

# English Devolution and Community Empowerment Bill

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SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

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*The amendments have been marshalled in accordance with the Instruction of 18th March 2026, as follows –*

Clauses 1 to 4	Clause 38
Schedule 1	Schedule 19
Clauses 5 and 6	Clause 39
Schedule 2	Schedule 20
Clauses 7 to 9	Clauses 40 to 43
Schedule 3	Schedule 21
Clauses 10 to 20	Clauses 44 to 46
Schedule 4	Schedule 22
Clauses 21 to 23	Clause 47
Schedule 5	Schedule 23
Clause 24	Clauses 48 to 50
Schedule 6	Schedule 24
Clause 25	Clauses 51 and 52
Schedule 7	Schedule 25
Clause 26	Clauses 53 to 57
Schedule 8	Schedule 26
Clauses 27 and 28	Clauses 58 and 59
Schedule 9	Schedule 27
Clauses 29 and 30	Clauses 60 and 61
Schedule 10	Schedule 28
Clause 31	Clauses 62 and 63
Schedule 11	Schedule 29
Clause 32	Clauses 64 to 73
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Clause 34	Clause 75
Schedule 15	Schedule 32
Clause 35	Clauses 76 to 84
Schedule 16	Schedule 33
Clause 36	Clause 85
Schedule 17	Schedule 34
Clause 37	Clauses 86 to 93
Schedule 18	Title

[Amendments marked ★ are new or have been altered]

**Amendment  
No.**

**Clause 15**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**81** Clause 15, page 19, line 24, after “to” insert “remove or to”

***Member's explanatory statement***

*This amendment would ensure functions can be removed as well as added to the GLA.*

**After Clause 15**

BARONESS PIDGEON

**82** After Clause 15, insert the following new Clause –

**“Power to require attendance at Assembly meetings**

- (1) Section 61 (power to require attendance at Assembly meetings) of the Greater London Authority Act 1999 is amended as follows.
- (2) In subsection (1), for “or (5)” substitute “, (5), (5A), or (5B)”.
- (3) After subsection (5) insert –
  - “(5A) This subsection applies to the Mayor of London.
  - (5B) This subsection applies to –
    - (a) any person who has professional competence, specialist knowledge or relevant experience connected to the delivery, management or oversight of services provided in or on behalf of Greater London, and
    - (b) any person who is a member of, or a member of staff of, a body which employs individuals with such competence, knowledge or experience.”

***Member's explanatory statement***

*This amendment expands the London Assembly's existing powers under the Greater London Authority Act 1999 to require the attendance of the Mayor, as well as experts and professionals involved in the delivery or oversight of London's services.*

## BARONESS O'NEILL OF BEXLEY

83 After Clause 15, insert the following new Clause –

**“Review of the London governance model**

Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a review of the effectiveness, accountability and outcomes of the Greater London Authority governance model, including lessons applicable to mayoral and combined authority arrangements established under this Act.”

BARONESS PIDGEON  
BARONESS O'NEILL OF BEXLEY

84 After Clause 15, insert the following new Clause –

**“Greater London Authority Act 1999: amendment of Schedule 6**

- (1) The Greater London Authority Act 1999 is amended as follows.
- (2) In Schedule 6 (procedure for determining the Authority’s consolidated council tax requirement), in paragraph 8(4), for “two-thirds of the Assembly members voting” substitute “a simple majority of the Assembly members voting”.”

***Member's explanatory statement***

*This amendment alters the voting requirement for the Assembly to change the Authority’s consolidated council tax requirement by replacing the two-thirds majority currently required under paragraph 8(4) of Schedule 6 to the Greater London Authority Act 1999 with a simple majority of the Assembly.*

**Clause 16**

LORD SHIPLEY

85 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

86 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 19**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

87 Clause 19, page 24, line 32, at end insert –

- “(f) the rate and distribution of economic growth in devolved areas, with particular reference to the impact of newly devolved powers, and
- (g) results of any evaluation of the overall quality and value for money of local service delivery in those areas.”

***Member's explanatory statement***

*This amendment expands the Secretary of State's reporting duties to provide a five-yearly assessment of the effects of newly devolved powers on economic growth, local service delivery, and value for money for taxpayers.*

**Clause 21**

BARONESS TAYLOR OF STEVENAGE

88 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

89 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

90 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

- 91 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

- 92 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”).*

LORD RAVENSDALE  
BARONESS BARRAN  
THE EARL OF CLANCARTY

- 93 Clause 22, page 33, line 14, at end insert –

**“103F Regional collaboration**

- (1) Two or more elected mayors may collaborate across mayoral combined authorities and create convening bodies whose purpose, priorities and membership are decided at a regional level.
- (2) For the purposes of subsection (1), convening bodies must work with existing regional organisations, and may –
  - (a) convene regional, public and private sector partners to promote a region internationally,
  - (b) develop investable propositions in key sectors and align trade, investment, major infrastructure and land use issues,
  - (c) coordinate arts, heritage, cultural and sporting activities, and
  - (d) ensure coherence across transport, skills, energy, social mobility and other areas of competence.”

