allowing local authorities the choice of determining their own governance models.

Clause 60BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★

Clause 60, page 63, line 21 at end insert —

- “(aa) requiring that structures under paragraph (a) must, wherever reasonably practicable, retain and strengthen the role and functions of existing town and parish councils in securing effective neighbourhood governance;”

Member's explanatory statement

This amendment would secure the continuing role of town and parish councils in providing effective neighbourhood governance.

After Clause 60

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ After Clause 60, insert the following new Clause –

“Promotion of parish governance

- (1) The Secretary of State must develop and implement a strategy for parish governance in England, particularly for areas that are currently unparished.
- (2) In carrying out this duty, the Secretary of State must –
 - (a) issue guidance to principal authorities on identifying areas where a community governance review may be appropriate,
 - (b) encourage principal authorities to consider establishing parish or town councils where doing so would strengthen neighbourhood representation and community engagement, and
 - (c) publish information and examples of best practice on the establishment and operation of parish and town councils.
- (3) Principal authorities must act in accordance with guidance issued under subsection (2) when exercising their functions under Part 4 of the Local Government and Public Involvement in Health Act 2007.
- (4) In preparing guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate, including representatives of parish and town councils.”

Member's explanatory statement

This amendment would encourage the expansion of parish governance in currently unparished areas by promoting the use of existing community governance review processes and supporting principal authorities to consider the creation of parish or town councils where appropriate.

Clause 61

LORD PACK

★ Clause 61, page 64, line 4, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Clause 61 and Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ Leave out Clause 61

Member's explanatory statement

This removes the provisions which re-introduce the supplementary vote system for the elections of mayors and police and crime commissioners.

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.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 61, insert the following new Clause –

“Limitation on delay to elections resulting from local government reorganisation

- (1) The Secretary of State may not make any order or regulations to delay the ordinary elections of councillors of any specified authority if –
 - (a) the order or regulations result from any change to local government organisation under or by virtue of this Act, and
 - (b) the effect of the order or regulations is to delay any such election by a period exceeding 53 weeks from the date on which it was originally scheduled to be held.
- (2) For the purposes of this section, “any order or regulations” includes –
 - (a) an order under section 87 (power to change years in which elections held) of the Local Government Act 2000;
 - (b) an order under sections 7 (implementation of proposals by order), 10 (implementation of recommendations by order) of the Local Government and Public Involvement in Health Act 2007;
 - (c) any other delegated power exercisable by order or by regulations in relation to the scheduling of ordinary elections of councillors.”

Member's explanatory statement

This new clause would prevent the Secretary of State from delaying by more than one year any local government election, if the delay results from local government reorganisation under this Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 61, insert the following new Clause –

“Pilot schemes for new local electoral procedures: amendment

- (1) The Representation of the People Act 2000 is amended as follows.
- (2) In section 10 (pilot schemes for local elections in England and Wales), after subsection (4) insert –
 - “(4A) An order under subsection (1) shall be made by statutory instrument, and no such order shall be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament.”
- (3) Omit section 11 (revision of procedures in the light of pilot schemes).”

Member's explanatory statement

This amendment seeks to (1) apply the affirmative resolution procedure to orders establishing pilot schemes for new local government electoral procedures, and (2) repeal the Secretary of State's order-making power to apply the piloted procedures generally to other local government elections.

LORD PACK
BARONESS BENNETT OF MANOR CASTLE

After Clause 61, insert the following new Clause –

“Limitation on powers to delay or change years of local elections

- (1) The years in which ordinary elections of any local authority councillors, mayors, or Police and Crime Commissioners are held may be changed only by an Act of Parliament, subject to the exception in subsection (2).
- (2) The Secretary of State may by order or regulations make provision to delay the ordinary elections of councillors of a specified authority if –
 - (a) the specified authority has submitted a written request to the Secretary of State for such a delay,
 - (b) the Secretary of State is satisfied that the request is justified, having particular regard to –
 - (i) the necessity of the delay to implement a change to local government organisation under or by virtue of this Act,
 - (ii) the financial implications for the authority and the impact on the efficient administration of local government, and

- (iii) the views of the Electoral Commission, which the Secretary of State must seek and publish prior to making the order or regulations,
 - (c) the effect of the order or regulations is to delay such an election by a period not exceeding 53 weeks from the date on which it was originally scheduled to be held, and
 - (d) the power under this subsection has not been exercised in relation to that specified authority at any time within the five years preceding the date of the request.
- (3) For the purposes of subsection (2), “order or regulations” includes –
- (a) an order under section 87 of the Local Government Act 2000 (power to change years in which elections held),
 - (b) an order under section 7 or 10 of the Local Government and Public Involvement in Health Act 2007, and
 - (c) any other delegated power exercisable in relation to the scheduling of ordinary elections.
- (4) A statutory instrument containing an order or regulations is subject to affirmative resolution procedure.
- (5) Except as provided for in subsection (2), 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.”

Member's explanatory statement

This amendment would provide that the year of ordinary elections for local authority councillors, mayors and Police and Crime Commissioners may only be changed by Act of Parliament, except where the Secretary of State delays an election for up to 53 weeks at the request of the relevant authority and subject to specified conditions, including consultation with the Electoral Commission.

LORD PACK
BARONESS BENNETT OF MANOR CASTLE

After Clause 61, insert the following new Clause –

“Local government elections: single transferable vote

- (1) Elections of councillors for local authorities in England must be conducted using the single transferable vote system.
- (2) The Secretary of State must by regulations make provision for the conduct of elections under the single transferable vote system.
- (3) Regulations under subsection (2) may amend or modify any enactment relating to the conduct of local government elections in England, including –
 - (a) section 6 the Local Government Act 1972 (term of office and retirement of councillors);
 - (b) section 36 of the Representation of the People Act 1983 (local elections in England).

- (4) For the purposes of implementing subsection (1), the Local Government Boundary Commission for England must conduct electoral reviews of local authorities in England.
- (5) A review under subsection (4) must –
 - (a) establish multi-member electoral wards for the election of councillors,
 - (b) seek to ensure that each ward returns not fewer than three and not more than five councillors, unless the Commission considers that exceptional local circumstances justify a different number, and
 - (c) have regard to the need to secure –
 - (i) equality of representation,
 - (ii) the reflection of community identities and interests, and
 - (iii) effective local government.
- (6) Reviews carried out under this section must be completed before the first ordinary day of election for councillors occurring after the end of the period of three years beginning with the day on which this Act is passed.
- (7) A statutory instrument containing regulations is subject to the affirmative resolution procedure.”

After Clause 62

BARONESS TAYLOR OF STEVENAGE

★

After Clause 62, insert the following new Clause –

“CHAPTER

GRANTS TO JOINT COMMITTEES OF LONDON COUNCILS

Power to pay grant to joint committees of London councils

After section 32 of the Local Government Act 2003 insert –

“32A Power to pay grant to joint committees of London councils

- (1) A Minister of the Crown may pay a grant to an eligible London joint committee towards expenditure incurred or to be incurred –
 - (a) by the committee, or
 - (b) by an eligible sub-committee of the committee.
- (2) The amount of a grant under this section and the manner of its payment are to be such as the person paying it may determine.
- (3) A grant under this section may be paid on such conditions as the person paying it may determine.
- (4) Conditions under subsection (3) may, in particular, include –
 - (a) provision as to the use of the grant;

- (b) provision as to circumstances in which the whole or part of the grant must be repaid.
- (5) Where a Minister of the Crown wishes to pay a grant towards expenditure incurred or to be incurred by an eligible London joint committee or an eligible sub-committee, the Secretary of State may pay a grant under this section to one or more persons (other than the committee) to hold and use in respect of the expenditure by the committee or sub-committee.
- (6) The powers under this section are exercisable with the consent of the Treasury.
- (7) The Secretary of State may, by regulations –
 - (a) make provision for determining the question of whether a committee, or sub-committee, is “eligible”, including provision about conditions that must be met for a committee or sub-committee to become or remain eligible;
 - (b) make provision about the constitution, procedures, administration and oversight of London joint committees, or their sub-committees, that are eligible.
- (8) Regulations under subsection (7)(a) may (in particular) make provision about conditions that relate to –
 - (a) the power under which, or way in which, the committee or sub-committee is established;
 - (b) the functions or purpose of the committee or sub-committee;
 - (c) the kinds of persons who are members of the committee or sub-committee;
 - (d) the constitution, procedures, administration or oversight of the committee or sub-committee.
- (9) Regulations under subsection (7) may amend any Act passed before, or in the same session as, the English Devolution and Community Empowerment Act 2026.
- (10) No regulations under subsection (7) may be made unless a draft of the statutory instrument containing the regulations (whether containing them alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.
- (11) In this section –
 - “eligible” has the meaning determined in accordance with regulations under subsection (7)(a);
 - “London joint committee” means a joint committee established under section 101(5) of the Local Government Act 1972 by –
 - (a) all the London borough councils, and
 - (b) the Common Council of the City of London.”

Member's explanatory statement

This would enable UK Government ministers to pay grants to joint committees of all the London boroughs and the City of London.

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 TAYLOR OF STEVENAGE
LORD BLUNKETT

★

After Clause 63, insert the following new Clause —

“CHAPTER**PAVEMENT PARKING****Prohibition of parking on footways and verges**

Schedule (*Prohibition of parking on footways and verges*) makes provision about the prohibition of the parking of motor vehicles on footways and verges.”

Member's explanatory statement

This would introduce the new Schedule that would be inserted after Schedule 29 by another amendment in my name.

BARONESS MCINTOSH OF PICKERING
THE EARL OF CLANCARTY
LORD FREYBERG

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.”

BARONESS PINNOCK

After Clause 63, insert the following new Clause—

“Local authority acquisition of dormant assets

- (1) The Secretary of State must by regulations enable a local authority to carry out functions relating to compulsory acquisition of land under section 226A of the Town and Country Planning Act 1990 (inserted by Schedule 16 of this Act) where the local authority is satisfied that any land of community value to be purchased within the authority area is dormant.
- (2) Land of community value is considered dormant if—
 - (a) the land has been included in the authority’s list of assets of community value under section 86A (inserted by Schedule 29 of this Act) for five years continuously,

- (b) a notice of relevant disposal under section 86M was issued at least once during the five year period under sub-paragraph (a),
 - (c) there has been a preferred community buyer whose offer was rejected despite the buyer offering the value price determined under section 86T or an agreed price with the owner by the end of the negotiation period (see section 86S(4)), and
 - (d) the owner has not entered into a relevant disposal of the land with any other buyer during the permitted sale period under section 86M(6).
- (3) Regulations made under this section are subject to affirmative resolution procedure.”

Member's explanatory statement

This new clause would allow the Secretary of State to authorise a local authority to engage the compulsory acquisition function under Schedule 16 of this Act if the land is considered dormant.

LORD BANNER
LORD GRABINER
BARONESS TAYLOR OF STEVENAGE

After Clause 63, insert the following new Clause –

“CHAPTER

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 (consents to land transactions by local authorities and protection of purchasers) 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(1)”.

Member's explanatory statement

This amendment seeks to 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.

Clause 64

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 64, page 65, line 26, leave out “minimum”

Member's explanatory statement

This would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 64, page 65, line 28, leave out subsection (2)

Member's explanatory statement

The definition of “regulated licence” would be added to clause 72 by another amendment in my name.

Clause 65

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 65, page 66, line 4, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 65, page 66, line 21, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 66

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 66, page 66, line 29, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 66, page 67, line 15, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 67

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 67, page 67, line 28, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 67, page 68, line 4, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 68

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 68, page 68, line 9, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 68, page 68, line 17, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 68, page 68, line 19, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 68, page 68, line 22, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

After Clause 68

BARONESS TAYLOR OF STEVENAGE

★ After Clause 68, insert the following new Clause —

“Duty to report concerns about drivers licensed in other areas

- (1) The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 is amended in accordance with this section.
- (2) Section 5 (duty to report concerns about drivers licensed in other areas) is amended in accordance with subsections (3) and (4).
- (3) In subsection (1), for paragraph (a) substitute —
 - “(a) an English licensing authority (“the first authority”) becomes aware of —
 - (i) relevant information, or
 - (ii) information about a breach of a national standard,
 - (aa) the information relates to a person who has driven in the first authority’s area in reliance on a driver’s licence or a relevant licence granted by another licensing authority or a relevant authority (“the second authority”),”.
- (4) In subsection (2) —
 - (a) in paragraph (a), for “relevant information” substitute “information of which it has become aware”;
 - (b) in the words after paragraph (b), omit “relevant”.
- (5) After section 6 insert —

“6A Production and publication of collated data

- (1) The Secretary of State may, by regulations made by statutory instrument —
 - (a) specify descriptions of relevant collated data, and
 - (b) require English licensing authorities to produce and publish that collated data.
- (2) In this section “relevant collated data” means —
 - (a) data derived from information provided in accordance with section 5, and
 - (b) data derived from information about actions taken in accordance with section 6.
- (3) Regulations under this section may make different provision for different purposes.
- (4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This would amend the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 by extending the duty to report in section 5 (so that it also applies to information about breaches of national standards) and enabling collated data to be produced and published.

BARONESS TAYLOR OF STEVENAGE

★

After Clause 68, insert the following new Clause—

“Temporary suspension of licences

Power to suspend licence temporarily

- (1) An enforcement officer may suspend a regulated driver licence if—
 - (a) the licence relates to the driver of a relevant vehicle being driven in the officer’s enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (2) An enforcement officer may suspend a regulated vehicle licence if—
 - (a) the licence relates to a relevant vehicle being driven in the officer’s enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (3) An enforcement officer may suspend a regulated PHV operator licence if—
 - (a) the licence relates to the operation of a relevant vehicle being driven in the officer’s enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (4) A power under this section to suspend a licence is exercisable by an enforcement officer in respect of a licence granted by any licensing authority in England (whether or not it is the licensing authority which appointed or authorised the officer).”

Member's explanatory statement

This would give a taxi or PHV licensing authority a power to temporarily suspend a licence (whether it was issued by that authority or a different licensing authority) in the interests of public safety.

BARONESS TAYLOR OF STEVENAGE

★

After Clause 68, insert the following new Clause—

“Suspension under section (Power to suspend licence temporarily)

- (1) This section applies if an enforcement officer decides to suspend a licence under section (*Power to suspend licence temporarily*).

- (2) The enforcement officer must give notice of the suspension to the person the officer believes to have been driving the relevant vehicle at the time the officer decided to suspend the licence.
- (3) The suspension takes effect at the time when the notice is given to the person.
- (4) The effect of the suspension is that the licence holder may not exercise any of the rights granted by the licence.
- (5) The suspension ceases to have effect at the end of the period of 48 hours beginning with the time when the notice was given.
- (6) But that is subject to section (*Licensing authority's response to suspension of licence*)(3).
- (7) The Secretary of State may, by regulations —
 - (a) amend subsection (5) so as to provide for suspensions to cease to have effect at a different time, and
 - (b) make consequential amendments of section (*Responsible licensing authority to be notified of suspension*)(2).
- (8) The Secretary of State may, by regulations, make provision about —
 - (a) the form or contents of suspension notices;
 - (b) the manner in which suspension notices are to be given."

Member's explanatory statement

This would set out how a licence is temporarily suspended and the duration of the suspension.

BARONESS TAYLOR OF STEVENAGE



After Clause 68, insert the following new Clause —

"Suspension notice given to person who is not licence holder

- (1) This section applies if —
 - (a) an enforcement officer gives a suspension notice to a person, and
 - (b) before the end of the suspension, the enforcement officer becomes aware that a different person is the holder of the licence (the "licence holder").
- (2) The enforcement officer must notify the licence holder that the suspension notice has been given.
- (3) The Secretary of State may, by regulations, make provision about —
 - (a) the form or contents of notifications under this section;
 - (b) the period within which notifications under this section are to be given;
 - (c) the manner in which notifications under this section are to be given."

Member's explanatory statement

This would require the holder of a suspended licence to be notified of the suspension if they were not driving the vehicle at the time of the suspension.

BARONESS TAYLOR OF STEVENAGE

★ After Clause 68, insert the following new Clause—

“Responsible licensing authority to be notified of suspension

- (1) This section applies if—
 - (a) an enforcement officer gives a suspension notice in respect of a licence, and
 - (b) the responsible licensing authority is not the licensing authority which appointed or authorised the officer.
- (2) The enforcement officer must notify the responsible licensing authority of the suspension before the end of the period of 24 hours beginning with the time when the notice was given.
- (3) The Secretary of State may, by regulations, make provision about—
 - (a) the form or contents of notifications under this section;
 - (b) the manner in which notifications under this section are to be given.”

Member's explanatory statement

If a licence is temporarily suspended and the licence was granted by a different authority, this would require the suspension to be notified to the licensing authority which granted the licence.

BARONESS TAYLOR OF STEVENAGE

★ After Clause 68, insert the following new Clause—

“Responsible licensing authority’s response to suspension of licence

- (1) This section applies if an enforcement officer gives a suspension notice in respect of a licence (the “suspended licence”).
- (2) If the suspending authority is not the responsible licensing authority, this section does not apply unless the notification required by section (*Notification to the responsible licensing authority*) has been given.
- (3) The responsible licensing authority must—
 - (a) terminate the suspension,
 - (b) extend the period of suspension, or
 - (c) allow the suspension to cease to have effect at the end of the period of suspension.
- (4) The responsible licensing authority must notify the holder of the suspended licence of—
 - (a) the authority’s decision under subsection (3), and
 - (b) any further extension of the period of suspension.
- (5) If the responsible licensing authority does not terminate the suspension, it may also notify the holder of any steps which would (if taken) result in the suspension being terminated.