**Member's explanatory statement**

*This amendment provides for partnerships at a pan-regional level (eg. the North or the Midlands) to enable broader collaboration between strategic authorities relating to economic growth, infrastructure and other areas of competence.*

BARONESS TAYLOR OF STEVENAGE

- 94 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  
BARONESS BENNETT OF MANOR CASTLE

- 95 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

96 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.*

**Schedule 5**

BARONESS BENNETT OF MANOR CASTLE

97 Schedule 5, page 140, line 33, after “vehicle” insert “, including those used for delivery services”

***Member’s explanatory statement***

*This is an amendment to ensure that providers of non-passenger micromobility vehicles referred to in this Schedule also include those who provide these vehicles for delivery services.*

## BARONESS BENNETT OF MANOR CASTLE

- 98 Schedule 5, page 141, line 24, at end insert –  
 “(aa) may be used to provide delivery services,”

## BARONESS PIDGEON

- 99 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

- 100 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

- 101 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

- 102 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.*

**Clause 27**

LORD MOYLAN

103 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.*

**Schedule 9**

LORD MOYLAN  
LORD SHIPLEY

104 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  
LORD SHIPLEY

105 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

106 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.*

## BARONESS BENNETT OF MANOR CASTLE

107 Schedule 9, page 167, line 13, leave out “using key route network roads”

***Member's explanatory statement***

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

## BARONESS BENNETT OF MANOR CASTLE

108 Schedule 9, page 167, line 17, leave out “using key route network roads”

***Member's explanatory statement***

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

## BARONESS BENNETT OF MANOR CASTLE

109 Schedule 9, page 167, line 22, leave out “using key route network roads”

***Member's explanatory statement***

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

## BARONESS BENNETT OF MANOR CASTLE

110 Schedule 9, page 167, line 27, leave out “using key route network roads”

***Member's explanatory statement***

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

## BARONESS BENNETT OF MANOR CASTLE

111 Schedule 9, page 167, line 31, leave out “using key route network roads”

**Member's explanatory statement**

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

BARONESS BENNETT OF MANOR CASTLE

- 112** Schedule 9, page 167, line 34, leave out “using key route network roads”

**Member's explanatory statement**

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

BARONESS BENNETT OF MANOR CASTLE

- 113** Schedule 9, page 169, line 16, leave out paragraph 11

**Member's explanatory statement**

*This amendment and others to Schedule 9 would apply the traffic reporting duty to all local roads within the area of local transport authority, ensuring alignment of the duty with the scope of their respective local transport plan.*

**Clause 29**

BARONESS BENNETT OF MANOR CASTLE

- 114** Clause 29, page 38, line 23, after “policies” insert “and proposals”

**Member's explanatory statement**

*This amendment and another to Clause 29 requires local highway authorities to implement proposals in transport plans produced by strategic authorities outside London, in the same way as is already the case within London, as provided for by section 151(1) of the Greater London Authority Act 1999.*

BARONESS BENNETT OF MANOR CASTLE

- 115** Clause 29, page 39, leave out lines 11 and 12

**Schedule 10**

BARONESS BENNETT OF MANOR CASTLE

- 116** Schedule 10, page 171, leave out lines 22 to 24 and insert —  
“(8) A local transport authority —

- (a) must review the local transport plan whenever the local transport authority thinks it appropriate to do so, and
- (b) in any event, must subsequently amend the local transport plan at intervals of no more than five years.”

***Member's explanatory statement***

*This amendment removes the obligation for unanimous approval from all constituent authorities outside mayoral areas to approve a local transport plan. It instead requires local transport authorities to keep their local transport plans under review and to amend them at least every five years to ensure they remain up-to-date. This would bring the review frequency of these plans in line with other plans and policies, such as the requirement for National Policy Statements.*

BARONESS BENNETT OF MANOR CASTLE

117 Schedule 10, page 173, line 23, at end insert –

“15A (1) In section 178 (preliminary) –

- (a) in subsection (1) omit “workplace”;
- (b) in subsection (4) omit first and second “workplace”;
- (c) in subsection (5), at end insert –

“(d) by a combined authority or combined county authority.”

(2) In section 182 (workplace parking places) –

- (a) in subsection (1) omit “workplace”;
- (b) subsection (5) omit “workplace”.

(3) In section 190 (rights of entry), in subsection (1) and (1)(a) omit “workplace”.