- (6) After making the decision under subsection (3), the responsible licensing authority must decide whether and how to exercise its other functions as a licensing authority in relation to the suspended licence.
- (7) If the suspending authority is not the responsible licensing authority, the responsible licensing authority must notify the suspending authority of—
 - (a) any decision by the responsible licensing authority under subsection (3);
 - (b) any further extension of the period of suspension;
 - (c) any decision by the responsible licensing authority under subsection (6).
- (8) The Secretary of State may, by regulations, make provision about the making of decisions under subsection (3) or (6).
- (9) The regulations may, in particular, make provision about the period within which those decisions must be made.
- (10) The Secretary of State may, by regulations, make provision about the extension of periods of suspension.
- (11) The regulations may, in particular, make provision about—
 - (a) the length by which periods of suspension may be extended under subsection (3);
 - (b) whether and how, and the length by which, periods of suspension may be extended more than once.
- (12) The Secretary of State may, by regulations, make provision about—
 - (a) the form or contents of notifications under this section;
 - (b) the period within which notifications under this section are to be given;
 - (c) the manner in which notifications under this section are to be given.
- (13) In this section—
 - “period of suspension” means—
 - (a) the period of suspension under section (*Power to suspend licence temporarily*) (5), or
 - (b) if that period has been extended under this section, that extended period;
 - “suspended licence” has the meaning given in subsection (1);
 - “suspending authority”, in relation to the suspended licence, means the licensing authority which appointed or authorised the enforcement officer who suspended the licence.”

Member's explanatory statement

This would set out what a licensing authority is required to do if a licence issued by it is temporarily suspended.

BARONESS TAYLOR OF STEVENAGE

★ After Clause 68, insert the following new Clause—

“Appeals and compensation

- (1) The Secretary of State must make regulations providing for the holder of a licence that is suspended under the licence suspension provisions to appeal to a magistrates’ court against—
 - (a) the suspension, or
 - (b) any decision under section (*Responsible licensing authority’s response to suspension of licence*) (3).
- (2) The Secretary of State may make regulations providing for compensation to be payable by licensing authorities in cases where—
 - (a) an appeal under regulations under subsection (1) is successful, or
 - (b) an enforcement officer gives a suspension notice but fails to give notice as required under section (*Different person is licence holder*)(2) in circumstances where it was reasonably practicable for the officer to have done so.
- (3) The regulations may provide for—
 - (a) the amounts of compensation, or
 - (b) the minimum or the maximum amounts of compensation.
- (4) The regulations may, in particular, confer (whether on a court or tribunal or person)—
 - (a) the function of determining liability to pay compensation,
 - (b) the function of determining the amount of compensation that is payable (in cases where the amount is not fixed by regulations under subsection (3)), or
 - (c) other functions relating to compensation.”

Member’s explanatory statement

This would enable a person to be paid compensation if certain provisions relating to the suspension of licences are not complied with.

BARONESS TAYLOR OF STEVENAGE

★ After Clause 68, insert the following new Clause—

“Enforcement officers

- (1) In the licence suspension provisions, “enforcement officer” means a person appointed or authorised by a licensing authority in England (the “appointing licensing authority”) to carry out functions conferred by those provisions on behalf of that authority.
- (2) Accordingly—
 - (a) functions expressed in the licence suspension provisions as functions of enforcement officers are functions of the appointing licensing authority

- that are exercisable on that authority's behalf by the officers appointed or authorised by that authority in accordance with subsection (1), and
- (b) a reference to a licensing authority in section 69 includes a reference to an enforcement officer.
 - (3) Where a function is expressed as a function of the enforcement officer who gave a suspension notice, that function may instead be exercised by any other enforcement officer appointed or authorised by the appointing licensing authority.
 - (4) The Secretary of State may make regulations providing for the issue and use of documents, clothing or badges or other marks to identify persons as enforcement officers."

Member's explanatory statement

This would make provision about the "enforcement officers" who are to exercise the new functions relating to temporary suspension of licences.

Clause 70

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 68, line 32, leave out "Sections 65 to 67 do" and insert "This Chapter does"

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, line 2, leave out "regulations under those sections" and insert "or under this Chapter"

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 6 to 10 and insert—

““36A Licensing: national standards and temporary suspension

The provisions of this Act relating to the licensing of hackney carriages are subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 13 to 15 and insert—

““45A Licensing: national standards and temporary suspension

This Part is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 17 to 20 and insert—

““2A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 22 to 25 and insert—

““2A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 27 to 30 and insert—

““1A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 70, page 69, leave out lines 32 to 35 and insert—

““1A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

Clause 71

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 71, page 70, line 5, leave out “(whenever passed)” and insert “passed before, or in the same session as, this Act”

Member's explanatory statement

This would limit the power to make regulations amending Acts of Parliament, so that it cannot be used in relation to future Acts.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 71, page 70, line 6, leave out “The first”

Member's explanatory statement

This would make all regulations about national standards subject to the affirmative resolution procedure.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 71, page 70, line 7, at end insert—

“(3A) Regulations under—

(a) section (*Suspension under section (Power to suspend licence temporarily)*)(7),
or

(b) section (*Responsible licensing authority's response to suspension of licence*)(11),
are subject to affirmative resolution procedure.”

Member's explanatory statement

This would make certain regulations relating to the new functions of temporarily suspending licences.

Clause 72

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 72, page 70, line 14, at end insert—

““enforcement area”, in relation to an enforcement officer, means both of the following—

- (a) the area of the licensing authority which appointed or authorised the officer, in relation to the suspension of any regulated licence;
- (b) the whole of the rest of England, but only in relation to the suspension of a regulated licence granted by the licensing authority which appointed or authorised the officer;

“enforcement officer” has the meaning given in section (*Enforcement officers*)(1);

“licence suspension provisions” means sections (*Power to suspend licence temporarily*) to (*Enforcement officers*) and this section;”

Member's explanatory statement

This would add new definitions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 72, page 70, line 23, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 72, page 70, line 38, at end insert—

““regulated driver licence” means—

- (a) a taxi driver licence, or
 - (b) a PHV driver licence,
- granted by a licensing authority in England;”

Member's explanatory statement

This would add a new definition relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

- ★ Clause 72, page 70, line 39, leave out “has the meaning given in section 64” and insert “means—

- (a) a taxi driver licence,
- (b) a taxi vehicle licence,
- (c) a PHV driver licence,

- (d) a PHV vehicle licence, or
 - (e) a PHV operator licence,
- granted by a licensing authority in England;”

Member's explanatory statement

This would move the definition of “regulated licence” from clause 64 to clause 72.

BARONESS TAYLOR OF STEVENAGE

★ Clause 72, page 70, line 39, at end insert –

““regulated PHV operator licence” means a PHV operator granted by a licensing authority in England;

“regulated vehicle licence” means –

(a) a taxi vehicle licence, or

(b) a PHV vehicle licence,

granted by a licensing authority in England;

“relevant vehicle” means a vehicle that an enforcement officer reasonably believes is licensed by –

(a) a taxi vehicle licence, or

(b) a PHV vehicle licence;

“responsible licensing authority”, in relation to a regulated licence, means the licensing authority with the power to revoke the licence;”

Member's explanatory statement

This would add new definitions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

★ Clause 72, page 71, line 2, at end insert –

““suspension notice” means notice of a suspension given in accordance with section (Suspension under section (Power to suspend licence temporarily))(2);”

Member's explanatory statement

This would add a new definition relating to temporary suspension of licences.

After Clause 72

BARONESS TAYLOR OF STEVENAGE
LORD FOSTER OF BATH

★ After Clause 72, insert the following new Clause –

“CHAPTER**LICENSING OF GAMBLING PREMISES****Licensing of gambling premises: impact assessments**

- (1) The Gambling Act 2005 is amended in accordance with this section.
- (2) In section 153 (licensing authorities’ functions: principles to be applied), in subsection (3), for “section” substitute “sections 165A and”.
- (3) After section 153 insert –

“153A Gambling impact assessments

- (1) A licensing authority may publish a document (“a gambling impact assessment”) containing a statement that the licensing authority consider that the grant of any relevant licence, or of any further relevant licences, in respect of premises in one or more parts of their area described in the assessment (the “affected part or parts”) is not likely to be reasonably consistent with one or more of the licensing objectives because of –
 - (a) the cumulative impact of relevant licences in respect of premises in the affected part or parts, or
 - (b) other reasons which relate to that licensing objective, or those licensing objectives, and to the affected part or parts.
- (2) A gambling impact assessment must set out the evidence for the authority's opinion as set out in the assessment in accordance with subsection (1).
- (3) A gambling impact assessment may include a statement which is framed by reference to the grant of relevant licences in excess of a number specified in the statement.
- (4) A gambling impact assessment may relate –
 - (a) to all relevant licences, or
 - (b) only to relevant licences of a kind described in the assessment.
- (5) A licensing authority must –
 - (a) from time to time review any gambling impact assessment published by them,
 - (b) if they think it necessary in the light of a review, revise or withdraw the assessment, and
 - (c) publish any revision.

- (6) Before publishing a gambling impact assessment (including a revised assessment), the licensing authority must consult the persons mentioned in section 349(3).
- (7) For the purposes of the consultation, the licensing authority must provide the persons mentioned in section 349(3) with the following information—
 - (a) the reasons why they are considering publishing or revising a gambling impact assessment;
 - (b) a general indication of the part or parts of their area which they are considering describing in the assessment;
 - (c) whether they consider that the assessment will relate to all relevant licences or only to relevant licences of a particular kind.
- (8) In determining—
 - (a) whether to publish a gambling impact assessment (including a revised assessment) or withdraw an assessment, or
 - (b) the terms of a gambling impact assessment,
 a licensing authority may not have regard to the expected demand for facilities of the kinds that would require relevant licences to be operated lawfully.
- (9) If a licensing authority have published a gambling impact assessment, the authority must include a summary of the assessment in the three-year licensing policy.
- (10) For provision about the role of gambling impact assessments in the process of applying for relevant licences, see section 165A.
- (11) In this section—
 - “relevant licence” means—
 - (a) a bingo premises licence,
 - (b) an adult gaming centre premises licence,
 - (c) a family entertainment centre premises licence, or
 - (d) a betting premises licence;
 - “three-year licensing policy” means the statement published in accordance with section 349.”
- (4) After section 165 insert—

“165A Rejection of application: gambling impact assessment

- (1) This section applies to an application for a relevant licence (the “prospective licence”) if—
 - (a) the licensing authority have published a gambling impact assessment in accordance with section 153A, and
 - (b) the licensing authority’s three-year licensing policy includes a presumption that the authority will reject an application for a relevant licence if the licence is within the scope of the assessment.
- (2) It is lawful for the licensing authority to reject the application solely on the ground that the prospective licence is within the scope of the gambling

impact assessment (and therefore regardless of anything, including any legislation, which would otherwise support or require the grant of the prospective licence).

- (3) But a rejection of the application is not lawful on that ground (whether by virtue of subsection (2) or otherwise) if the person applying for the prospective licence –

- (a) asserts in the application that the grant of the prospective licence would be reasonably consistent with the licensing objective or objectives to which the gambling impact assessment relates, and
- (b) then shows that the grant of the prospective licence would be reasonably consistent with that licensing objective or those licensing objectives;

(and, accordingly, inconsistency with that licensing objective or those licensing objectives cannot otherwise be a ground for rejecting the application).

- (4) For the purposes of this section, a licence is “within the scope of” a gambling impact assessment if the licence would (if granted) –

- (a) relate to premises in the part or parts of the authority’s area described in the assessment in accordance with section 153A(1), and
- (b) be a kind of licence to which the assessment applies in accordance with section 153A(1) (whether by virtue of section 153A(4)(a) or (b)).

- (5) But if the assessment is framed by reference to the grant of relevant licences in excess of a number specified in the statement, a licence is not within the scope of the assessment unless (additionally) –

- (a) the grant of the prospective licence, or
- (b) the grant of that licence and any other relevant licences for which applications are being considered at the same time,

would result in that number being exceeded.

- (6) This section does not affect the powers of a licensing authority to decide what is included in their three-year licensing policy; and, in particular, it does not affect any powers –

- (a) to make other kinds of presumptions, and
- (b) to act lawfully in accordance with the terms of other kinds of presumptions.

- (7) In this section –

“relevant licence” has the same meaning as in section 153A;

“three-year licensing policy” means the statement published in accordance with section 349.”

- (5) In section 349 (three-year licensing policy), after subsection (3) insert –

“(3A) Subsection (3) does not require consultation in relation to a –

- (a) gambling impact assessment (within the meaning of section 153A) of which a summary is included in the statement being prepared or revised, or
 - (b) a presumption of the kind referred to in section 165A(1)(b) included in that statement;
- and, instead, see section 153A(6).”

Member's explanatory statement

This would amend the Gambling Act 2005 to enable licensing authorities to adopt, and act in accordance with, policies aimed at preventing the grant of gambling licences in order to respond to (a) the cumulative impact of multiple gambling premises or (b) other reasons relating to the licensing objectives in that Act.

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.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★

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 Schedule 7 of LURA 2023.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

After Clause 85

BARONESS BERRIDGE

After Clause 85, insert the following new Clause—

“Rutland: status as a ceremonial county

- (1) The Lieutenancies Act 1997 is amended as follows.
- (2) In paragraph 3 of Schedule 1 (counties and areas for the purposes of the lieutenancies in Great Britain), in the Table, after “Nottingham” insert as a new row—

“Rutland	Rutland””
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Member's explanatory statement

This new Clause would preserve Rutland's Lord Lieutenancy and ceremonial county status.

After Clause 88

BARONESS TAYLOR OF STEVENAGE

★

After Clause 88, insert the following new Clause—

“Certain orders and regulations provided for by Parts 1 and 2

- (1) Section 117 of LDEDCA 2009 (orders and regulations) is amended in accordance with subsections (2) and (3).
- (2) In subsection (2) for “An order to which subsection (2A) applies” substitute “Subject to subsections (2A) and (3), an order under this Part”.
- (3) In subsection (2A)—
- (a) for “This subsection applies to an order under this Part other than—” substitute “Subsection (2) does not apply to—”;

- (b) before paragraph (a) insert –
 - “(za) an order under section 107FA,”;
- (c) in paragraph (b), omit the second “or”;
- (d) after paragraph (b) insert –
 - “(ba) an order under section 113E,”;
- (e) at the end of paragraph (c) insert “, or”
 - (d) an order under Schedule 5BA.”
- (4) Section 252 of LURA 2023 (regulations) is amended in accordance with subsections (5) to (7).
- (5) In subsection (2), for “(8)(a)” substitute “(8)(aa)”.
- (6) In subsection (5)(a) –
 - (a) after “subsection” insert “(8)(ac) or”;
 - (b) after “(c)” insert “or (8)(l)”.
- (7) In subsection (8), before paragraph (a) insert –
 - “(ac) under section 33A;”.

Member’s explanatory statement

This would make various changes to ensure that the intended results are produced

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.”

Clause 92

BARONESS TAYLOR OF STEVENAGE

★

Clause 92, page 88, line 3, leave out subsections (2) and (3) and insert –

- “(1A) But none of the following provisions comes into force in accordance with subsection (1)(c) –
- (a) section (*Mayoral combined authorities & CCAs: overview and scrutiny committees*) (and Schedules (*Mayoral CCAs: overview and scrutiny committees*) and (*Mayoral combined authorities: overview and scrutiny committees*)) (*mayoral combined authorities & CCAs: overview and scrutiny committees*);
 - (b) section 25 (and Schedule 7) (charges payable by undertakers executing works in maintainable highways);
 - (c) Chapter 3 of Part 3 (licensing of taxis and private hire vehicles);”

Member's explanatory statement

This would provide for a single subsection setting out which powers are excluded from royal assent commencement under clause 92(1)(c). In the new subsection, paragraphs (b) and (c) replicate the current effect of clause 92(2) and (3); and paragraph (a) relates to the new section and Schedules that would be inserted after clause 10 and Schedule 3 by other amendments in my name.

Schedule 1

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 1, page 108, line 9, leave out “combined authority” and insert “CCA”

Member's explanatory statement

This provision is about CCAs, and so this amendment would correct the reference to “combined authority” that appears here.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 1, page 108, line 12, leave out “combined authority” and insert “CCA”

Member's explanatory statement

This provision is about CCAs, and so this amendment would correct the reference to “combined authority” that appears here.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 1, page 108, line 15, leave out “combined authority” and insert “CCA”

Member's explanatory statement

This provision is about CCAs, and so this amendment would correct the reference to “combined authority” that appears here.

LORD TEVERSON
LORD BOURNE OF ABERYSTWYTH
LORD HUTTON OF FURNESS

Schedule 1, page 112, line 23, at end insert—

- “(2A) The local authority of the local government area does not have any specific responsibility for and stewardship of the rights of its population under the European Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.”

Member's explanatory statement

This amendment seeks to prevent an area from being added to another combined authority, if that authority for that area has responsibilities relating to a protected national minority and language. It is intended that this provision would apply to Cornwall.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 1, page 113, line 21, leave out “combined authority” and insert “CCA”

Member's explanatory statement

This provision is about CCAs, and so this amendment would correct the reference to “combined authority” that appears here.

LORD TEVERSON
LORD BOURNE OF ABERYSTWYTH
LORD HUTTON OF FURNESS

Schedule 1, page 113, line 39, at end insert –

- “(4A) The CCA does not have a specific responsibility for and stewardship of the rights of its population under the European Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.”

Member's explanatory statement

This amendment seeks to prevent a CCA from being required to have a mayor if that authority has responsibilities relating to a protected national minority and language. It is intended that this provision would apply to Cornwall.

LORD TEVERSON
LORD BOURNE OF ABERYSTWYTH
LORD HUTTON OF FURNESS

Schedule 1, page 114, line 12, at end insert –

“47C Non-mayoral CCAs: powers

Where –

- (a) there is CCA without a mayor, and
- (b) that CCA has a specific responsibility for and stewardship of the rights of its population under the European Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages,

the Secretary must by regulations make provision to ensure that the CCA does not have fewer powers than it would if it were an established CCA with a mayor.”