(4) In section 198(1) (interpretation of Part III), in the definition of “local transport policies”, at end insert “and include the policies of an applicable local transport plan as defined in section 113.””

***Member's explanatory statement***

*This amendment extends the power to create parking levies from local authorities to strategic authorities. It enables the relevant national authority to widen the purposes of parking that a levy could apply to. Where a strategic authority had become the local transport authority and thereby become responsible for preparing a local transport plan, it would deem that plan as forming the policies of any constituent authorities for the purposes of this Part.*

BARONESS BENNETT OF MANOR CASTLE

118 Schedule 10, page 175, line 15, at end insert –

“Road Traffic Regulation Act 1984

22 Section 55 of the Road Traffic Regulation Act 1984 (financial provisions relating to designation orders) is amended as follows.

23 In subsection (4)(d)(iii), leave out “in the case of a London authority,”.

24 After subsection (4)(f), insert –

- “(g) in the case of an authority outside London, meeting all or any part of the cost of the doing by the authority in their area of anything –
  - (i) which facilitates the implementation of the applicable local transport plan (as defined in the Transport Act 2000; see section 113 of that Act), and
  - (ii) which is for the time being specified in that plan as a purpose for which a surplus may be applied by virtue of this paragraph;
- (h) in the case of an authority outside London (the first authority), the making to any other constituent council (the second authority) of a combined authority or a combined county authority (as defined in the Transport Act 2000; see section 113 of that Act) within which the first authority is situated of contributions towards the cost of the doing by the second authority of anything towards the doing of which in its own area the first authority has power –
  - (i) to apply any surplus on the account required to be kept under subsection (1) above, or
  - (ii) to incur expenditure required to be brought into that account.”

25 After subsection (4B)(c), insert –

- “(d) the improvement of the natural environment (as defined in the Environment Act 2021; see section 1 of that Act);
- (e) the reduction of the impact of climate change and the adaptation to climate change (as defined in the Climate Change Act 2008; see sections 56 and 58 of that Act).”

***Member's explanatory statement***

*This amendment seeks to give local authorities outside London the same power as those within to apply parking surplus for road maintenance, for purposes set out in the applicable local transport plan or to neighbouring authorities covered by the same transport plan for similar purposes. It would also modernise the scope of environmental improvements that could be funded by authorities across England.*

**After Clause 31**

LORD RAVENSDALE  
LORD YOUNG OF COOKHAM  
LORD BLUNKETT

119 After Clause 31, insert the following new Clause –

**“Tackling youth unemployment**

In their delivery of functions under this Act, strategic authorities must work in partnership with local businesses and education (including further education) providers to prevent and reduce local youth unemployment.”

***Member's explanatory statement***

*This amendment would enable a partnership approach within the duties of strategic authorities to prevent and reduce local youth unemployment, including those who are not in education, employment or training.*

**After Clause 37**

BARONESS MCINTOSH OF PICKERING

120 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.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

121 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.”

**Schedule 20**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**122** Schedule 20, page 227, line 22, at end insert –

“(d) identify the spatial development implications required to meet the employment, industrial, commercial and logistic growth opportunities identified in the local growth plan.”

***Member's explanatory statement***

*This amendment would identify the projects needed to be included in a spatial development strategy to support growth.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**123** Schedule 20, page 227, line 22, at end insert –

“(d) identify the infrastructure projects required to meet the growth priorities and spatial development implications of employment-related growth opportunities.”

***Member's explanatory statement***

*This amendment would ensure that the infrastructure projects needed to support growth are identified.*

BARONESS MCINTOSH OF PICKERING  
LORD FREYBERG  
THE EARL OF CLANCARTY

**124** 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 SCOTT OF BYBROOK  
LORD JAMIESON

125 Schedule 20, page 229, line 23, at end insert –

“(d) identify the infrastructure projects required to meet the growth priorities and spatial development implications of employment-related growth opportunities.”

*Member's explanatory statement*

*This amendment would ensure that the infrastructure projects needed to support growth are identified.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

126 Schedule 20, page 229, line 23, at end insert –

“(d) identify the spatial development implications required to meet the employment, industrial, commercial and logistic growth opportunities identified in the local growth plan.”

*Member's explanatory statement*

*This amendment would identify the projects needed to be included in a spatial development strategy to support growth.*

BARONESS MCINTOSH OF PICKERING  
LORD FREYBERG  
THE EARL OF CLANCARTY

127 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.*

**Clause 41**

BARONESS TAYLOR OF STEVENAGE

128 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 42**

LORD FULLER

**129** Clause 42, page 43, line 20, leave out "develop" and insert "promote"

**Member's explanatory statement**

*This amendment, together with other amendments from Lord Fuller in Clause 42, seeks to make clear the separation of duties between Mayor and Local Government Pension Scheme to avoid any potential conflicts of interest between the mayor and pension scheme.*

LORD FULLER

**130** Clause 42, page 44, line 20, leave out “develop” and insert “promote”

**Member's explanatory statement**

*This amendment, together with other amendments from Lord Fuller in Clause 42, seeks to make clear the separation of duties between Mayor and Local Government Pension Scheme to avoid any potential conflicts of interest between the mayor and pension scheme.*

LORD FULLER

**131** Clause 42, page 45, line 10, leave out “develop” and insert “promote”

**Member's explanatory statement**

*This amendment, together with other amendments from Lord Fuller in Clause 42, seeks to make clear the separation of duties between Mayor and Local Government Pension Scheme to avoid any potential conflicts of interest between the mayor and pension scheme.*

**Clause 44**BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**132** Clause 44, page 46, leave out lines 25 to 37 and insert—

- “(a) the availability and standards of housing, transport services or public safety,
- (b) environmental factors, including air quality, and access to green space and bodies of water,

- (c) employment prospects, earning capacity and any other matters that affect levels of prosperity,
  - (d) the degree of ease or difficulty with which persons have access to public services,
  - (e) the use of, level of use of, tobacco, alcohol or other substances,
- and any other matters of personal behaviour or lifestyle, including physical activity and diet, that are or may be harmful to health.”

***Member's explanatory statement***

*This amendment replaces the list of general health detriments.*

BARONESS ROYALL OF BLAISDON  
LORD HUNT OF KINGS HEATH  
LORD BASSAM OF BRIGHTON  
LORD RICHARD

133 Clause 44, page 47, line 8, at end insert –

**“107ZBA Report on health improvement and health inequalities duty**

- (1) The Secretary of State must, within three years of the duty under section 107ZB coming into force, lay before Parliament a report assessing strategic authorities, including combined authorities (CAs) and county combined authorities (CCAs) implementation of the health duty and their progress towards meeting the duty.
- (2) The report must consider the extent to which strategic authorities, CAs and CCAs have had regard to the need to improve health and reduce health inequalities in exercising their functions.
- (3) The report must also assess the progress strategic authorities, CAs and CCAs have made towards improving health and reducing health inequalities within their area.
- (4) The report must also assess whether additional support is needed for strategic authorities, CAs and CCAs to meet the duty or what changes may be needed for the duty to achieve its aim of improving health and reducing health inequalities.
- (5) The report must include, but need not be limited to –
  - (a) an assessment of the depth with which strategic authorities, CAs and CCAs have exercised the duty across their functions in relation to the general health determinants set out in section 107ZB(5),
  - (b) an assessment of the consistency of implementation of the duty across strategic authorities, CAs and CCAs, including the extent to which the duty has ensured a minimum standard of action across all strategic authorities, CAs and CCAs,
  - (c) an assessment of strategic authorities, CAs and CCAs progress towards improving health and reducing health inequalities,
  - (d) examples of good practice and barriers to delivery, and

- (e) any recommendations for strengthening or revising the duty or associated guidance.”

***Member's explanatory statement***

*This amendment provides a mechanism for holding the government accountable for ensuring the health duty has led to an increased focus on health across all strategic authorities, CAs and CCAs, and whether they are taking health into account across their functions and achieving progress in improving health and reducing health inequalities.*

BARONESS ROYALL OF BLAISDON  
LORD HUNT OF KINGS HEATH  
LORD BASSAM OF BRIGHTON  
LORD BICHARD

134 Clause 44, page 48, line 4, at end insert –

**“24AA Report on health improvement and health inequalities duty**

- (1) The Secretary of State must, within three years of the duty under section 24A coming into force, lay before Parliament a report assessing strategic authorities, including combined authorities (CAs) and county combined authorities (CCAs) implementation of the health duty and their progress towards meeting the duty.
- (2) The report must consider the extent to which strategic authorities, CAs and CCAs have had regard to the need to improve health and reduce health inequalities in exercising their functions.
- (3) The report must also assess the progress strategic authorities, CAs and CCAs have made towards improving health and reducing health inequalities within their area.
- (4) The report must also assess whether additional support is needed for strategic authorities, CAs and CCAs to meet the duty or what changes may be needed for the duty to achieve its aim of improving health and reducing health inequalities.
- (5) The report must include, but need not be limited to –
  - (a) an assessment of the depth with which strategic authorities, CAs and CCAs have exercised the duty across their functions in relation to the general health determinants set out in section 24A(5),
  - (b) an assessment of the consistency of implementation of the duty across strategic authorities, CAs and CCAs, including the extent to which the duty has ensured a minimum standard of action across all strategic authorities, CAs and CCAs,
  - (c) an assessment of strategic authorities, CAs and CCAs progress towards improving health and reducing health inequalities,
  - (d) examples of good practice and barriers to delivery, and
  - (e) any recommendations for strengthening or revising the duty or associated guidance.”