Member's explanatory statement

This amendment seeks to ensure that a non-mayoral CCA has the same powers as a mayoral strategic or combined county authority, if the authority covering that area has responsibilities relating to a protected national minority and language. It is intended that this provision would apply to Cornwall.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 1, page 115, line 28, leave out “combined authority” and insert “CCA”

Member's explanatory statement

This provision is about CCAs, and so this amendment would correct the reference to “combined authority” that appears here.

Schedule 3

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 122, line 24, leave out “paragraphs 4(3) and 5” and insert “paragraph 4(3)”

Member's explanatory statement

This would be consequential on the amendment to leave out paragraph 5 of the new Schedule 2A that is inserted by Schedule 3 to the Bill.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 123, line 4, at end insert “, whether by relating to –
- (a) one or more aspects of that area of competence, or
 - (b) that area of competence generally.”

Member's explanatory statement

This would make clear that a person's work as commissioner can relate to aspects of an area of competence or the area of competence as a whole.

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 TAYLOR OF STEVENAGE

- ★ Schedule 3, page 123, leave out lines 21 to 32

Member's explanatory statement

This would enable more than one commissioner to operate in a particular area of competence (by leaving out paragraph 5 of the new Schedule 2A that is inserted by Schedule 3 to the Bill).

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 124, line 3, leave out “and” and insert —

“(aa) the commissioner must not carry out any work as commissioner, except work in preparation for the ending of the appointment in accordance with paragraph (b); and”

Member's explanatory statement

This would apply where a mayor ceases to hold office early (eg. because of resignation or death) and any commissioners appointed by the mayor also leave office. The amendment would stop the commissioners from carrying out work until they leave office, unless it is work in preparation for the ending of the appointment.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 127, line 34, leave out “, 4(3) or 5” and insert “or 4(3)”

Member's explanatory statement

This would be consequential on the amendment to leave out paragraph 5 of the new Schedule 2A that is inserted by Schedule 3 to the Bill.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 127, line 40, after “conditions” insert “or otherwise in accordance with contract law”

Member's explanatory statement

This would make clear that (for example) instant dismissal where allowed by contract law is within this provision.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 130, line 15, leave out “paragraphs 4(3) and 5” and insert “paragraph 4(3)”

Member's explanatory statement

This would be consequential on the amendment to leave out paragraph 5 of the new Schedule 5BA that is inserted by Schedule 3 to the Bill.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 3, page 130, line 27, at end insert “, whether by relating to—

- (a) one or more aspects of that area of competence, or
- (b) that area of competence generally.”

Member's explanatory statement

This would make clear that a person's work as commissioner can relate to aspects of an area of competence or the area of competence as a whole.

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.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 3, page 131, leave out lines 7 to 18

Member's explanatory statement

This would enable more than one commissioner to operate in a particular area of competence (by leaving out paragraph 5 of the new Schedule 5BA that is inserted by Schedule 3 to the Bill).

BARONESS TAYLOR OF STEVENAGE

★ Schedule 3, page 131, line 28, leave out “and” and insert—

- “(aa) the commissioner must not carry out any work as commissioner, except work in preparation for the ending of the appointment in accordance with paragraph (b); and”

Member's explanatory statement

This would apply where a mayor ceases to hold office early (eg. because of resignation or death) and any commissioners appointed by the mayor also leave office. The amendment would stop the commissioners from carrying out work until they leave office, unless it is work in preparation for the ending of the appointment.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 135, line 24, leave out “, 4(3) or 5” and insert “or 4(3)”

Member's explanatory statement

This would be consequential on the amendment to leave out paragraph 5 of the new Schedule 5BA that is inserted by Schedule 3 to the Bill.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 3, page 135, line 30, after “conditions” insert “or otherwise in accordance with contract law”

Member's explanatory statement

This would make clear that (for example) instant dismissal where allowed by contract law is within this provision.

LORD SHIPLEY

Leave out Schedule 3

Member's explanatory statement

This amendment relates to another amendment in Lord Shipley's name removing the power to appoint Mayoral Commissioners in the Bill.

After Schedule 3

BARONESS TAYLOR OF STEVENAGE

- ★ After Schedule 3, insert the following new Schedule –
“SCHEDULE

MAYORAL CCAS: OVERVIEW AND SCRUTINY COMMITTEES

PART 1

NEW SCRUTINY REGIME FOR CCAS THAT ARE ESTABLISHED MAYORAL STRATEGIC AUTHORITIES

Introduction

- 1 LURA 2023 is amended in accordance with this Part of this Schedule.

The new scrutiny regime

2 After Schedule 1 insert –

“SCHEDULE 1A

MAYORAL CCAs THAT ARE EMSAs: OVERVIEW AND SCRUTINY COMMITTEES AND
AUDIT COMMITTEE*Application of this Schedule*

- 1 (1) This Schedule applies to a CCA if it is an established mayoral strategic authority.
- (2) Accordingly, in the following paragraphs of this Schedule –
 - (a) “CCA” means a CCA that is an established mayoral strategic authority;
 - (b) a reference to an overview and scrutiny committee is a reference to such a committee of a CCA that is an established mayoral strategic authority.
- (3) For provision about the scrutiny of other CCAs, see Schedule 1.

Functions of overview and scrutiny committee

- 2 (1) A CCA must arrange for the appointment by the CCA of one or more committees of the authority (referred to in this Schedule as overview and scrutiny committees).
- (2) The arrangements must ensure that the CCA’s overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to investigate matters of local interest;
 - (b) to make reports or recommendations to the CCA or mayor on matters of local interest.
- (3) The arrangements must (in particular) ensure that the CCA’s overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to make reports or recommendations to the CCA with respect to the discharge of any functions that are the responsibility of the CCA;
 - (b) to make reports or recommendations to the mayor with respect to the discharge of any general functions.
- (4) The arrangements must (in particular) ensure that the CCA’s overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the CCA;

- (b) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the mayor of any general functions;
 - (c) to review –
 - (i) the policy outcomes which were intended to result from action taken in connection with the discharge of any functions that are the responsibility of the CCA, and
 - (ii) the effectiveness of that action in achieving those outcomes;
 - (d) to review –
 - (i) the policy outcomes which were intended to result from action taken in connection with the discharge by the mayor of any general functions, and
 - (ii) the effectiveness of that action in achieving those outcomes;
- (5) The arrangements made in accordance with sub-paragraphs (3) and (4) must (in particular) ensure that –
 - (a) where a decision or other action involves expenditure of the CCA, the review or scrutiny of it includes an assessment of value for money;
 - (b) where the discharge of a function involves expenditure of the CCA –
 - (i) any report includes a report on value for money;
 - (ii) where appropriate, recommendations are made in relation to value for money.
- (6) When assessing value for money, an overview and scrutiny committee must have regard to any guidance issued by a public authority.
- (7) The power of an overview and scrutiny committee under sub-paragraph (3)(a) or (3)(b) to make reports or recommendations with respect to the discharge of any functions includes power to make recommendations about the way that a function is, or is proposed to be, discharged.
- (8) The power of an overview and scrutiny committee under sub-paragraph (4)(a) or (4)(b) to review or scrutinise a decision made but not implemented includes –
 - (a) power to direct that a decision is not to be implemented while it is under review or scrutiny by the overview and scrutiny committee, and
 - (b) power –
 - (i) to recommend that the decision be reconsidered, or
 - (ii) to make recommendations about the way that the function is, or is proposed to be, discharged.
- (9) An overview and scrutiny committee of a CCA must publish details of how it proposes to exercise its powers in relation to the review and

scrutiny of decisions made but not yet implemented and its arrangements in connection with the exercise of those powers.

- (10) Before complying with sub-paragraph (9) an overview and scrutiny committee must obtain the consent of the CCA to the proposals and arrangements.
- (11) If—
 - (a) an overview and scrutiny committee makes a recommendation to the CCA or mayor under sub-paragraph (7) or (8)(b), and
 - (b) the CCA or mayor does not intend to give effect to the recommendation (at all or in part),
 the CCA or mayor must give the committee a written notice of that intention and of the reasons for not giving effect to the recommendation.
- (12) An overview and scrutiny committee may send a copy of any report or recommendations made by it to any public authority (including the Secretary of State or another Minister of the Crown, or any government department).
- (13) An overview and scrutiny committee of a CCA may not discharge any functions other than the functions conferred by or under this Schedule.
- (14) Any reference in this Schedule to the discharge of any functions includes a reference to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of those functions.

Overview and scrutiny committees: supplementary provision

- 3 (1) An overview and scrutiny committee of a CCA—
 - (a) may appoint one or more sub-committees, and
 - (b) may arrange for the discharge of any of its functions by any such sub-committee.
- (2) A sub-committee of an overview and scrutiny committee may not discharge any functions other than those conferred on it under sub-paragraph (1)(b).
- (3) An overview and scrutiny committee of a CCA may not include a member of the CCA (including the mayor for the CCA's area or deputy mayor).
- (4) An overview and scrutiny committee of a CCA is to be treated as a committee or sub-committee of a principal council for the purposes of Part 5A of the Local Government Act 1972 (access to meetings and documents of certain authorities, committees and sub-committees).
- (5) Subsections (2) to (5) of section 102 of the Local Government Act 1972 apply to an overview and scrutiny committee of a CCA as they apply to a committee appointed under that section.

- (6) An overview and scrutiny committee of a CCA –
 - (a) may require a key person to attend before it to answer questions, and
 - (b) may invite other persons to attend meetings of the committee.
- (7) An overview and scrutiny committee of a CCA –
 - (a) may require a key person to provide it with information or documents, and
 - (b) may invite other persons to provide it with information or documents.
- (8) Regulations under paragraph 4(1) may make provision about –
 - (a) information or documents whose provision may, or may not be, required under sub-paragraph (7)(a);
 - (b) information or documents whose provision may, or may not be, invited under sub-paragraph (7)(b).
- (9) A requirement under sub-paragraph (6)(a) or (7)(a) can only be imposed on a person by written notice given to the person; and the period between the notice being given and the date when the requirement must be complied with must be –
 - (a) 10 working days, or
 - (b) if that period of notice is unreasonably short, such longer period as is reasonable.
- (10) A person on whom a requirement is imposed under sub-paragraph (6)(a) or (7)(a) is required to comply with the requirement.
- (11) If –
 - (a) an overview and scrutiny committee has, in accordance with paragraph 3(6)(a), required a person to attend a meeting of the committee,
 - (b) the person does not attend the meeting in compliance with the requirement, and
 - (c) the person does not have a reasonable excuse for not attending the meeting,

the committee must publish notice of the non-attendance in such manner as the committee thinks appropriate and a scrutiny officer of the committee (appointed in accordance with regulations made under 4(2)(d)) must give a copy of the notice to the person who did not attend.
- (12) For provision about the consequences of a failure to comply with a requirement imposed under sub-paragraph (6) or (7), see paragraphs 7 and 8.
- (13) A person is not obliged –
 - (a) by sub-paragraph (6) to answer any question which the person would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales, or

- (b) by sub-paragraph (7) to provide any information which the person would be entitled to refuse to provide in or for the purposes of proceedings in a court in England and Wales.
- (14) In exercising, or deciding whether to exercise, any of its functions an overview and scrutiny committee of a CCA must have regard to any guidance for the time being issued by the Secretary of State.
- (15) Guidance under sub-paragraph (14) may make different provision for different cases or for different descriptions of committee.
- (16) In sub-paragraphs (3) to (14) references to an overview and scrutiny committee of a CCA include references to any sub-committee of such a committee.

Power to make further provision about overview and scrutiny committees

- 4 (1) The Secretary of State may by regulations make further provision about overview and scrutiny committees of a CCA.
- (2) Provision under sub-paragraph (1) may in particular include provision—
 - (a) about the membership of an overview and scrutiny committee and the voting rights of such members;
 - (b) about the payment of allowances to the members of an overview and scrutiny committee;
 - (c) about the person who is to be chair of an overview and scrutiny committee;
 - (d) for the appointment of persons to act as scrutiny officers of an overview and scrutiny committee;
 - (e) about how and by whom matters may be referred to an overview and scrutiny committee;
 - (f) requiring persons (whether members of the CCA or other persons) to respond to reports or recommendations made by an overview and scrutiny committee;
 - (g) about the publication of reports, recommendations or responses;
 - (h) about information which must, or must not, be disclosed to an overview and scrutiny committee (whether by members of the CCA or by other persons);
 - (i) as to the minimum or maximum period for which a direction under paragraph 2(8)(a) may have effect.
- (3) Provision of the following kinds must be made under sub-paragraph (1)—
 - (a) provision about when and how an overview and scrutiny committee must involve independent experts in its activities;
 - (b) provision about how an overview and scrutiny committee must take account of the work undertaken by the independent experts involved in its activities;

- (c) provision for the remuneration of independent experts.
- (4) Provision must be made under sub-paragraph (2)(a) so as to ensure that at least 60% of members of an overview and scrutiny committee are members of the CCA's constituent councils.
- (5) Provision must be made under sub-paragraph (2)(b) so as to ensure that all the members of an overview and scrutiny committee are entitled to be paid allowances in respect of activities of the descriptions specified in regulations under this paragraph.
- (6) Provision must be made under sub-paragraph (2)(c) so as to ensure that the chair of an overview and scrutiny committee is –
 - (a) an independent person (as defined by the regulations), or
 - (b) an appropriate person who is a member of one of the CCA's constituent councils.
- (7) For the purposes of sub-paragraph (6)(b) “appropriate person” means a person who is not a member of a registered political party of which the mayor is a member.
- (8) In sub-paragraph (2)(d) the reference to a “scrutiny officer” of an overview and scrutiny committee is a reference to a person appointed with the function of –
 - (a) promoting the role of the committee, and
 - (b) providing support and guidance –
 - (i) to the committee and its members, and
 - (ii) to members of the CCA (so far as relating to the functions of the committee).
- (9) Provision must be made under sub-paragraph (2)(d) so as to ensure that an overview and scrutiny committee has at least two scrutiny officers.
- (10) Provision under sub-paragraph (2)(g) may include provision for descriptions of confidential or exempt information to be excluded from the publication of reports, recommendations or responses.
- (11) In this paragraph “registered political party” means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.
- (12) In this paragraph references to an overview and scrutiny committee include references to any sub-committee of such a committee.

Style by which committees to be known

- 5 (1) The overview and scrutiny committees are to have –
 - (a) the style “local scrutiny committee”, or
 - (b) any other style that is specified in regulations under paragraph 4(1).
- (2) The specified style may (in particular) be –
 - (a) a variant of “local scrutiny committee”, or

- (b) “overview and scrutiny committee” or a variant of it.
- (3) The power under section 252(1) to make different provision for different purposes includes power to specify different styles under this paragraph in relation to overview and scrutiny committees of different descriptions of CCAs.

Petitions

- 6 (1) A CCA must make arrangements (“petition arrangements”) in relation to its overview and scrutiny committee, or each such committee, under which –
 - (a) a local elector is able to start a petition calling upon the committee to exercise its functions in relation to a matter of local interest that is specified in the petition, and
 - (b) other local electors are able to indicate their support for the petition within a period specified in the petition arrangements.
- (2) Petition arrangements must secure that –
 - (a) a local elector is able to start any petition by electronic means or non-electronic means, and
 - (b) other local electors are able to indicate support for any petition by electronic means or non-electronic means.
- (3) An overview and scrutiny committee must reject a petition in any of the following cases –
 - (a) the petition is explicitly seeking new or increased expenditure of the CCA;
 - (b) the specified matter is not a matter of local interest;
 - (c) the committee could not exercise its functions in relation to the specified matter without prejudicing civil proceedings or criminal proceedings which have been brought or which, in the view of the committee, are likely to be brought reasonably soon (whether in England and Wales or elsewhere);
 - (d) the petition is offensive, abusive or vexatious.
- (4) In a case where the number of local electors who are petitioners is at least 0.1% of the total number of local electors, an overview and scrutiny committee must decide whether or not to exercise its functions in relation to the matter of concern to which the petition relates.
- (5) In any other case, an overview and scrutiny committee may decide whether or not to exercise its functions in relation to the specified matter to which the petition relates.
- (6) In deciding whether or not to exercise its functions in relation to the specified matter to which a petition relates, an overview and scrutiny committee must (in particular) take into account the effective use of the committee’s time and resources.

- (7) Within the period of 30 days beginning with the day on which an overview and scrutiny committee makes a relevant decision about a petition, the committee must –
- (a) publish written notice of the following matters –
 - (i) the relevant decision;
 - (ii) the reasons for making the relevant decision;
 - (iii) how the committee proposes to exercise its functions (in the case of a relevant decision to exercise its functions in relation to the specified matter to which the petition relates); and
 - (b) give written notice of those matters to the person who started the petition.
- (8) Regulations under paragraph 4(1) may make provision about petition arrangements and petitions, including –
- (a) provision about grounds on which an overview and scrutiny committee must or may make a relevant decision about a petition;
 - (b) provision about matters which must or may be taken into account in making a relevant decision about a petition;
 - (c) provision for an overview and scrutiny committee to be able to combine petitions relating to similar specified matters;
 - (d) provision about verifying whether persons are local electors;
 - (e) provision about whether the number of local electors who are petitioners is at least 0.1% of the total number of local electors;
- (9) In this paragraph –
- “local elector”, in relation to a petition, means a person who would be entitled to vote as an elector at an election for the return of a mayor for the area of the CCA concerned;
 - “petitioner” means a local elector who has –
 - (a) started a petition, or
 - (b) indicated support for a petition,
 in accordance with the petition arrangements;
 - “relevant decision about a petition” means –
 - (a) a decision by an overview and scrutiny committee to reject a petition, or
 - (b) a decision by an overview and scrutiny committee whether or not to exercise its functions in relation to the specified matter to which a petition relates;
 - “specified matter” means the matter that is specified in a petition in accordance with the petition arrangements.