**Member's explanatory statement**

*This amendment provides a mechanism for holding the government accountable for ensuring the health duty has led to an increased focus on health across all strategic authorities, CAs and CCAs, and whether they are taking health into account across their functions and achieving progress in improving health and reducing health inequalities.*

**After Clause 47**

LORD REES OF EASTON  
LORD BLUNKETT

135 After Clause 47, insert the following new Clause –

**“Corporation Sole Chief Fire Officer for designated mayoral fire and rescue authorities**

Part 3 of Schedule 23 makes further provision in connection with the establishment of the position of Corporation Sole Chief Fire Officers in a mayoral combined authority or mayoral CCA.”

**Schedule 23**

BARONESS TAYLOR OF STEVENAGE

136 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

137 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.*

LORD REES OF EASTON  
LORD BLUNKETT

138 Schedule 23, page 262, line 29, at end insert –

**“PART 3**

**CORPORATION SOLE CHIEF FIRE OFFICER**

*Application*

- 1 This Part applies where a mayoral combined authority or mayoral CCA is the fire and rescue authority for an area by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004.

*Establishment*

- 2 Regulations made by the Secretary of State under this Schedule may establish, for the whole or any part of that area, a Chief Fire Officer as a corporation sole.
- 3 Regulations may provide that the Corporation Sole CFO is to be treated as a fire and rescue authority for specified purposes of the Fire and Rescue Services Act 2004.

*Transfer schemes*

- 4 Regulations may authorise the Secretary of State or the mayoral combined authority or mayoral CCA to make one or more transfer schemes transferring to the Corporation Sole CFO –
  - (a) property;
  - (b) rights and liabilities;
  - (c) staff.
- 5 A transfer scheme may include provision of any kind that may be made in connection with the establishment or restructuring of a fire and rescue authority.

*Governance and scrutiny*

- 6 Regulations may make provision corresponding to Schedule ZA1 to the Fire and Rescue Services Act 2004 (as inserted by this Act), including provision –
  - (a) requiring the mayor to prepare and approve the community risk management plan;
  - (b) requiring the mayor to set the budget for the exercise of fire and rescue functions;
  - (c) about oversight and scrutiny by the relevant scrutiny body.
- 7 Regulations may include provision about the relationship between the mayor and the Corporation Sole CFO, including provision that functions of the fire and rescue authority remain mayoral functions exercisable only by the mayor.

*Inspection, performance and intervention*

- 8 Regulations may apply (with or without modification) any provision relating to inspection, performance assessment or intervention in relation to fire and rescue authorities.

*Finance and Audit*

- 9 Regulations may make provision about finance and audit, including –
  - (a) funding through the mayoral precept;
  - (b) borrowing;
  - (c) audit and accounts requirements.

*Pilot schemes*

- 10 Regulations under this Schedule may make provision establishing pilot schemes applying the Corporation Sole Chief Fire Officer model to one or more mayoral combined authorities or mayoral CCAs that are fire and rescue authorities by virtue of section 1(2)(f) or (g) of the Fire and Rescue Services Act 2004.
- 11 A pilot scheme in paragraph 10 refers to a pilot scheme under Part 6 of Schedule 25 of this Act.

*Supplementary*

- 12 Regulations under this Schedule may make consequential, supplementary, incidental or transitional provision, including amendments to—
- (a) this Schedule;
  - (b) the Fire and Rescue Services Act 2004;
  - (c) any other enactment.
- 13 Regulations under this Schedule are subject to the affirmative procedure.
- 14 Before making regulations under this Schedule, the Secretary of State must consult—
- (a) the mayor for the area of the fire and rescue authority, and
  - (b) such other persons as the Secretary of State considers appropriate.
- 15 In exercising functions under this Schedule, the Secretary of State must have regard to the arrangements made under Part 1, Chapter 3 of the Policing and Crime Act 2017 (London Fire Commissioner).”