Financial penalties for failure to attend committee meetings, answer questions or provide information etc

- 7 (1) The Secretary of State may, by regulations, give overview and scrutiny committees the power to impose a civil penalty on –

- (a) a person who fails to attend an overview and scrutiny committee meeting;
 - (b) a person who fails to answer a question put at an overview and scrutiny committee meeting;
 - (c) a person who fails to provide an overview and scrutiny committee with information or a document;
 - (d) a person who misleads an overview and scrutiny committee.
- (2) For the purposes of this paragraph, a person fails to attend an overview and scrutiny committee meeting if—
 - (a) the committee has, in accordance with paragraph 3(6)(a), required the person to attend the meeting,
 - (b) the person does not attend the meeting, and
 - (c) the person does not have a reasonable excuse for not attending the meeting.
- (3) For the purposes of this paragraph, a person fails to answer a question put at an overview and scrutiny committee meeting if—
 - (a) the committee has, in accordance with paragraph 3(6)(a), required the person to attend the meeting,
 - (b) the question is properly put to the person at the meeting,
 - (c) the person does not answer the question, and
 - (d) the person does not have a reasonable excuse for not answering the question.
- (4) For the purposes of this paragraph, a person fails to provide an overview and scrutiny committee meeting with information or a document if—
 - (a) the committee has, in accordance with paragraph 3(7)(a), required the person to provide the information or document,
 - (b) the person does not provide the information or document, and
 - (c) the person does not have a reasonable excuse for not providing the information or document.
- (5) For the purposes of this paragraph, a person misleads an overview and scrutiny committee meeting if—
 - (a) the committee has, in accordance with paragraph 3(7)(a), required the person to provide information or a document, and
 - (b) the person intentionally alters, suppresses, conceals or destroys the information or document.
- (6) Regulations under this paragraph—
 - (a) must provide for the amount or maximum amount of a civil penalty – and such an amount or maximum must not exceed £5,000;
 - (b) may provide for the power to impose a civil penalty to be exercisable only in relation to persons of a description

specified in the regulations; and such a description of person may (in particular) consist of all or any of the following—

- (i) mayors for the areas of CCAs;
- (ii) deputy mayors appointed by such mayors;
- (iii) commissioners appointed by such mayors;
- (c) must make provision for appeals against the imposition of civil penalties (which may include provision enabling a civil penalty to be confirmed, withdrawn or varied in its amount on an appeal).

- (7) In order to take account of changes in the value of money, the Secretary of State may by regulations substitute another sum for the sum for the time being specified in sub-paragraph (6)(a).

Termination of office for failure to attend committee meetings

- 8 (1) This paragraph applies to a person who holds one of the following offices in relation to a CCA (the “relevant CCA”)—
 - (a) mayor for the area of the relevant CCA;
 - (b) deputy mayor appointed by such a mayor;
 - (c) commissioner appointed by such a mayor.
- (2) The person ceases to hold the office if—
 - (a) the person fails to attend six overview and scrutiny committee meetings (the “six missed meetings”), and
 - (b) there is the required link between the six missed meetings.
- (3) The person who holds the office fails to attend an overview and scrutiny committee meeting if—
 - (a) the committee is a committee of the relevant CCA,
 - (b) the meeting is a compulsory meeting for the person as holder of that office,
 - (c) the person does not attend the meeting, and
 - (d) the person does not have a reasonable excuse for not attending the meeting.
- (4) There is the required link between the six missed meetings if—
 - (a) the six missed meetings are consecutive overview and scrutiny committee meetings that are compulsory meetings for the person as holder of the office, or
 - (b) the period between the first and last of those six missed meetings is 12 months or shorter.
- (5) In determining whether there is the required link by virtue of sub-paragraph (4)(a) or (b)—
 - (a) it does not matter if the six missed meetings are meetings of the same committee, or different committees, of the CCA;
 - (b) it does not matter if there are any meetings of an overview and scrutiny committee that—

- (i) fall between the first and last of the six missed meetings, and
 - (ii) are not compulsory meetings for the person as holder of the office.
- (6) If a person ceases to hold office by virtue of this section –
 - (a) the CCA’s monitoring officer (within the meaning of section 5 of the Local Government and Housing Act 1989) must –
 - (i) publish notice that the person has ceased to hold office in such manner as the monitoring officer thinks appropriate, and
 - (ii) give a copy of the notice to the person who has ceased to hold office;
 - (b) the person ceases to hold office at the end of the day of the last of the six missed meetings.
- (7) If a notice given under paragraph 3(11) of a person’s non-attendance at a meeting of an overview and scrutiny committee relates to the last of the six missed meetings that result in the person’s loss of office by virtue of this paragraph, the notice must include a statement of that fact.
- (8) If a person ceases to hold an office by virtue of this section, that loss of office does not prevent that person from subsequently –
 - (a) taking that office again, or
 - (b) taking any other office referred to in sub-paragraph (1).
- (9) An overview and scrutiny committee meeting is a “compulsory meeting” for a person if the committee has, in accordance with paragraph 3(6)(a), required that person to attend the meeting.
- (10) This paragraph applies to a commissioner whether appointed –
 - (a) under a worker’s contract,
 - (b) under a contract other than a worker’s contract, or
 - (c) otherwise than under a contract;
 and references to the office of commissioner (including holding office) are to be read accordingly in the case of a commissioner appointed under a contract.

Audit committees

- 9 (1) A CCA must arrange for the appointment by the CCA of an audit committee.
- (2) The functions of the audit committee are to include –
 - (a) reviewing and scrutinising the CCA’s financial affairs,
 - (b) reviewing and assessing the CCA’s risk management, internal control and corporate governance arrangements,
 - (c) reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the CCA’s functions, and

- (d) making reports and recommendations to the CCA in relation to reviews conducted under paragraphs (a), (b) and (c).
- (3) The Secretary of State may by regulations make provision about –
 - (a) the membership of a CCA’s audit committee;
 - (b) the appointment of the members;
 - (c) the payment of allowances to members of the committee who are members of a constituent council.
- (4) Provision must be made under sub-paragraph (3) so as to ensure that at least one member of an audit committee is an independent person (as defined by the regulations).

Interpretation

- 10 In this Schedule –
- “commissioner” means a commissioner appointed under section 29A;
- “key person”, in relation to an overview and scrutiny committee of a CCA, means –
- (a) the mayor for the area of the CCA;
 - (b) the deputy mayor for that area;
 - (c) a commissioner appointed by the mayor for that area;
 - (d) the officers of the CCA;
 - (e) a member of the CCA who has responsibilities in relation to a particular area of policy;
 - (f) a person of any other description that is specified in regulations;
- “matter of local interest”, in relation to an overview and scrutiny committee of a CCA, means a matter which both –
- (a) relates to the area of the CCA, and
 - (b) relates –
 - (i) to functions that are the responsibility of the CCA (whether exercisable by the CCA or the mayor), or
 - (ii) otherwise to any aspect of any area of competence set out in section 2 of the English Devolution and Community Empowerment Act 2026;
- but it does not include any matters which relate to the functions of police and crime commissioners;
- “value for money” means the economy, efficiency and effectiveness of the expenditure of the CCA.”

PART 2

AMENDMENTS CONSEQUENTIAL ON PART 1 OF THIS SCHEDULE

Introduction

- 3 LURA 2023 is amended in accordance with this Part of this Schedule.

Section 15: overview and scrutiny committees

- 4 (1) Section 15 is amended in accordance with this paragraph.
- (2) In subsection (1), after “CCAs” insert “that are not established mayoral strategic authorities”.
- (3) After subsection (1) insert –
- “(1A) Schedule 1A makes provision for CCAs that are established mayoral strategic authorities to have overview and scrutiny committees and audit committees.”
- (4) In subsection (2), for “that Schedule” substitute “those Schedules”.
- (5) After subsection (2) insert –
- “(3) In this section and Schedules 1 and 1A “established mayoral strategic authority” has the same meaning as in the English Devolution and Community Empowerment Act 2026 (see section 1(6)(b) of that Act).”

Section 29: deputy mayors

- 5 In section 29(3) –
- (a) in paragraph (b), omit “or”;
- (b) in paragraph (c), at the end insert “, or
- (d) the person ceases to be deputy mayor by virtue of paragraph 8 of Schedule 1A.”

Schedule 1: overview and scrutiny committees

- 6 (1) Schedule 1 is amended in accordance with this paragraph.
- (2) In the heading, after “Authorities” insert “except EMSAs”.
- (3) Before paragraph 1 (and the italic heading preceding it) insert –

“Application of this Schedule

- A1 (1) This Schedule applies to a CCA if it is not an established mayoral strategic authority.
- (2) Accordingly, in the following provisions of this Schedule –
- (a) “CCA” means a CCA that is not an established mayoral strategic authority;

- (b) a reference to an overview and scrutiny committee is a reference to such a committee of a CCA that is not an established mayoral strategic authority.
- (3) For provision about the scrutiny of CCAs that are established mayoral strategic authorities, see Schedule 1A.”
- (4) After paragraph 3 insert—
 - “Style by which committees to be known*
 - 3A (1) Regulations under paragraph 3(1) may (in particular) specify the style which the overview and scrutiny committees of CCAs are to have.
 - (2) The specified style may (in particular) be a variant of “overview and scrutiny committee”.
 - (3) The power under section 252(1) to make different provision for different purposes includes power to specify different styles under this paragraph in relation to different descriptions of CCAs.”

Schedule 2: election of Mayors of CCAs etc

- 7 In Schedule 2, after paragraph 11 insert—
 - “Failure to attend meetings of overview and scrutiny committee: loss of office*
 - 11A Paragraph 8 of Schedule 1A makes provision for a person’s term of office as mayor to end because of repeated failure to attend meetings of an overview and scrutiny committee.”

Schedule 2A: commissioners

- 8 In Schedule 2A (inserted by Schedule 3 to this Act), in paragraph 9—
 - (a) in paragraph (d), omit “or”;
 - (b) after paragraph (d) insert “, or
 - (da) the person ceases to be a commissioner by virtue of paragraph 8 of Schedule 1A, or”

PART 3

EXTENSION OF NEW SCRUTINY REGIME TO ALL MAYORAL CCAs

Introduction

- 9 LURA 2023 is amended in accordance with this Part of this Schedule.

Amendment of section 15

- 10 (1) Section 15 (as amended by paragraph 4 of this Schedule) is amended in accordance with this paragraph.
- (2) In subsection (1), for “CCAs that are not established mayoral strategic authorities” substitute “non-mayoral CCAs”.

- (3) In subsection (1A), for “CCAs that are established mayoral strategic authorities” substitute “mayoral CCAs”.
- (4) Omit subsection (3).

Exclusion of all mayoral CCAs from scrutiny regime in Schedule 1 LURA 2023

- 11 (1) Schedule 1 (as amended by paragraph 6 of this Schedule) is amended in accordance with this paragraph.
- (2) In the heading, for “Combined County Authorities except EMSAs” substitute “Non-mayoral Combined County Authorities”.
- (3) For paragraph A1 substitute –
 - “A1 (1) This Schedule applies to a non-mayoral CCA.
 - (2) Accordingly, in this Schedule “CCA” means only a non-mayoral CCA.
 - (3) For provision about the scrutiny of mayoral CCAs, see Schedule 1A.”
- (4) In paragraph 1 (functions of overview and scrutiny committees) –
 - (a) omit sub-paragraph (3);
 - (b) in sub-paragraph (4), omit “and (3)(a)”.
- (5) In paragraph 2 (overview and scrutiny committees: supplementary provision) –
 - (a) in sub-paragraph (3), omit “(including, in the case of a mayoral CCA, the mayor for the CCA’s area or deputy mayor)”;
 - (b) in sub-paragraph (6)(a), omit “(including, in the case of a mayoral CCA, the mayor for the CCA’s area and deputy mayor)”.
- (6) In paragraph 3 (power to make further provision about overview and scrutiny committees), for sub-paragraph (5) substitute –
 - “(5) For the purposes of sub-paragraph (4)(b) “appropriate person” means a person who is not a member of the registered political party which has the most representatives among the members of the constituent councils (or, if there is no such party because two or more parties have the same number of representatives, is not a member of any of those parties).”

Inclusion of all mayoral CCAs in the new scrutiny regime

- 12 (1) Schedule 1A (as inserted by paragraph 2 of this Schedule) is amended in accordance with this paragraph.
- (2) In the heading, for “CCAs that are established mayoral strategic authorities” substitute “Mayoral CCAs”.
- (3) For paragraph A1 substitute –
 - “A1 (1) This Schedule applies to a mayoral CCA.
 - (2) Accordingly, in the following provisions of this Schedule –
 - (a) “CCA” means a mayoral CCA;

- (b) a reference to an overview and scrutiny committee is a reference to such a committee of a mayoral CCA.
- (3) For provision about the scrutiny of non-mayoral CCAs, see Schedule 1.”

BARONESS TAYLOR OF STEVENAGE

★ After Schedule 3, insert the following new Schedule—

“SCHEDULE

MAYORAL COMBINED AUTHORITIES: OVERVIEW AND SCRUTINY COMMITTEES

PART 1

NEW SCRUTINY REGIME FOR COMBINED AUTHORITIES THAT ARE ESTABLISHED MAYORAL STRATEGIC AUTHORITIES

Introduction

- 1 LDEDCA 2009 is amended in accordance with this Part of this Schedule.

The new scrutiny regime

- 2 After Schedule 5A insert—

“SCHEDULE 5AA

MAYORAL COMBINED AUTHORITIES THAT ARE EMSAS: OVERVIEW AND SCRUTINY COMMITTEES AND AUDIT COMMITTEE

Application of this Schedule

- 1 (1) This Schedule applies to a combined authority if it is an established mayoral strategic authority.
- (2) Accordingly, in the following paragraphs of this Schedule—
 - (a) “combined authority” means a combined authority that is an established mayoral strategic authority;
 - (b) a reference to an overview and scrutiny committee is a reference to such a committee of a combined authority that is an established mayoral strategic authority.
- (3) For provision about the scrutiny of other combined authorities, see Schedule 5A.

Functions of overview and scrutiny committee

- 2 (1) A combined authority must arrange for the appointment by the combined authority of one or more committees of the authority (referred to in this Schedule as overview and scrutiny committees).

- (2) The arrangements must ensure that the combined authority's overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to investigate matters of local interest;
 - (b) to make reports or recommendations to the combined authority or mayor on matters of local interest.
- (3) The arrangements must (in particular) ensure that the combined authority's overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to make reports or recommendations to the combined authority with respect to the discharge of any functions that are the responsibility of the combined authority;
 - (b) to make reports or recommendations to the mayor with respect to the discharge of any general functions.
- (4) The arrangements must (in particular) ensure that the combined authority's overview and scrutiny committee has power (or its overview and scrutiny committees have power between them) –
 - (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the combined authority;
 - (b) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the mayor of any general functions;
 - (c) to review –
 - (i) the policy outcomes which were intended to result from action taken in connection with the discharge of any functions that are the responsibility of the combined authority, and
 - (ii) the effectiveness of that action in achieving those outcomes;
 - (d) to review –
 - (i) the policy outcomes which were intended to result from action taken in connection with the discharge by the mayor of any general functions, and
 - (ii) the effectiveness of that action in achieving those outcomes;
- (5) The arrangements made in accordance with sub-paragraphs (3) and (4) must (in particular) ensure that –
 - (a) where a decision or other action involves expenditure of the combined authority, the review or scrutiny of it includes an assessment of value for money;
 - (b) where the discharge of a function involves expenditure of the combined authority –
 - (i) any report includes a report on value for money;

- (ii) where appropriate, recommendations are made in relation to value for money.
- (6) When assessing value for money, an overview and scrutiny committee must have regard to any guidance issued by a public authority.
- (7) The power of an overview and scrutiny committee under sub-paragraph (3)(a) or (3)(b) to make reports or recommendations with respect to the discharge of any functions includes power to make recommendations about the way that a function is, or is proposed to be, discharged.
- (8) The power of an overview and scrutiny committee under sub-paragraph (4)(a) or (4)(b) to review or scrutinise a decision made but not implemented includes –
 - (a) power to direct that a decision is not to be implemented while it is under review or scrutiny by the overview and scrutiny committee, and
 - (b) power –
 - (i) to recommend that the decision be reconsidered, or
 - (ii) to make recommendations about the way that the function is, or is proposed to be, discharged.
- (9) An overview and scrutiny committee of a combined authority must publish details of how it proposes to exercise its powers in relation to the review and scrutiny of decisions made but not yet implemented and its arrangements in connection with the exercise of those powers.
- (10) Before complying with sub-paragraph (9) an overview and scrutiny committee must obtain the consent of the combined authority to the proposals and arrangements.
- (11) If –
 - (a) an overview and scrutiny committee makes a recommendation to the combined authority or mayor under sub-paragraph (7) or (8)(b), and
 - (b) the combined authority or mayor does not intend to give effect to the recommendation (at all or in part),
 the combined authority or mayor must give the committee a written notice of that intention and of the reasons for not giving effect to the recommendation.
- (12) An overview and scrutiny committee may send a copy of any report or recommendations made by it to any public authority (including the Secretary of State or another Minister of the Crown, or any government department).
- (13) An overview and scrutiny committee of a combined authority may not discharge any functions other than the functions conferred by or under this Schedule.
- (14) Any reference in this Schedule to the discharge of any functions includes a reference to the doing of anything which is calculated to

facilitate, or is conducive or incidental to, the discharge of those functions.