**Clause 50**

BARONESS TAYLOR OF STEVENAGE

- 139 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.*

BARONESS PIDGEON  
BARONESS PINNOCK

- 140 Leave out Clause 50

***Member's explanatory statement***

*This amendment omits the London licensing provisions to probe the Government's rationale behind their inclusion.*

**Schedule 24**

BARONESS TAYLOR OF STEVENAGE

**141** 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

**142** 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

**143** 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

**144** 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

145 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

- 146 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

- 147 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.*

BARONESS PIDGEON  
BARONESS PINNOCK

- 148 Leave out Schedule 24

***Member's explanatory statement***

*This amendment omits the London licensing provisions to probe the Government’s rationale behind their inclusion.*

**Clause 51**

BARONESS TAYLOR OF STEVENAGE

- 149 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”).*

**Schedule 25**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 150** Schedule 25, page 266, line 20, leave out “appropriate” and insert “necessary and proportionate”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 151** Schedule 25, page 266, line 34, at end insert –
- “(6A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –
- (a) the affected strategic authorities, and
  - (b) the mayors of any of the affected strategic authorities that are mayoral strategic authorities.
- (6B) The written consent under sub-paragraph (6A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 152** Schedule 25, page 267, line 14, leave out “appropriate” and insert “necessary and proportionate”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 153** Schedule 25, page 267, line 27, at end insert –
- “(6A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –
- (a) the affected mayors, and
  - (b) the strategic authorities for whose areas the affected mayors are the mayor.
- (6B) The written consent under sub-paragraph (6A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

154 Schedule 25, page 267, line 34, after “conferring” insert “or removing”

*Member's explanatory statement*

*This amendment would ensure functions can be removed as well as added to the GLA.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

155 Schedule 25, page 268, line 2, leave out “appropriate” and insert “necessary and proportionate”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

156 Schedule 25, page 268, line 10, after “conferring” insert “or removing”

*Member's explanatory statement*

*This amendment would ensure functions can be removed as well as added to the GLA.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

157 Schedule 25, page 268, line 17, at end insert—

- “(6) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following—
  - (a) the Mayor of London, and
  - (b) the London Assembly.
- (7) The written consent under sub-paragraph (6) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

158 Schedule 25, page 268, line 36, at end insert—

- “(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 159** Schedule 25, page 269, line 16, at end insert –
- “(4A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –
    - (a) the affected strategic authorities, and
    - (b) the mayors of the affected strategic authorities.
  - (4B) The written consent under sub-paragraph (4A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 160** Schedule 25, page 269, line 25, at end insert –
- “(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 161** Schedule 25, page 270, line 2, at end insert –
- “(4A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –
    - (a) the Mayor of London, and
    - (b) the London Assembly.
  - (4B) The written consent under sub-paragraph (4A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 162** Schedule 25, page 270, line 2, at end insert –
- “(4A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –
    - (a) the affected mayors, and
    - (b) the strategic authorities for whose areas the affected mayors are the mayor.
  - (4B) The written consent under sub-paragraph (4A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

163 Schedule 25, page 270, line 11, at end insert –

“(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

164 Schedule 25, page 271, line 6, at end insert –

“(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

165 Schedule 25, page 271, line 16, at end insert –

“(2A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –

- (a) the affected strategic authorities, and
- (b) the constituent councils of any affected strategic authorities that are combined authorities or CCAs.

(2B) The written consent under sub-paragraph (2B) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

166 Schedule 25, page 271, line 24, at end insert –

“(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

167 Schedule 25, page 271, line 35, at end insert –

“(2A) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following –

- (a) the affected mayors, and

- (b) the strategic authorities for whose areas the affected mayors are the mayor.
- (2B) The written consent under sub-paragraph (2A) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

168 Schedule 25, page 272, line 3, at end insert—

- “(1A) Regulations may not be made under this paragraph unless the Secretary of State is satisfied that it is necessary and proportionate to do so having regard to the need to secure the effective exercise of the function concerned.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

169 Schedule 25, page 272, line 16, at end insert—

- “(3) Before making regulations under this paragraph the Secretary of State must obtain the written consent of the following—
  - (a) the Mayor of London, and
  - (b) the London Assembly.
- (4) The written consent under sub-paragraph (3) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

170 Schedule 25, page 272, line 38, leave out paragraph 12

BARONESS TAYLOR OF STEVENAGE

171 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 SCOTT OF BYBROOK  
LORD JAMIESON

**172** Schedule 25, page 275, line 5, leave out “(and may make such regulations more than once)”

LORD REES OF EASTON  
LORD BLUNKETT

**173** Schedule 25, page 275, line 29, at end insert –

“20A (1) This paragraph applies to a pilot scheme related to a Corporation Sole Fire Officer established under Schedule 23, part 3.