Overview and scrutiny committees: supplementary provision

- 3 (1) An overview and scrutiny committee of a combined authority –
 - (a) may appoint one or more sub-committees, and
 - (b) may arrange for the discharge of any of its functions by any such sub-committee.
- (2) A sub-committee of an overview and scrutiny committee may not discharge any functions other than those conferred on it under sub-paragraph (1)(b).
- (3) An overview and scrutiny committee of a combined authority may not include a member of the combined authority (including the mayor for the combined authority's area or deputy mayor).
- (4) An overview and scrutiny committee of a combined authority is to be treated as a committee or sub-committee of a principal council for the purposes of Part 5A of the Local Government Act 1972 (access to meetings and documents of certain authorities, committees and sub-committees).
- (5) Subsections (2) to (5) of section 102 of the Local Government Act 1972 apply to an overview and scrutiny committee of a combined authority as they apply to a committee appointed under that section.
- (6) An overview and scrutiny committee of a combined authority –
 - (a) may require a key person to attend before it to answer questions, and
 - (b) may invite other persons to attend meetings of the committee.
- (7) An overview and scrutiny committee of a combined authority –
 - (a) may require a key person to provide it with information or documents, and
 - (b) may invite other persons to provide it with information or documents.
- (8) Regulations under paragraph 4(1) may make provision about –
 - (a) information or documents whose provision may, or may not be, required under sub-paragraph (7)(a);
 - (b) information or documents whose provision may, or may not be, invited under sub-paragraph (7)(b).
- (9) A requirement under sub-paragraph (6)(a) or (7)(a) can only be imposed on a person by written notice given to the person; and the period between the notice being given and the date when the requirement must be complied with must be –
 - (a) 10 working days, or
 - (b) if that period of notice is unreasonably short, such longer period as is reasonable.

- (10) A person on whom a requirement is imposed under sub-paragraph (6)(a) or (7)(a) is required to comply with the requirement.
- (11) If—
 - (a) an overview and scrutiny committee has, in accordance with paragraph 3(6)(a), required a person to attend a meeting of the committee,
 - (b) the person does not attend the meeting in compliance with the requirement, and
 - (c) the person does not have a reasonable excuse for not attending the meeting,
 the committee must publish notice of the non-attendance in such manner as the committee thinks appropriate and a scrutiny officer of the committee (appointed in accordance with regulations made under paragraph 4(2)(d)) must give a copy of the notice to the person who did not attend.
- (12) For provision about the consequences of a failure to comply with a requirement imposed under sub-paragraph (6) or (7), see paragraphs 7 and 8.
- (13) A person is not obliged—
 - (a) by sub-paragraph (6) to answer any question which the person would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales, or
 - (b) by sub-paragraph (7) to provide any information which the person would be entitled to refuse to provide in or for the purposes of proceedings in a court in England and Wales.
- (14) In exercising, or deciding whether to exercise, any of its functions an overview and scrutiny committee of a combined authority must have regard to any guidance for the time being issued by the Secretary of State.
- (15) Guidance under sub-paragraph (14) may make different provision for different cases or for different descriptions of committee.
- (16) In sub-paragraphs (3) to (14) references to an overview and scrutiny committee of a combined authority include references to any sub-committee of such a committee.

Power to make further provision about overview and scrutiny committees

- 4 (1) The Secretary of State may by regulations make further provision about overview and scrutiny committees of a combined authority.
- (2) Provision under sub-paragraph (1) may in particular include provision—
 - (a) about the membership of an overview and scrutiny committee and the voting rights of such members;
 - (b) about the payment of allowances to the members of an overview and scrutiny committee;

- (c) about the person who is to be chair of an overview and scrutiny committee;
 - (d) for the appointment of persons to act as scrutiny officers of an overview and scrutiny committee;
 - (e) about how and by whom matters may be referred to an overview and scrutiny committee;
 - (f) requiring persons (whether members of the combined authority or other persons) to respond to reports or recommendations made by an overview and scrutiny committee;
 - (g) about the publication of reports, recommendations or responses;
 - (h) about information which must, or must not, be disclosed to an overview and scrutiny committee (whether by members of the combined authority or by other persons);
 - (i) as to the minimum or maximum period for which a direction under paragraph 2(8)(a) may have effect.
- (3) Provision of the following kinds must be made under sub-paragraph (1) –
- (a) provision about when and how an overview and scrutiny committee must involve independent experts in its activities;
 - (b) provision about how an overview and scrutiny committee must take account of the work undertaken by the independent experts involved in its activities;
 - (c) provision for the remuneration of independent experts.
- (4) Provision must be made under sub-paragraph (2)(a) so as to ensure that at least 60% of members of an overview and scrutiny committee are members of the combined authority’s constituent councils.
- (5) Provision must be made under sub-paragraph (2)(b) so as to ensure that all the members of an overview and scrutiny committee are entitled to be paid allowances in respect of activities of the descriptions specified in regulations under this paragraph.
- (6) Provision must be made under sub-paragraph (2)(c) so as to ensure that the chair of an overview and scrutiny committee is –
- (a) an independent person (as defined by the regulations), or
 - (b) an appropriate person who is a member of one of the combined authority’s constituent councils.
- (7) For the purposes of sub-paragraph (6)(b) “appropriate person” means a person who is not a member of a registered political party of which the mayor is a member.
- (8) In sub-paragraph (2)(d) the reference to a “scrutiny officer” of an overview and scrutiny committee is a reference to a person appointed with the function of –
- (a) promoting the role of the committee, and

- (b) providing support and guidance—
 - (i) to the committee and its members, and
 - (ii) to members of the combined authority (so far as relating to the functions of the committee).
- (9) Provision must be made under sub-paragraph (2)(d) so as to ensure that an overview and scrutiny committee has at least two scrutiny officers.
- (10) Provision under sub-paragraph (2)(g) may include provision for descriptions of confidential or exempt information to be excluded from the publication of reports, recommendations or responses.
- (11) In this paragraph “registered political party” means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.
- (12) In this paragraph references to an overview and scrutiny committee include references to any sub-committee of such a committee.

Style by which committees to be known

- 5 (1) The overview and scrutiny committees are to have—
 - (a) the style “local scrutiny committee”, or
 - (b) any other style that is specified in regulations under paragraph 4(1).
- (2) The specified style may (in particular) be—
 - (a) a variant of “local scrutiny committee”, or
 - (b) “overview and scrutiny committee” or a variant of it.
- (3) The power under section 117(1A) to make different provision for different purposes includes power to specify different styles under this paragraph in relation to overview and scrutiny committees of different descriptions of combined authorities.

Petitions

- 6 (1) A combined authority must make arrangements (“petition arrangements”) in relation to its overview and scrutiny committee, or each such committee, under which—
 - (a) a local elector is able to start a petition calling upon the committee to exercise its functions in relation to a matter of local interest that is specified in the petition, and
 - (b) other local electors are able to indicate their support for the petition within a period specified in the petition arrangements.
- (2) Petition arrangements must secure that—
 - (a) a local elector is able to start any petition by electronic means or non-electronic means, and
 - (b) other local electors are able to indicate support for any petition by electronic means or non-electronic means.

- (3) An overview and scrutiny committee must reject a petition in any of the following cases –
 - (a) the petition is explicitly seeking new or increased expenditure of the combined authority;
 - (b) the specified matter is not a matter of local interest;
 - (c) the committee could not exercise its functions in relation to the specified matter without prejudicing civil proceedings or criminal proceedings which have been brought or which, in the view of the committee, are likely to be brought reasonably soon (whether in England and Wales or elsewhere);
 - (d) the petition is offensive, abusive or vexatious.
- (4) In a case where the number of local electors who are petitioners is at least 0.1% of the total number of local electors, an overview and scrutiny committee must decide whether or not to exercise its functions in relation to the matter of concern to which the petition relates.
- (5) In any other case, an overview and scrutiny committee may decide whether or not to exercise its functions in relation to the specified matter to which the petition relates.
- (6) In deciding whether or not to exercise its functions in relation to the specified matter to which a petition relates, an overview and scrutiny committee must (in particular) take into account the effective use of the committee's time and resources.
- (7) Within the period of 30 days beginning with the day on which an overview and scrutiny committee makes a relevant decision about a petition, the committee must –
 - (a) publish written notice of the following matters –
 - (i) the relevant decision;
 - (ii) the reasons for making the relevant decision;
 - (iii) how the committee proposes to exercise its functions (in the case of a relevant decision to exercise its functions in relation to the specified matter to which the petition relates); and
 - (b) give written notice of those matters to the person who started the petition.
- (8) Regulations under paragraph 4(1) may make provision about petition arrangements and petitions, including –
 - (a) provision about grounds on which an overview and scrutiny committee must or may make a relevant decision about a petition;
 - (b) provision about matters which must or may be taken into account in making a relevant decision about a petition;
 - (c) provision for an overview and scrutiny committee to be able to combine petitions relating to similar specified matters;
 - (d) provision about verifying whether persons are local electors;

- (e) provision about whether the number of local electors who are petitioners is at least 0.1% of the total number of local electors;
- (9) In this paragraph—
 - “local elector”, in relation to a petition, means a person who would be entitled to vote as an elector at an election for the return of a mayor for the area of the combined authority concerned;
 - “petitioner” means a local elector who has—
 - (a) started a petition, or
 - (b) indicated support for a petition,
 in accordance with the petition arrangements;
 - “relevant decision about a petition” means—
 - (a) a decision by an overview and scrutiny committee to reject a petition, or
 - (b) a decision by an overview and scrutiny committee whether or not to exercise its functions in relation to the specified matter to which a petition relates;
 - “specific matter” means the matter that is specified in a petition in accordance with the petition arrangements.

Financial penalties for failure to attend committee meetings, answer questions or provide information etc

- 7 (1) The Secretary of State may, by regulations, give overview and scrutiny committees the power to impose a civil penalty on—
 - (a) a person who fails to attend an overview and scrutiny committee meeting;
 - (b) a person who fails to answer a question put at an overview and scrutiny committee meeting;
 - (c) a person who fails to provide an overview and scrutiny committee with information or a document;
 - (d) a person who misleads an overview and scrutiny committee.
- (2) For the purposes of this paragraph, a person fails to attend an overview and scrutiny committee meeting if—
 - (a) the committee has, in accordance with paragraph 3(6)(a), required the person to attend the meeting,
 - (b) the person does not attend the meeting, and
 - (c) the person does not have a reasonable excuse for not attending the meeting.
- (3) For the purposes of this paragraph, a person fails to answer a question put at an overview and scrutiny committee meeting if—
 - (a) the committee has, in accordance with paragraph 3(6)(a), required the person to attend the meeting,
 - (b) the question is properly put to the person at the meeting,
 - (c) the person does not answer the question, and

- (d) the person does not have a reasonable excuse for not answering the question.
- (4) For the purposes of this paragraph, a person fails to provide an overview and scrutiny committee meeting with information or a document if –
 - (a) the committee has, in accordance with paragraph 3(7)(a), required the person to provide the information or document,
 - (b) the person does not provide the information or document, and
 - (c) the person does not have a reasonable excuse for not providing the information or document.
- (5) For the purposes of this paragraph, a person misleads an overview and scrutiny committee meeting if –
 - (a) the committee has, in accordance with paragraph 3(7)(a), required the person to provide information or a document, and
 - (b) the person intentionally alters, suppresses, conceals or destroys the information or document.
- (6) Regulations under this paragraph –
 - (a) must provide for the amount or maximum amount of a civil penalty – and such an amount or maximum must not exceed £5,000;
 - (b) may provide for the power to impose a civil penalty to be exercisable only in relation to persons of a description specified in the regulations; and such a description of person may (in particular) consist of all or any of the following –
 - (i) mayors for the areas of combined authorities;
 - (ii) deputy mayors appointed by such mayors;
 - (iii) commissioners appointed by such mayors;
 - (c) must make provision for appeals against the imposition of civil penalties (which may include provision enabling a civil penalty to be confirmed, withdrawn or varied in its amount on an appeal).
- (7) In order to take account of changes in the value of money, the Secretary of State may by regulations substitute another sum for the sum for the time being specified in sub-paragraph (6)(a).

Termination of office for failure to attend committee meetings

- 8 (1) This paragraph applies to a person who holds one of the following offices in relation to a combined authority (the “relevant combined authority”) –
- (a) mayor for the area of the relevant combined authority;
 - (b) deputy mayor appointed by such a mayor;
 - (c) commissioner appointed by such a mayor.

- (2) The person ceases to hold the office if –
 - (a) the person fails to attend six overview and scrutiny committee meetings (the “six missed meetings”), and
 - (b) there is the required link between the six missed meetings.
- (3) The person who holds the office fails to attend an overview and scrutiny committee meeting if –
 - (a) the committee is a committee of the relevant combined authority,
 - (b) the meeting is a compulsory meeting for the person as holder of that office,
 - (c) the person does not attend the meeting, and
 - (d) the person does not have a reasonable excuse for not attending the meeting.
- (4) There is the required link between the six missed meetings if –
 - (a) the six missed meetings are consecutive overview and scrutiny committee meetings that are compulsory meetings for the person as holder of the office, or
 - (b) the period between the first and last of those six missed meetings is 12 months or shorter.
- (5) In determining whether there is the required link by virtue of sub-paragraph (4)(a) or (b) –
 - (a) it does not matter if the six missed meetings are meetings of the same committee, or different committees, of the combined authority;
 - (b) it does not matter if there are any meetings of an overview and scrutiny committee that –
 - (i) fall between the first and last of the six missed meetings, and
 - (ii) are not compulsory meetings for the person as holder of the office.
- (6) If a person ceases to hold office by virtue of this section –
 - (a) the combined authority’s monitoring officer (within the meaning of section 5 of the Local Government and Housing Act 1989) must –
 - (i) publish notice that the person has ceased to hold office in such manner as the monitoring officer thinks appropriate, and
 - (ii) give a copy of the notice to the person who has ceased to hold office;
 - (b) the person ceases to hold office at the end of the day of the last of the six missed meetings.
- (7) If a notice given under paragraph 3(11) of a person’s non-attendance at a meeting of an overview and scrutiny committee relates to the last of the six missed meetings that result in the person’s loss of office by

virtue of this paragraph, the notice must include a statement of that fact.

- (8) If a person ceases to hold an office by virtue of this section, that loss of office does not prevent that person from subsequently –
 - (a) taking that office again, or
 - (b) taking any other office referred to in sub-paragraph (1).
- (9) An overview and scrutiny committee meeting is a “compulsory meeting” for a person if the committee has, in accordance with paragraph 3(6)(a), required that person to attend the meeting.
- (10) This paragraph applies to a commissioner whether appointed –
 - (a) under a worker’s contract,
 - (b) under a contract other than a worker’s contract, or
 - (c) otherwise than under a contract;
 and references to the office of commissioner (including holding office) are to be read accordingly in the case of a commissioner appointed under a contract.

Audit committees

- 9 (1) A combined authority must arrange for the appointment by the combined authority of an audit committee.
- (2) The functions of the audit committee are to include –
 - (a) reviewing and scrutinising the combined authority’s financial affairs,
 - (b) reviewing and assessing the combined authority’s risk management, internal control and corporate governance arrangements,
 - (c) reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the combined authority’s functions, and
 - (d) making reports and recommendations to the combined authority in relation to reviews conducted under paragraphs (a), (b) and (c).
- (3) The Secretary of State may by regulations make provision about –
 - (a) the membership of a combined authority’s audit committee;
 - (b) the appointment of the members;
 - (c) the payment of allowances to members of the committee who are members of a constituent council.
- (4) Provision must be made under sub-paragraph (3) so as to ensure that at least one member of an audit committee is an independent person (as defined by the regulations).

Interpretation

- 10 In this Schedule –

“commissioner” means a commissioner appointed under section 107CA;

“key person”, in relation to an overview and scrutiny committee of a combined authority, means –

- (a) the mayor for the area of the combined authority;
- (b) the deputy mayor for that area;
- (c) a commissioner appointed by the mayor for that area;
- (d) the officers of the combined authority;
- (e) a member of the combined authority who has responsibilities in relation to a particular area of policy;
- (f) a person of any other description that is specified in regulations.

“matter of local interest”, in relation to an overview and scrutiny committee of a combined authority, means a matter which both –

- (a) relates to the area of the combined authority, and
- (b) relates –
 - (i) to functions that are the responsibility of the combined authority (whether exercisable by the combined authority or the mayor), or
 - (ii) otherwise to any aspect of any area of competence set out in section 2 of the English Devolution and Community Empowerment Act 2026;

but it does not include any matters which relate to the functions of police and crime commissioners;

“value for money” means the economy, efficiency and effectiveness of the expenditure of the combined authority.”

PART 2

AMENDMENTS CONSEQUENTIAL ON PART 1 OF THIS SCHEDULE

Introduction

- 3 LDEDCA 2009 is amended in accordance with this Part of this Schedule.

Section 104: overview and scrutiny committees

- 4 (1) Section 104 is amended in accordance with this paragraph.
- (2) In subsection (9), after “combined authorities” insert “that are not established mayoral strategic authorities”.
- (3) After subsection (9) insert –
- “(9A) Schedule 5AA makes provision for combined authorities that are established mayoral strategic authorities to have overview and scrutiny

committees and audit committees; and provision made in an order under subsection (1) is subject to that Schedule.”

(4) After subsection (9A) insert –

“(9B) In this section and Schedules 5A and 5AA “established mayoral strategic authority” has the same meaning as in the English Devolution and Community Empowerment Act 2026 (see section 1(6)(a) of that Act).”

Section 107C: deputy mayors

5 In section 107C(3), after paragraph (c) insert –

(a) (d) the person ceases to be deputy mayor by virtue of paragraph 8 of Schedule 5AA.”

Schedule 5A: overview and scrutiny committees

6 (1) Schedule 5A is amended in accordance with this paragraph.

(2) In the heading, after “Authorities” insert “except EMSAs”.

(3) Before paragraph 1 (and the italic heading preceding it) insert –

“Application of this Schedule

A1 (1) This Schedule applies to a combined authority if it is not an established mayoral strategic authority.

(2) Accordingly, in the following provisions of this Schedule –

(a) “combined authority” means a combined authority that is not an established mayoral strategic authority;

(b) a reference to an overview and scrutiny committee is a reference to such a committee of a combined authority that is not an established mayoral strategic authority.

(3) For provision about the scrutiny of combined authorities that are established mayoral strategic authorities, see Schedule 5AA.”

(4) After paragraph 3 insert –

“Style by which committees to be known

3A (1) Regulations under paragraph 3(1) may (in particular) specify the style which the overview and scrutiny committees of combined authorities are to have.

(2) The specified style may (in particular) be a variant of “overview and scrutiny committee”.

(3) The power under section 117(1A) to make different provision for different purposes includes power to specify different styles under this paragraph in relation to different descriptions of combined authorities.”

Schedule 5B: election of Mayors of combined authorities etc

7 In Schedule 5B, after paragraph 11 insert –

“Failure to attend meetings of overview and scrutiny committee: loss of office

11A Paragraph 8 of Schedule 5AA makes provision for a person’s term of office as mayor to end because of repeated failure to attend meetings of an overview and scrutiny committee.”

Schedule 5BA: commissioners

8 In Schedule 5BA (inserted by Schedule 3 to this Act), in paragraph 9 –

(a) in paragraph (d), omit “or”;

(b) after paragraph (d) insert “, or

(da) the person ceases to be a commissioner by virtue of paragraph 8 of Schedule 5AA, or”

PART 3**EXTENSION OF NEW SCRUTINY REGIME TO ALL MAYORAL COMBINED AUTHORITIES***Introduction*

9 LDEDCA 2009 is amended in accordance with this Part of this Schedule.

Amendment of section 104

10 (1) Section 104 (as amended by paragraph 4 of this Schedule) is amended in accordance with this paragraph.

(2) In subsection (9), for “combined authorities that are not established mayoral strategic authorities” substitute “non-mayoral combined authorities”.

(3) In subsection (9A), for “combined authorities that are established mayoral strategic authorities” substitute “mayoral combined authorities”.

(4) Omit subsection (9B).

Exclusion of all mayoral combined authorities from scrutiny regime in Schedule 5A LDEDCA 2009

11 (1) Schedule 5A (as amended by paragraph 6 of this Schedule) is amended in accordance with this paragraph.

(2) In the heading, for “Combined Authorities except EMSAs” substitute “Non-mayoral Combined Authorities”.

(3) For paragraph A1 substitute –

“A1 (1) This Schedule applies to a non-mayoral combined authority.

(2) Accordingly, in this Schedule “combined authority” means only a non-mayoral combined authority.

- (3) For provision about the scrutiny of mayoral combined authorities, see Schedule 5AA .”
- (4) In paragraph 1 (functions of overview and scrutiny committees) –
 - (a) omit sub-paragraph (3);
 - (b) in sub-paragraph (4), omit “and (3)(a)”.
- (5) In paragraph 2 (overview and scrutiny committees: supplementary provision) –
 - (a) in sub-paragraph (3), omit “(including, in the case of a mayoral combined authority, the mayor for the combined authority's area or deputy mayor)”;
 - (b) in sub-paragraph (6)(a), omit “(including, in the case of a mayoral combined authority, the mayor for the combined authority's area and deputy mayor)”.
- (6) In paragraph 3 (power to make further provision about overview and scrutiny committees), for sub-paragraph (5) substitute –
 - “(5) For the purposes of sub-paragraph (4)(b) “appropriate person” means a person who is not a member of the registered political party which has the most representatives among the members of the constituent councils (or, if there is no such party because two or more parties have the same number of representatives, is not a member of any of those parties).”

Inclusion of all mayoral combined authorities in the new scrutiny regime

- 12 (1) Schedule 5AA (as inserted by paragraph 2 of this Schedule) is amended in accordance with this paragraph.
- (2) In the heading, for “combined authorities that are established mayoral strategic authorities” substitute “Mayoral combined authorities”.
- (3) For paragraph A1 substitute –
 - “A1 (1) This Schedule applies to a mayoral combined authority.
 - (2) Accordingly, in the following provisions of this Schedule –
 - (a) “combined authority” means a mayoral combined authority;
 - (b) a reference to an overview and scrutiny committee is a reference to such a committee of a mayoral combined authority.
 - (3) For provision about the scrutiny of non-mayoral combined authorities, see Schedule 5A.”

Schedule 5

BARONESS PIDGEON

Schedule 5, page 142, line 34, at end insert—

- “(e) requiring traffic authorities to provide parking and docking for licensed micromobility vehicles at an appropriate density and standard, and
- (f) requiring traffic authorities and Great British Railways to cooperate to ensure the provision of parking and docking for licensed micromobility vehicles at or near railway stations and other railway facilities.”

Member's explanatory statement

This amendment enables traffic authorities to provide parking and docking for licensed micromobility vehicles and to work with Great British Railways to ensure such facilities are available at or near railway stations, supporting first- and last-mile connections to the rail network.

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 7

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 7, page 154, line 29, leave out “(5)” and insert “(5A)”

Member's explanatory statement

This would be consequential on the other amendment of Schedule 7 in my name.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 7, page 155, line 21, at end insert—

- “(5A) But the mayor for the area of a mayoral combined authority or a mayoral CCA is not the appropriate authority in relation to an approval order if the application for that approval order is made on or before the day on which the first mayor for that area takes office; and accordingly—
 - (a) the Secretary of State is (by virtue of subsection (2)(b)) the appropriate authority in relation to that approval order (and continues to be the appropriate authority in relation to that approval order after the first mayor takes office);

- (b) the application for that approval order must be made to the Secretary of State.”

Member's explanatory statement

This would ensure that an approval order can be requested and made where the appropriate authority would normally be the mayor for the area of a combined authority or CCA, but the first mayor for that area has not yet taken office.

Schedule 9

LORD MOYLAN

Schedule 9, page 159, line 28, at end insert—

- “(1C) The key route network must consist only of classified numbered roads carrying strategic motor traffic.”

Member's explanatory statement

This amendment ensures that the highways or proposed highways that constitute the KRN are genuinely strategic.

LORD MOYLAN

Schedule 9, page 160, line 25, at end insert—

- “(1C) The key route network must consist only of classified numbered roads carrying strategic motor traffic.”

Member's explanatory statement

This amendment ensures that the highways or proposed highways that constitute the KRN are genuinely strategic.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 9, page 164, line 7, leave out “CCA” and insert “combined authority”

Member's explanatory statement

This provision is about combined authorities, and so this amendment would correct the reference to “CCA” that appears here.

Schedule 20

BARONESS MCINTOSH OF PICKERING
LORD FREYBERG
THE EARL OF CLANCARTY

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
LORD FREYBERG
THE EARL OF CLANCARTY

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.

Schedule 23

BARONESS TAYLOR OF STEVENAGE

★

Schedule 23, page 261, line 7, at end insert—

“Matters outside the scope of Inspections

4A In section 28 (inspectors), after subsection (A8) insert—

“(A8A) When carrying out an inspection under subsection (A3) of a mayoral combined authority, or mayoral CCA, in its capacity as a fire and rescue authority by virtue of section 1(2)(f) or (g), an English inspector must not review or scrutinise decisions made, or other action taken, in connection with the discharge of an excluded mayoral FRA function.

- (A8B) For the purposes of subsection (A8A), the following are excluded mayoral FRA functions in relation to a mayoral combined authority, or mayoral CCA, in its capacity as a fire and rescue authority –
- (a) the issuing of a community risk management plan;
 - (b) the variation of priorities and objectives set out in a community risk management plan;
 - (c) the allocation of the draft or actual budget for fire and rescue functions in relation to any financial year;
 - (d) the function of appointing, suspending or dismissing the chief fire officer;
 - (e) the function of holding the chief fire officer to account for the exercise of –
 - (i) the functions which are delegated to the chief fire officer; and
 - (ii) the functions of persons under the direction and control of the chief fire officer;
 - (f) the function of approving a pay policy statement prepared for the purposes of section 38 of the Localism Act 2011;
 - (g) the function of approving arrangements to enter into a reinforcement scheme under section 13;
 - (h) the function of approving arrangements with other employers of firefighters under section 15;
 - (i) the function of approving arrangements under section 16;
 - (j) the function of approving plans, modifications to plans and additions to plans for the purpose of ensuring that –
 - (i) so far as is reasonably practicable, the mayoral combined authority, or mayoral CCA, is able to continue to perform its fire and rescue functions if an emergency occurs; and
 - (ii) the mayoral combined authority, or mayoral CCA, is able to perform its functions so far as necessary or desirable for the purpose of preventing an emergency, or reducing, controlling or mitigating the effects of an emergency, or taking other action in connection with it;
 - (k) the function of approving any arrangements for the co-operation of the mayoral combined authority, or mayoral CCA in relation to its fire and rescue functions with other general Category 1 responders and general Category 2 responders in respect of –
 - (i) the performance of the mayoral combined authority's, or mayoral CCA's, duty as a fire and rescue authority under section 2 of the Civil Contingencies Act 2004; and
 - (ii) any duties under subordinate legislation made in exercise of powers under that Act.
- (A8C) In subsection (A8B) –
- “community risk management plan” has the same meaning as in Schedule ZA1;

“emergency” has the meaning given in section 1 of the Civil Contingencies Act 2004 for Part 1 of that Act;
 “general Category 1 responder” means a person who falls within Part 1 of Schedule 1 to the Civil Contingencies Act 2004;
 “general Category 2 responder” means a person who falls within Part 3 of Schedule 1 to the Civil Contingencies Act 2004;
 “priorities and objectives” has the same meaning as in Schedule ZA1.””

Member's explanatory statement

This would provide for matters which inspectors of fire and rescue authorities may not review or scrutinise when inspecting mayoral combined authorities or CCAs which are fire and rescue authorities.

BARONESS TAYLOR OF STEVENAGE

★

Schedule 23, page 261, line 27, at end insert—

“Local Government Finance Act 1988

- 5A (1) The Local Government Finance Act 1988 is amended in accordance with this paragraph.
- (2) In section 114 (functions of responsible officer as regards reports), in subsection (4)(b) —
- (a) in sub-paragraph (iiic), omit the final “and”;
 - (b) after sub-paragraph (iiic) insert —
 - “(iiid) a mayoral FRA, the relevant scrutiny body (and here “mayoral FRA” and “relevant scrutiny body” have the same meanings as in Schedule ZA1 to the Fire and Rescue Act 2004), and”.
- (3) In section 115 (authority’s duties as regards reports) —
- (a) after subsection (1BA) insert —
 - “(1BB) In the case of a report made by the chief finance officer of a mayoral FRA (which in this section has the same meaning as in Schedule ZA1 to the Fire and Rescue Act 2004), that mayoral FRA must consider the report and decide whether the mayoral FRA agrees or disagrees with the views contained in the report and what action (if any) the mayoral FRA proposes to take in consequence of it.”;
 - (b) in subsection (1E), after “section 4A fire and rescue authority” insert “, the mayoral FRA”;
 - (c) after subsection (1FA) insert —
 - “(1FB) As soon as practicable after the mayoral FRA has prepared a report under subsection (1E), the mayoral FRA must arrange for a copy of the report to be sent to —

- (a) the chief finance officer;
- (b) the person who at the time the report is made has the duty to audit the authority's accounts; and
- (c) each member of the relevant scrutiny body (which has the same meaning as in Schedule ZA1 to the Fire and Rescue Act 2004).";
- (d) in subsection (2), after "section 4A fire and rescue authority" insert ", a mayoral FRA".

Local Government and Housing Act 1989

- 5B (1) The Local Government and Housing Act 1989 is amended in accordance with this paragraph.
- (2) In section 67(3) (meaning of "local authority" in Part 5), after paragraph (h) insert –
- “(ha) a mayoral combined authority (which has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 – see section 107A(8) of that Act) in its capacity as a fire and rescue authority by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004;
 - (hb) a mayoral CCA (which has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 – see section 27(8) of that Act) in its capacity as a fire and rescue authority by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004;”.
- (3) In section 155(4) (local authorities that can receive emergency financial assistance), after paragraph (ha) insert –
- “(hb) a mayoral combined authority (which has the same meaning as in Part 6 of the Local Democracy, Economic Development and Construction Act 2009 – see section 107A(8) of that Act) in its capacity as a fire and rescue authority by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004;
 - (hc) a mayoral CCA (which has the same meaning as in Chapter 1 of Part 2 of the Levelling-up and Regeneration Act 2023 – see section 27(8) of that Act) in its capacity as a fire and rescue authority by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004;”.

Member's explanatory statement

This would bring mayoral combined authorities or CCAs that are fire and rescue authorities within sections 114 and 155 of the Local Government Finance Act 1989 and Part 5 and section 155 of the Local Government and Housing Act 1989.

Schedule 24

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 262, line 32, leave out “2 to 4” and insert “1A to 4P”

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 262, line 32, at end insert—

“1A In section 3 (licensing authorities), after subsection (1) insert—

“(1A) In this Act, “London licensing authority” means each of the following licensing authorities—

- (a) the council of a London borough,
- (b) the Common Council of the City of London,
- (c) the Sub-Treasurer of the Inner Temple, or
- (d) the Under-Treasurer of the Middle Temple.”

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 263, leave out lines 6 to 11

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers of the Mayor of London.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 263, leave out lines 17 to 19

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 24, page 265, line 6, at end insert –

“4A In section 13 (authorised persons and responsible authorities), in subsection (4), after paragraph (ha), insert –

“(hb) where the premises are situated in Greater London, the Greater London Authority,”.

4B After section 17 insert –

“17A Licence applications of potential strategic importance: Greater London

- (1) A London licensing authority must as soon as possible give notice to the Greater London Authority of any application made to it under section 17 that is a relevant licence application.
- (2) A “relevant licence application” is an application for a premises licence in Greater London which would authorise the premises to be used for one or more of the following activities –
 - (a) the sale by retail of alcohol;
 - (b) the provision of regulated entertainment;
 - (c) the provision of late night refreshment.
- (3) The Greater London Authority must give notice to each interested party if the Authority considers that the relevant licence application is an application of potential strategic importance to Greater London.
- (4) On receipt of a notice under subsection (3), the London licensing authority must as soon as reasonably practicable advertise the determination of the Greater London Authority.
- (5) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (4) is to be made.
- (6) For the purposes of subsection (3), “application of potential strategic importance to Greater London” is to be interpreted in accordance with regulations made by the Secretary of State.
- (7) In this section, an “interested party” in relation to an application means –
 - (a) the London licensing authority that the application was made to;
 - (b) the applicant;
 - (c) each responsible authority in relation to the premises to which the application relates.”

4C In section 18 (determination of application for premises licence), after subsection (9) insert –

“(9A) Where a London licensing authority is to hold a hearing in accordance with subsection (3) in relation to an application of potential strategic importance to Greater London, the authority must give to the Greater London Authority –

- (a) in advance of the hearing, specified information relating to the hearing within the specified period;
 - (b) following the hearing, specified information relating to the hearing within the specified period.
- (9B) In subsection (9A) –
 - “application of potential strategic importance to Greater London” means a licence application that has been notified to the London licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;
 - “specified” means specified in regulations made by the Secretary of State.”
- 4D In section 22 (prohibited conditions: plays), in subsection (2) –
 - (a) the words from “a licensing authority” to the end become paragraph (a);
 - (b) after that paragraph, insert “or,
 - (b) the Mayor of London directing a London licensing authority under section 25C(1)(a)(i) or (b)(i), or section 41ZB(1)(a) or (c) to impose conditions which the Mayor considers appropriate on the grounds of public safety.”
- 4E In section 23 (grant or rejection of application) –
 - (a) after subsection (2) insert –
 - “(2A) Where an application of potential strategic importance to Greater London is granted with no steps taken under section 18(4)(a) to (c) in relation to the licence, the relevant licensing authority must as soon as possible give notice to that effect to the Greater London Authority.
 - (2B) Subsection (2A) does not apply if the Greater London Authority made relevant representations in respect of the application.”;
 - (b) in subsection (4), after “this section” insert –
 - ““application of potential strategic importance to Greater London” means a licence application that has been notified to a London licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;”.
- 4F In section 24 (form of licence and summary), after subsection (2)(f), insert –
 - “(g) if it is issued on a direction from the Mayor of London, specify this.”

4G After section 25A insert –

“Power of Mayor of London to determine licence applications

25B Power of the Mayor of London to determine applications

- (1) This section applies where on an application of potential strategic importance to Greater London a London licensing authority –
 - (a) grants a premises licence having taken one or more of the steps under section 18(4)(a) to (c) in relation to the licence, or
 - (b) rejects the application to grant a premises licence under section 18(4)(d).
- (2) The London licensing authority must as soon as possible give notice to the applicant and the Greater London Authority of –
 - (a) its decision to grant the premises licence and the steps, and reasons for the steps, taken under section 18(4)(a) to (c) in relation to the licence (including the detail of any modifications made to conditions under section 18(4)(a)), or
 - (b) its decision to reject the application under section 18(4)(d) and the reasons for doing so.
- (3) But the decision of the London licensing authority in relation to the application does not otherwise have effect unless and until the Mayor of London gives notice under subsection (6) of a decision under subsection (5)(b).
- (4) Accordingly, the London licensing authority must not take any steps under this Act in relation to the decision (including giving notice under section 23) unless and until such a notice is given.
- (5) The Mayor of London must by the end of the specified period decide –
 - (a) to give a direction to the London licensing authority in relation to the application (see section 25C), or
 - (b) that the decision of the London licensing authority in relation to the application is to have effect for the purposes of this Act (and, accordingly, any requirements in relation to that decision now apply).
- (6) The Mayor of London must give notice of the Mayor’s decision under subsection (5) to –
 - (a) each interested party;
 - (b) any person who made relevant representations in relation to the application under section 18.
- (7) On receipt of a notice under subsection (6), the London licensing authority must as soon as reasonably practicable advertise the decision of the Mayor.
- (8) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (7) is to be made.