- (2) A pilot scheme may –
  - (a) modify or disapply provision of Schedule 23, part 3 in relation to participating areas;
  - (b) apply provisions corresponding to Schedule ZA1 of the Fire and Rescue Services Act 2004 with or without modification (as inserted by this Act);
  - (c) include requirements for evaluation, reporting or review.
- (3) Paragraphs 18 to 23 of this Schedule apply to a pilot scheme under this paragraph.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**174** Schedule 25, page 275, line 35, at end insert –

“(1A) Any relevant impact report under subsection (1) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

175 Schedule 25, page 275, line 35, at end insert –

“(1A) A pilot scheme must include a provision requiring an independent evaluation of that pilot scheme, which must be published and laid before Parliament.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

176 Schedule 25, page 276, line 31, at end insert –

“(5) All consultations under sub-paragraph (4)(b) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

177 Schedule 25, page 276, line 31, at end insert –

“(5) Before any decisions are made under this paragraph, the Secretary of State must obtain written consent of the or each strategic authority, mayor or GLA functional body to which the pilot schemes relates.

(6) The written consent under sub-paragraph (5) must be made public by the Secretary of State.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

178 Schedule 25, page 277, leave out lines 2 and 3 and insert “only if –

- (a) it provides evidence of measurable improvements in the effective and efficient exercise of the relevant functions,
- (b) the improvements are supported by the independent evaluation required, and
- (c) the Secretary of State is satisfied, having regard to that evaluation and any consultation responses, that the benefits of the scheme outweigh any adverse impacts.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

179 Schedule 25, page 277, line 10, leave out sub-paragraphs (1) and (2) and insert –

“(1) Regulations under this Schedule are subject to the affirmative procedure.

- (2) Regulations under this Schedule must be accompanied by a written statement explaining—
- (a) the purpose of the regulations,
  - (b) the reasons why the Secretary of State considers it necessary and proportionate to make them, and
  - (c) the evidence relied upon in support of that decision.”

BARONESS TAYLOR OF STEVENAGE

180 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).*

**After Clause 56**

LORD WALLACE OF SALTAIRE

181 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.”

LORD BICHARD  
LORD SHIPLEY

182 After Clause 56, insert the following new Clause –

**“Local public accounts committees**

- (1) Within one year of the day on which this Act is passed, the Secretary of State must by regulations make provision for the establishment of a public accounts committee in each mayoral strategic authority area (“local public accounts committees”).
- (2) Regulations made under this section must –
  - (a) make provision relating to the membership of local public accounts committees, including appointment, tenure, and arrangements for chairing of committees;
  - (b) make provision about support for local public accounts committees by the relevant local audit services;
  - (c) empower local public accounts committees to require the provision of information from all providers of public services in the mayoral strategic authority area;
  - (d) make provision about the functions of local public accounts committees, including the power of the committees to report on the effectiveness with which –
    - (i) mayoral strategic authorities exercise any of their functions;
    - (ii) any local partners exercise functions on behalf of the strategic mayoral authority;
    - (iii) any local partners collaborate with the mayoral strategic authority;
    - (iv) local public service partners (as defined by section (*Duty of local service partners to cooperate*) of this Act) collaborate.

- (3) Regulations under this section are subject to affirmative resolution procedure.
- (4) For the purposes of this section, “local partner” has the meaning given in section 17B of the Levelling-up and Regeneration Act 2023 (as inserted by section 21 of this Act).”

***Member's explanatory statement***

*This amendment seeks to introduce Local Public Accounts Committees within one year of this Act coming into force. LPACs would ensure scrutiny and accountability across the whole of the local public service spending and activity.*

LORD RAVENSDALE  
LORD SHIPLEY  
LORD BLUNKETT

183 After Clause 56, insert the following new Clause –

**“Social mobility monitoring and reporting**

- (1) In their delivery of functions under this Act, strategic authorities must consult with the Social Mobility Commission on how to collect meaningful and robust evidence of social mobility outcomes as a result of devolution arrangements.
- (2) Social mobility data collected by strategic authorities under subsection (1) must be broken down by socio-economic background, and must include information regarding –
  - (a) occupation,
  - (b) educational attainment, and
  - (c) income.”

***Member's explanatory statement***

*This amendment would require strategic authorities to consult with the Social Mobility Commission on how to collect data and evidence of social mobility outcomes as a result of devolution arrangements.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

184★ After Clause 56, insert the following new Clause –

**“Review of service delivery by strategic authorities**

- (1) The Secretary of State must, annually for the first five years following the passage of this Act, publish a statement on the performance of strategic authorities established under this Act.
- (2) A statement under subsection (1) must include an assessment of –
  - (a) the quality of service delivery by such authorities, and
  - (b) the extent to which their functions have been exercised efficiently and represent value for money.