(9) In this section—

- “application of potential strategic importance to Greater London” means an application that has been notified to a London licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;
- “interested party” has the same meaning as in section 17A (see subsection (7) of that section);
- “specified” means specified in regulations made by the Secretary of State.

25C Directions by the Mayor of London

- (1) Where section 25B(5)(a) applies the Mayor of London must direct the London licensing authority—
 - (a) to grant the licence in accordance with the application subject only to—
 - (i) such conditions specified in the direction as are consistent with the operating schedule accompanying the application, and
 - (ii) any conditions which must under section 19, 20 or 21 be included in the licence,
 - (b) to grant the licence subject to—
 - (i) the conditions mentioned in subsection (1)(a)(i) with such permitted modifications as may be specified in the direction, and
 - (ii) any condition which must under section 19, 20 or 21 be included in the licence,
 - (c) to grant the licence in accordance with paragraph (a) or (b), but to also do one or both of the following—
 - (i) exclude from the scope of the licence any of the licensable activities which were excluded by the decision of the London licensing authority in relation to the application under section 18(4)(b);
 - (ii) refuse to specify a person in the licence as the premises supervisor where the London licensing authority refused to specify that person in their decision in relation to the application under section 18(4)(c), or
 - (d) to reject the application.
- (2) The Mayor may only give a direction to the London licensing authority under subsection (1)(d) to reject the application if the application was rejected by the authority under section 18(4)(d).
- (3) The London licensing authority must grant the licence or reject the application in accordance with the direction given under subsection (1).
- (4) When giving a direction under this section the Mayor must have regard to—

- (a) the licensing policy statement published by the Mayor under section 8A, and
 - (b) the importance of promoting the licensing objectives.
- (5) Directions given under subsection (1)(a) or (b) may have the effect of requiring a premises licence to be granted subject to different conditions in respect of –
 - (a) different parts of the premises concerned;
 - (b) different licensable activities.
- (6) A direction under this section must state the Mayor’s reasons for giving the direction.
- (7) For the purposes of subsection (1)(b)(i) the conditions mentioned in subsection (1)(a)(i) are modified if any of them is altered or omitted or any new condition is added.
- (8) For the purposes of subsection (1)(b)(i), a modification to a condition is “permitted” if –
 - (a) the condition was modified by the London licensing authority when granting the licence under section 18(4)(a), and the modification is –
 - (i) the same as that modification, or
 - (ii) in the Mayor’s opinion less restrictive than that modification (but see subsection (9)), or
 - (b) the condition relates to an application that was rejected by the London licensing authority under section 18(4)(d).
- (9) The Mayor may not make a modification to a condition under subsection (8)(a)(ii) if the effect of the modification would be that the condition would apply to a different part of the premises, or to different licensable activities, than that it applied to as modified by the London licensing authority under section 18(4)(a).

25D Issue of licence etc by licensing authority

- (1) A London licensing authority that grants a licence on a direction under section 25C(1)(a) to (c) must as soon as possible –
 - (a) give notice that the licence is granted to –
 - (i) the applicant,
 - (ii) each responsible authority in relation to the premises to which the application relates,
 - (iii) any person who made relevant representations under section 18 in respect of the application, and
 - (iv) the chief officer of police for the police area (or each police area) in which the premises are situated, and
 - (b) issue the applicant with the licence and a summary of it.

- (2) A London licensing authority that rejects an application on a direction under section 25C(1)(d) must as soon as possible give notice that the application is rejected to—
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 18 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (3) A notice under subsection (1) or (2) must state the Mayor’s reasons for giving the direction as notified to the London licensing authority under section 25C(6).”

4H After section 34 insert—

“34A Applications to vary of potential strategic importance: Greater London

- (1) A London licensing authority must as soon as possible give notice to the Greater London Authority of any application made to it under section 34 that is a relevant application.
- (2) A “relevant application” is an application to vary a premises licence in Greater London where the premises are, or would after the variation be, used for one or more of the following activities—
 - (a) the sale by retail of alcohol;
 - (b) the provision of regulated entertainment;
 - (c) the provision of late night refreshment.
- (3) The Greater London Authority must give notice to each interested party if the Authority considers that the relevant application is an application to vary of potential strategic importance to Greater London.
- (4) On receipt of a notice under subsection (3), the London licensing authority must as soon as reasonably practicable advertise the determination of the Greater London Authority.
- (5) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (4) must be made.
- (6) For the purposes of subsection (3) “application to vary of potential strategic importance to Greater London” is to be interpreted in accordance with regulations made by the Secretary of State.
- (7) In this section, an “interested party” in relation to an application means—
 - (a) the London licensing authority that the application was made to;
 - (b) the applicant;
 - (c) each responsible authority in relation to the premises to which the application relates.”

4I In section 35 (determination of application under section 34), after subsection (7) insert—

“(8) Where a London licensing authority is to hold a hearing in accordance with subsection (3) in relation to an application to vary of potential strategic importance to Greater London, the authority must give to the Greater London Authority—

- (a) in advance of the hearing, specified information relating to the hearing within the specified period;
- (b) following the hearing, specified information relating to the hearing within the specified period.

(9) In this section—

“application to vary of potential strategic importance to Greater London” means an application to vary a premises licence that has been notified to the London licensing authority by the Greater London Authority under section 34A(3);

“specified” means specified in regulations made by the Secretary of State.”

4J After section 41 insert—

“Power of Mayor of London to determine applications to vary

41ZA Power of the Mayor of London to determine applications to vary

(1) This section applies where, on an application to vary of potential strategic importance to Greater London, a London licensing authority—

- (a) grants an application to vary a premises licence in whole under section 35 and modifies the conditions of the licence under subsection (4)(a) of that section,
- (b) rejects an application to vary a premises licence in whole under section 35(4)(b), or
- (c) rejects an application to vary a premises licence in part under section 35(4)(b) and grants the other part (whether with or without modifying the conditions of the licence).

(2) The London licensing authority must as soon as possible give notice to the applicant and the Greater London Authority of—

- (a) its decision to grant the application in whole and modify the conditions of the licence and the reasons for doing so (including the detail of the modifications made),
- (b) its decision to reject the application in whole and the reasons for doing so, or
- (c) its decision to reject part of the application and to grant the other part with or without modifying the conditions of the licence, and the reasons for doing so (including the detail of any modifications made).

- (3) But the decision of the London licensing authority in relation to the application does not otherwise have effect unless and until –
 - (a) the Mayor of London gives notice under subsection (8) of a decision under subsection (7)(b), or
 - (b) the obligations on the Mayor of London under subsection (7) of this section or section 41ZB cease to apply (see section 41ZC).
- (4) Accordingly, the London licensing authority must not take any steps under this Act in relation to the decision (including taking steps under section 56) unless and until the circumstances in subsection (3)(a) or (b) apply.
- (5) Where the decision of the London licensing authority has effect by virtue of subsection (3)(b), that decision is to take effect as subject to the intervening decision made by the authority in relation to the licence (see section 41ZC(2)(a)).
- (6) For the purpose of supplementing subsection (5), the Secretary of State may by regulations make provision modifying any provision of this Act as it applies to a decision of the London licensing authority that has effect by virtue of subsection (3)(b).
- (7) The Mayor of London must by the end of the specified period decide –
 - (a) to give a direction to the London licensing authority in relation to the application (see section 41ZB), or
 - (b) that the decision of the London licensing authority in relation to the application has effect for the purposes of this Act (and, accordingly, any requirements in relation to that decision now apply).
- (8) The Mayor of London must give notice of the Mayor’s decision under subsection (7) to –
 - (a) each interested party;
 - (b) any person who made relevant representations in relation to the application under section 35.
- (9) On receipt of a notice under subsection (8), the London licensing authority must as soon as reasonably practicable advertise the decision of the Mayor.
- (10) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (9) must be made.
- (11) In this section –

“application to vary of potential strategic importance to Greater London” means an application to vary a premises licence that has been notified to the London licensing authority by the Greater London Authority under section 34A(3) as being of potential strategic importance to Greater London;

“interested party” has the same meaning as in section 34A;

“specified” means specified in regulations made by the Secretary of State.

41ZB Directions by the Mayor of London

- (1) Where section 41ZA(7)(a) applies the Mayor of London must direct the London licensing authority –
 - (a) to grant the application in whole with or without such permitted modifications to the conditions of the licence as may be specified in the direction,
 - (b) to reject the application in whole, or
 - (c) to grant part of the application with or without such permitted modifications to the conditions of the licence as may be specified in the direction (and to reject the other part of the application).
- (2) The Mayor may only give a direction to the London licensing authority under subsection (1)(b) or (c) to reject the application in whole or in part if the application, or that part of the application, was rejected by the authority under section 35(4)(b).
- (3) The London licensing authority must grant or reject the application in accordance with the direction given under subsection (1).
- (4) Subsection (1)(a) and (c) are subject to sections 19 to 21 (which require certain conditions to be included in premises licences).
- (5) A direction under this section may not require a licence to be varied so as –
 - (a) to extend the period for which the licence has effect, or
 - (b) to vary substantially the premises to which it relates.
- (6) Directions given under subsection (1)(a) or (c) may have the effect of requiring a premises licence to be varied so as to have effect subject to different conditions in respect of –
 - (a) different parts of the premises concerned;
 - (b) different licensable activities.
- (7) When giving a direction under this section the Mayor must have regard to –
 - (a) the licensing policy statement published by the Mayor under section 8A, and
 - (b) the importance of promoting the licensing objectives.
- (8) A direction under this section must state the Mayor’s reasons for giving that direction.
- (9) For the purposes of subsection (1)(a) and (c), the conditions are modified if any of them is altered or omitted or any new condition is added.
- (10) For the purposes of subsection (1)(a) or (c), a modification to a condition is “permitted” if –

- (a) the condition was modified by the London licensing authority when granting the application in whole or in part under section 35(4)(a), and the modification is—
 - (i) the same as that modification, or
 - (ii) in the Mayor’s opinion less restrictive than that modification (but see subsection (11)), or
 - (b) the condition relates to an application, or part of an application, that was rejected by the London licensing authority under subsection 35(4)(b).
- (11) The Mayor may not make a modification to a condition under subsection (10)(a)(ii) if the effect of the modification would be that the condition would apply to a different part of the premises, or to different licensable activities, than that it applied to as modified by the London licensing authority under section 35(4)(a).

41ZC Intervening decision by a London licensing authority

- (1) The obligations on the Mayor of London under section 41ZA(7) or 41ZB in relation to an application to vary of potential strategic importance to Greater London cease to apply if the conditions in subsection (2) are met in relation to the obligation in question.
- (2) The conditions in this subsection are met if—
 - (a) the London licensing authority that made the decision under section 35 in relation to the application to vary the premises licence has, before the relevant time, made an intervening decision in relation to the licence, and
 - (b) the authority has given notice of that decision to the Mayor of London.
- (3) In this section, an “intervening decision” means a decision—
 - (a) to take any of the steps under section 52(4) on an application for review of the licence;
 - (b) to take any of the steps under section 53C(3) on an application by a senior police officer for review of the licence;
 - (c) to take any of the steps under section 167(6) on a review of the licence following a closure order.
- (4) The “relevant time” for the purposes of subsection (2)(a)—
 - (a) in relation to the obligation to make a decision under section 41ZA(7), is the time at which the Mayor makes the decision,
 - (b) in relation to an obligation to give a direction under section 41ZB, is the time at which the direction is given.

41ZD Notification by the London licensing authority

- (1) A London licensing authority that grants an application (or any part of an application) on a direction under section 41ZB must as soon as possible give notice to that effect to –
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 35 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (2) The notice under subsection (1) must –
 - (a) specify the time when any variation takes effect, and
 - (b) specify any modifications to conditions of the licence.
- (3) The time for the purposes of subsection (2) is the time specified in the application or, if that time is before the applicant is given notice under this section, such later time as the London licensing authority specifies in the notice.
- (4) A London licensing authority that rejects an application (or any part of an application) on a direction under section 41ZB must as soon as possible give notice to that effect to –
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 35 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (5) A notice under subsection (1) or (4) must state the Mayor’s reasons for giving the direction as notified to the London licensing authority under section 41ZB(8).”

4K In section 54 (form of applications and notices) –

- (a) in paragraph (a), after “form” insert “or content”;
- (b) after paragraph (b) insert –

“(ba) the period within which it is to be made or given;”.

4L In section 56 (licensing authority’s duty to update licence document), in subsection (1), after paragraph (a) insert –

- “(aa) a London licensing authority, in relation to a premises licence, is subject to a direction under section 41ZB (directions by Mayor of London);”.

4M In section 181 (appeals against decisions of licensing authorities) –

- (a) in the heading, after “licensing authorities” insert “or the Mayor of London”;
- (b) in subsection (1), after “licensing authorities” insert “or the Mayor of London”;
- (c) in subsection (2), in the opening words, after “licensing authority” insert “or the Mayor of London”;
- (d) in subsection (2)(b), after “authority” insert “or (as the case may be) the Mayor”;
- (e) in subsection (2)(c), after “authority” insert “or (as the case may be) the Mayor”.

4N In section 185 (provision of information) –

- (a) in subsection (1) –
 - (i) the words from “information which” to the end become paragraph (a);
 - (ii) after that paragraph insert “, and
 - (b) information which is held by or on behalf of the Mayor of London in connection with the Mayor’s functions under this Act.”;
- (b) in subsection (2) –
 - (i) at the end of paragraph (a) omit “or”;
 - (ii) at the end of paragraph (b) insert “or
 - (c) to the Mayor of London,”;
 - (iii) in the closing words, after “functions” insert “or the Mayor’s functions”;
- (c) in subsection (3), for “or responsible authority” substitute “, responsible authority or the Mayor of London”.

4P In Schedule 5 (appeals) –

- (a) after paragraph 1 insert –

“1A Where the Mayor of London gives a direction to a London licensing authority –

 - (a) to reject an application for a premises licence under section 25C, or
 - (b) to reject (in whole or in part) an application to vary a premises licence under section 41ZB,

the applicant may appeal against the direction.”;
- (b) after paragraph 2 insert –

“2A (1) This paragraph applies where the Mayor of London gives a direction to a London licensing authority under section 25C to grant a premises licence.

(2) The holder of the licence may appeal against the following aspects of any such direction –

 - (a) to impose conditions on the licence under subsection (1)(a)(i) of that section;

- (b) to impose conditions on the licence under subsection (1)(b)(i) of that section;
 - (c) to exclude licensable activities from the scope of the licence under subsection (1)(c)(i) of that section;
 - (d) to refuse to specify a person in the licence as the premises supervisor under subsection (1)(c)(ii) of that section.
- (3) A person who made relevant representations in relation to the application under section 18 may appeal against the Mayor's direction to grant the licence on the following basis –
 - (a) that the licence ought not to have been granted, or
 - (b) that the direction ought to have imposed different or additional conditions under section 25C(1)(a)(i) or (b)(i), or to have taken a step mentioned in section 25C(1)(c)(i) or (ii).”;
- (c) in the heading of paragraph 4, after “35” insert “or 41ZB”;
- (d) after paragraph 4 insert –

“4A (1) This paragraph applies where the Mayor of London gives a direction to a London licensing authority under section 41ZB to grant an application to vary a premises licence (in whole or in part).

(2) The applicant may appeal against any direction under that section to make permitted modifications to the conditions of the licence.

(3) A person who made relevant representations in relation to the application under section 35 may appeal against the Mayor's direction to grant the application on the following basis –

 - (a) that any variation made ought not to have been made, or
 - (b) that, when directing the licence to be varied, the Mayor ought not to have directed that permitted modifications be made to the conditions of the licence, or ought to have directed that different permitted modifications be made to the conditions.

(4) In sub-paragraph (3), “permitted modifications” has the meaning given in section 41ZB(10).”;
- (e) in paragraph 9 –
 - (i) in sub-paragraph (2), for the words from “the day” to the end substitute –

“(a) on an appeal under paragraph 1A, 2A or 4A, the day on which the appellant was notified by the London licensing authority of the outcome of the direction appealed against, and

- (b) on any other appeal under this Part, the day on which the appellant was notified by the licensing authority of the decision appealed against.”;
- (ii) after sub-paragraph (3) insert –
 - “(3A) On an appeal under paragraph 2A(3) or 4A(3), the holder of the premises licence is to be the respondent in addition to the Mayor of London.””

Member's explanatory statement

This amendment inserts provisions into the Licensing Act 2003 to give the Mayor of London the power to make a new determination on applications to grant or vary premises licences in Greater London if the Mayor considers that the application is of potential strategic importance to Greater London.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 265, line 8, leave out “2 to 4” and insert “1A to 4P”

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 24, page 265, leave out lines 17 to 30

Member's explanatory statement

This amendment is consequential on the amendment in my name inserting new provisions into the Licensing Act 2003 to confer powers on the GLA and the Mayor of London.

Schedule 25

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 25, page 274, line 28, at end insert –

“Exercise of functions may begin at different times etc

- 16A(1) This paragraph applies to a power under this Schedule to confer a function on, or provide for a function to be exercisable by, a class of strategic authorities or mayors (the “relevant class”).
- (2) The power includes –
 - (a) the power to provide for the function to begin to be exercisable by different members of the relevant class at different times or in different circumstances;

- (b) the power to make further regulations which specify the times at which, or circumstances in which, the function is to begin to be exercisable by different members of the relevant class.
- (3) Regulations under sub-paragraph (2)(b) may be made in relation to different members of the relevant class at different times.
- (4) In this paragraph “different members” of the relevant class includes members of the relevant class that are of different descriptions specified in regulations made under the power.”

Member's explanatory statement

This would make clear that regulations under Schedule 25 can provide for a function conferred on a class to become exercisable (a) by different members of the class at different times; and (b) by virtue of regulations.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 25, page 277, line 13, at end insert—

“Mayoral strategic authorities: period before first mayor takes office

- 26 (1) The fact that a mayoral strategic authority is in the preparatory phase—
 - (a) does not prevent regulations under this Schedule from making provision which applies to—
 - (i) the mayor for its area, or
 - (ii) the mayoral strategic authority; and
 - (b) where a provision of this Schedule requires consultation with the members of a class which includes the mayoral strategic authority or the mayor for its area, does not—
 - (i) prevent that requirement from being complied with by a consultation that does not involve the mayor, or
 - (ii) require further consultation with the mayor after the first mayor has taken office.
- (2) Any power under this Schedule to make provision in relation to mayoral strategic authorities or mayors (the “relevant class”) must be read as enabling regulations to make provision in relation to the relevant class which applies only to—
 - (a) those of the mayoral strategic authorities in the relevant class which are in the preparatory phase, or
 - (b) those of the mayors in the relevant class that are mayors for the areas of mayoral strategic authorities which are in the preparatory phase.
- (3) Regulations under this Schedule may make provision which applies only to—
 - (a) mayoral strategic authorities which are in a preparatory phase that is of a duration specified in the regulations, or
 - (b) mayors for the areas of mayoral strategic authorities which are in a preparatory phase that is of a duration specified in the regulations.

- (4) For the purposes of this paragraph a mayoral strategic authority is in the “preparatory phase” –
- (a) after the authority has been established, but
 - (b) before the first mayor for the authority’s area has taken office.”

Member's explanatory statement

This would make clear that the powers under Schedule 25 are not affected by a mayoral strategic authority being in the “preparatory phase” (the phase before the first mayor has taken office).

Schedule 27

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 27, page 281, leave out line 15

Member's explanatory statement

This amendment and the other amendment of this provision in my name would limit the regulation-making power conferred by the new section 11A of the Local Government and Public Involvement in Health Act 2007. They would remove the ability to amend Acts other than the 2007 Act.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 27, page 281, line 18, at end insert –

“but it does not include an Act other than this Act.”

Member's explanatory statement

This amendment and the other amendment of this provision in my name would limit the regulation-making power conferred by the new section 11A of the Local Government and Public Involvement in Health Act 2007. They would remove the ability to amend Acts other than the 2007 Act.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 27, page 288, line 18, leave out paragraph (a)

Member's explanatory statement

This would remove the amendment of section 9KC(2)(b) of the Local Government Act 2000. A resolution of a local authority to change governance arrangements would therefore still need to be publicised in a local newspaper.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 27, page 288, line 23, leave out sub-paragraph (3)

Member's explanatory statement

This would remove the amendment of section 9MA(7)(b) of the Local Government Act 2000. A referendum proposed by a local authority on a change in governance arrangements would therefore still need to be publicised in a local newspaper.

LORD SHIPLEY

Leave out Schedule 27

Member's explanatory statement

This amendment and another in Lord Shipley's name removes the requirement to retain a leader and cabinet structure in local government, instead allowing local authorities the choice of determining their own governance models.

Schedule 28

LORD PACK

- ★ Schedule 28, page 289, line 8, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 289, line 12, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 289, line 29, leave out from beginning to end of line 30 on page 290 and insert —

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with —

- (a) the number 1 opposite the name of the candidate who is the voter's first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter's second preference,
 and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters' first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate's votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned."

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

★

Schedule 28, page 290, line 37, leave out "second" and insert "subsequent"

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 291, line 7, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 291, line 9, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 291, line 19, leave out from beginning to end of line 22 on page 292 and insert –

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with –
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,
 and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows –

- (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 292, line 34, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 292, line 37, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 293, line 10, leave out from beginning to end of line 11 on page 294 and insert –

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with –
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 294, line 25, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 294, line 29, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 294, line 33, leave out from beginning to end of line 26 on page 295 and insert –

- “(2) A voter votes by marking the ballot paper with –
- (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,
- and so on.
- (3) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
 - (4) Subsections (5) to (8) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
 - (5) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
 - (6) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;

- (b) any votes not reallocated shall play no further part in the counting.
- (7) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (8) If not, the process mentioned in paragraph (6) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (9) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 296, line 4, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 296, line 8, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- ★ Schedule 28, page 296, line 12, leave out from beginning to end of line 3 of page 297 and insert –

“(2) A voter votes by marking the ballot paper with –

- (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);

- (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter's second preference,
 and so on.
- (3) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (4) Subsections (5) to (8) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (5) Votes shall be allocated to candidates in accordance with voters' first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (6) If not, the candidate with the fewest votes is eliminated and that candidate's votes shall be dealt with as follows—
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (7) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (8) If not, the process mentioned in paragraph (6) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (9) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned."

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON



Leave out Schedule 28

Member's explanatory statement

This removes the provisions which re-introduce the supplementary vote system for the elections of mayors and police and crime commissioners.

Schedule 29

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 29, page 298, line 1, leave out “5” and insert “10”

Member's explanatory statement

This changes the time period during which an asset of community value is to be included on a local authority's list from 5 years to 10 years.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 29, page 319, line 38, at end insert—

- “2 (1) A list of land of community value maintained immediately before the relevant day by a local authority in England under section 87(1) of the Localism Act 2011 (“the original asset list”) is to have effect on and after that day as a list of land of community value maintained by that authority under section 86A(1) of that Act (“the new asset list”).
- (2) Any land that is included in the new asset list by virtue of sub paragraph (1) is to be treated as entered in that list on the date on which the land was entered in the original asset list.
- (3) A list of land nominated by unsuccessful community nominations maintained immediately before the relevant day by a local authority in England under section 93(1) of the Localism Act 2011 (“the original unsuccessful nominations list”) is to have effect on and after that day as a list of land nominated by unsuccessful community nominations maintained by that authority under section 86I(1) of that Act (“the new unsuccessful nominations list”).
- (4) Any land that is included in the new unsuccessful nominations list by virtue of sub paragraph (3) is to be treated as entered in that list on the date on which the land was entered in the original unsuccessful nominations list.
- (5) This paragraph does not limit the power under section 92(10) to make any other transitional provision in connection with the coming into force of paragraph 1 of this Schedule.
- (6) In this paragraph, “the relevant day” is the day on which paragraph 1 of this Schedule comes into force.”

Member's explanatory statement

This makes transitional provision so that the list of assets of community value and unsuccessful community nominations currently held by a local authority will become the list of assets of community value and unsuccessful community nominations under the new community right to buy provisions for England inserted by Schedule 29 to the Bill.

After Schedule 29

BARONESS TAYLOR OF STEVENAGE
LORD BLUNKETT

★ After Schedule 29, insert the following new Schedule—

“SCHEDULE**PROHIBITION OF PARKING ON FOOTWAYS AND VERGES***Prohibition of parking*

- 1 (1) The Secretary of State may make regulations for the purpose of giving each English local transport authority the power to impose a prohibition on the parking of motor vehicles on the footways and verges which form part of the relevant highways in the authority’s area.
- (2) But parking regulations may not give an English local transport authority the power to impose a prohibition on parking in any place that is not in a civil enforcement area for parking contraventions under Part 2 of Schedule 8 to the Traffic Management Act 2004.
- (3) Parking regulations may make provision about the meaning of “parking” (and cognate expressions) for the purposes of parking prohibitions.
- (4) Parking regulations may amend an Act passed before, or in the same session as, this Act.
- (5) Parking regulations are subject to affirmative procedure.
- (6) Paragraphs 2 to 9 deal with particular kinds of provision that may be made by parking regulations.

Imposition of, and publicity for, a parking prohibition

- 2 Parking regulations may make provision about—
 - (a) the process by which, and manner in which, the power to prohibit parking is exercisable;
 - (b) the manner in which the imposition of a parking prohibition may or must be publicised.

Exclusions: roads etc

- 3 (1) Parking regulations may exclude particular descriptions of relevant highways or parts of relevant highways from parking prohibitions (including parts of relevant highways designated by, or by virtue of, an Act or secondary legislation as a place where parking is permitted).
- (2) Parking regulations may give an English local transport authority the power to exclude—
 - (a) particular relevant highways or parts of relevant highways, or
 - (b) particular parts of the authority’s area,

from a parking prohibition.

- (3) Parking regulations made in accordance with this paragraph may provide for an exclusion to apply only if particular conditions are met.

Exclusions: vehicles and usage

- 4 (1) Parking regulations may exclude any of the following from parking prohibitions –
- (a) particular descriptions of motor vehicles;
 - (b) motor vehicles which are used or parked for particular purposes or in particular circumstances.
- (2) Parking regulations made in accordance with this paragraph may provide for an exclusion to apply only if particular conditions are met.

Traffic signs

- 5 (1) Parking regulations may make provision about traffic signs relating to parking prohibitions (“relevant traffic signs”).
- (2) Parking regulations made under sub-paragraph (1) may –
- (a) require traffic authorities to carry out functions in relation to relevant traffic signs (including provision giving English local transport authorities the power to give directions to traffic authorities to carry out such functions);
 - (b) may require co-operation among, or between, one or more of the following in respect of functions relating to relevant traffic signs –
 - (i) English local transport authorities;
 - (ii) traffic authorities;
 - (iii) local authorities.
- (3) This paragraph does not limit any power or duty relating to traffic signs arising under any other Act or secondary legislation; but that does not limit the provision that may be made under this paragraph.
- (4) In this paragraph –
- “local authority” means –
 - (a) a county council in England,
 - (b) a unitary district council, or
 - (c) a metropolitan district council;
 - “traffic sign” has the same meaning as in the Road Traffic Regulation Act 1984 (see section 64 of that Act).

Defences

- 6 Parking regulations may provide for defences to contraventions of a parking prohibition.

Consultation and guidance

- 7 (1) Parking regulations may require English local transport authorities to carry out consultation in connection with the exercise of functions under parking regulations.
- (2) Parking regulations –
- (a) may give the Secretary of State power to issue guidance;
 - (b) may require a person to whom the guidance is directed to have regard to it.

Enforcement

- 8 (1) Schedule 7 to the Traffic Management Act 2004 (road traffic contraventions subject to civil enforcement) is amended in accordance with this paragraph.
- (2) In paragraph 4 (contraventions outside Greater London involving stationary vehicles), after sub-paragraph (2) insert –
- “(3) Outside Greater London there is a parking contravention in relation to a vehicle if it is parked in contravention of a prohibition imposed by an English local transport authority in accordance with regulations made under Schedule (*Prohibition of parking on footways and verges*) to the English Devolution and Community Empowerment Act 2026 (parking on footways and verges).”

Repeal of existing legislation

- 9 Parking regulations may repeal an Act if, or to the extent that, it prohibits the parking of motor vehicles on footways and verges, or any similar part of a road, whether or not a relevant highway as defined in paragraph 11, in England, or any part of England, outside Greater London.

Crown application

- 10 This Schedule applies to the parking of –
- (a) motor vehicles in the public service of the Crown that are required to be registered under the Vehicle Excise and Registration Act 1994, and
 - (b) motor vehicles belonging to, or used for the purposes of, a Minister of the Crown or Government department.

Interpretation

- 11 In this Schedule –
- “carriageway” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);
 - “cycle track” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);
 - “English local transport authority” means –

- (a) a local transport authority (which has the same meaning as in Part 2 of the Transport Act 2000 – see section 108(4) of that Act) in England, and
 - (b) the Council of the Isles of Scilly;
- “footway” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);
- “highway maintainable at the public expense” has the same meaning as in the Highways Act 1980 (see section 328 of that Act);
- “motor vehicle” has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 136 to 140 of that Act);
- “parking” includes stopping (and “parked” is to be construed accordingly);
- “parking prohibition” means a prohibition on the parking of motor vehicles imposed by an English local transport authority through the exercise of a power conferred by parking regulations;
- “parking regulations” means regulations made under paragraph 1(1);
- “relevant highway” means any length of highway maintainable at the public expense, but does not include any special road;
- “special road” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);
- “unitary district council” means the council for a non-metropolitan district for which there is no county council;
- “verge” means any part of a relevant highway which is not a carriageway, footway or cycle track.”

Member's explanatory statement

This would enable the Secretary of State to make regulations which give English local transport authorities the power to prohibit the parking of motor vehicles on footways and verges.

Schedule 33

BARONESS TAYLOR OF STEVENAGE

★

Schedule 33, page 350, line 21, at end insert –

- “18A In section 32(3) (consultation about proposed accounts and audit regulations) –
- (a) for paragraph (a) substitute –
 - “(a) the Local Audit Office,”;
 - (b) for paragraph (c) substitute –
 - “(c) any external registration body.””

Member's explanatory statement

This amendment would add two minor amendments consequential on the new local audit regime.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 33, page 361, line 25, at end insert—

“(2A) In section 104(9A) (which is inserted by Schedule (*Mayoral combined authorities: overview and scrutiny committees*) to this Act and introduces Schedule 5AA to LDEDCA 2009), omit “and audit committees”.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral combined authorities, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 33, page 361, line 29, at end insert—

“(5) In Schedule 5AA (inserted by Schedule (*Mayoral combined authorities: overview and scrutiny committees*) to this Act)—
 (a) in the heading, omit “and audit committee”;
 (b) omit paragraph 9 and the preceding italic heading.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral combined authorities, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 33, page 361, line 32, at end insert—

“(2A) In section 15(1A) (which is inserted by Schedule (*CCAs: overview and scrutiny committees*) to this Act and introduces Schedule 1A to LURA 2023), omit “and audit committees”.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral CCAs, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

★ Schedule 33, page 362, line 4, at end insert—

“(5) In Schedule 1A (inserted by Schedule (*CCAs: overview and scrutiny committees*) to this Act)—

- (a) in the heading, omit “and audit committee”;
- (b) omit paragraph 9 and the preceding italic heading.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral CCAs, including provision which would maintain the current arrangements for audit. This amendment would repeal that wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

Schedule 34

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 363, line 31, leave out from “if” to end of line 38 and insert “—
- (a) at that time it is a business tenancy with a rent review,
 - (b) the tenancy was—
 - (i) granted, or
 - (ii) varied so that it is subject to rent review terms, after this Schedule came into force, and
 - (c) that grant or variation was not made under protected pre-commencement arrangements.
- (2) For that purpose “protected pre-commencement arrangements” means arrangements that were entered into before this Schedule came into force.
- (3) But arrangements under which the tenancy was granted are not protected pre-commencement arrangements if—
- (a) the tenancy is a new tenancy within the meaning of Schedule 7B,
 - (b) the arrangements are a tenancy renewal arrangement within the meaning of Schedule 7B, and
 - (c) the tenancy renewal arrangement was entered into on or after 17 March 2026,
- (and see paragraph 3(2) of Schedule 7B for the meaning of “new tenancy” and “tenancy renewal arrangement”).”

Member's explanatory statement

This would restructure paragraph 3 and make these changes: use “subject to” rent review terms (for consistency with paragraph 2(1)(b)); use “arrangements” (to catch any kind of arrangements, whether or not they would be regarded as a contract, eg. an option); and ensure that a tenancy is caught if granted by virtue of a pre-commencement tenancy renewal arrangement that is itself caught by Schedule 7B.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 364, line 27, leave out from “if” to end of line 2 on page 365 and insert “—
- (a) at that time it is a business tenancy with a rent review,

- (b) at that time the rent review terms –
 - (i) do not specify new passing rent, and
 - (ii) include elements 1 and 2,
 - (c) the tenancy was –
 - (i) granted, or
 - (ii) varied so that it is subject to rent review terms that do not specify the new passing rent and include elements 1 and 2, after this Schedule came into force, and
 - (d) that grant or variation was not made under protected pre-commencement arrangements.
- (2) For that purpose “protected pre-commencement arrangements” means arrangements that were entered into before this Schedule came into force.
- (3) But arrangements under which the tenancy was granted are not protected pre-commencement arrangements if –
- (a) the tenancy is a new tenancy within the meaning of Schedule 7B,
 - (b) the arrangements are a tenancy renewal arrangement within the meaning of Schedule 7B, and
 - (c) the tenancy renewal arrangement was entered into on or after 17 March 2026,
- (and see paragraph 3(2) of Schedule 7B for the meaning of “new tenancy” and “tenancy renewal arrangement”).”

Member's explanatory statement

This would restructure paragraph 6 and make these changes: use “subject to” rent review terms (for consistency with paragraph 2(1)(b)); use “arrangements” (to catch any kind of arrangements, whether or not they would be regarded as a contract, eg. an option); and ensure that a tenancy is caught if granted by virtue of a pre-commencement tenancy renewal arrangement that is itself caught by Schedule 7B.

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 367, line 17, leave out “includes” and insert “is subject to”

Member's explanatory statement

This would ensure that the language of paragraph 11(2)(a)(ii) is consistent with paragraph 2(1)(b).

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 367, line 23, leave out “includes” and insert “is subject to”

Member's explanatory statement

This would ensure that the language of paragraph 11(2)(b)(ii) is consistent with paragraph 2(1)(b).

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 367, line 27, leave out “a contract” and insert “arrangements”

Member's explanatory statement

This would ensure that any pre-commencement arrangements for the grant or variation of a tenancy would be caught by this provision, whether or not they would be regarded as a contract (eg. an option).

BARONESS TAYLOR OF STEVENAGE

- ★ Schedule 34, page 371, line 3, leave out “after this Schedule comes into force” and insert “on or after 17 March 2026”

Member's explanatory statement

This would provide for the provisions of Schedule 7B to apply to a “new lease” if it is granted under a tenancy renewal arrangement entered into on or after the day on which this amendment was tabled.

English Devolution and Community Empowerment Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
17 March 2026*

17 March 2026

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