- (3) The Secretary of State must lay a copy of the statement before Parliament.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to publish a statement on the performance of strategic authorities annually for the first five years following the passage of this Act.*

BARONESS BENNETT OF MANOR CASTLE

185 After Clause 56, insert the following new Clause –

**“Local government data**

- (1) The Levelling-up and Regeneration Act 2023 is amended as follows.
- (2) In section 84(2)(b) (power in relation to the processing of planning data), after “development” insert “, including in relation to economic conditions, transport, tourism and nature,”.
- (3) In section 91 (interpretation of Chapter), in the definition of “relevant planning enactment” –
  - (a) after paragraph (g) insert –
 

“(ga) Parts 2 or 3 of the Transport Act 2000,”;
  - (b) after paragraph (j), insert –
 

“(ja) the Environment Act 2021,  
 (jb) Part 3 of the Planning and Infrastructure Act 2025,  
 (jc) the English Devolution and Community Empowerment Act 2026,”.

***Member's explanatory statement***

*The effect of this new Clause is to extend data standardisation powers contained in the Levelling-up and Regeneration Act 2023 beyond development planning, to encompass Local Growth Plans, Local Nature Recovery Strategies and Local Transport Plans. Currently, proposals in these other plans may not constitute “development”, so would be outside the scope of existing powers.*

THE EARL OF CLANCARTY  
LORD FREYBERG

186 After Clause 56, insert the following new Clause –

**“Cultural ecosystem plans**

- (1) A mayoral combined authority must prepare and publish a multi-year local cultural ecosystem plan developed in partnership with its constituent local authorities relating to their local cultural assets and workforce.
- (2) A cultural ecosystem plan must –
  - (a) complement local growth plans,
  - (b) align with and improve existing local cultural and creative strategies, and

- (c) map existing cultural infrastructure including any relevant venues, studios, archives, heritage assets, and digital assets.”

**Clause 57**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 187 Leave out Clause 57

**Schedule 26**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 188 Schedule 26, page 277, line 21, leave out “or direct”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 189 Schedule 26, page 277, line 26, at end insert –

“(1A) The Secretary of State may not give a direction under subsection (1) unless each relevant principal authority affected by the proposed reorganisation has consented to the giving of that direction.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 190 Schedule 26, page 277, line 26, at end insert –

“(1A) Where the Secretary of State gives a direction under this section, the Secretary of State must lay before Parliament a statement setting out –

- (a) the reasons for giving the direction,
- (b) the evidence that the direction is in the interests of effective and convenient local government, and
- (c) the views of the affected authorities.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

- 191 Schedule 26, page 278, line 12, leave out “believes” and insert “is satisfied, having regard to the views of the affected authorities and local electors”

## BARONESS TAYLOR OF STEVENAGE

192 Schedule 26, 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

193 Schedule 26, 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 SCOTT OF BYBROOK  
LORD JAMIESON

194 Leave out Schedule 26

**After Clause 58**BARONESS PINNOCK  
BARONESS BENNETT OF MANOR CASTLE

195 After Clause 58, insert the following new Clause –

**“Duty to review parish and town councils**

- (1) It is the duty of the Secretary of State to review parish and town councils in England to assess their number, functions, and effectiveness in local governance.
- (2) In carrying out that duty, the Secretary of State must, in particular, take steps to ensure maximal geographical coverage of parish and town councils as a form of local democratic representation.
- (3) The Secretary of State must, annually, lay a report before each House of Parliament on the discharge of the duty under subsection (1), including any action taken or proposed to achieve the purpose in subsection (2).”

***Member's explanatory statement***

*This amendment requires the Secretary of State to review parish and town councils and take steps to maximise their geographical coverage, with an annual report to Parliament.*

BARONESS PINNOCK  
BARONESS BENNETT OF MANOR CASTLE

196 After Clause 58, insert the following new Clause –

**“Town and parish councils: establishment and consultation**

- (1) A local authority may take such steps as it considers appropriate to facilitate the establishment of a town or parish council for any area within its jurisdiction.
- (2) In exercising its functions, a local authority must consult any relevant town or parish council on matters which affect the area of that council.
- (3) The duty under subsection (2) applies only in relation to matters directly affecting the area of the town or parish council, including, but not limited to –
  - (a) planning matters,
  - (b) the provision, maintenance, or management of parks and open spaces, and
  - (c) other local services or amenities.
- (4) A local authority must have regard to any representations made by a town or parish council pursuant to consultation under subsection (2) before making a final decision on the matter.”

***Member's explanatory statement***

*This new clause enables local authorities to support the creation of town and parish councils and requires consultation with such councils on matters affecting their area. It further ensures transparency where local authorities depart from their views.*

**Clause 59**

LORD SHIPLEY  
BARONESS BENNETT OF MANOR CASTLE

197 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.*

**Schedule 27**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**198** Schedule 27, page 282, line 31, at end insert—

“(1A) Subsection (1) does not prevent a local authority from ceasing to operate a leader and cabinet executive where a referendum has approved a change to a different form of governance.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**199** Schedule 27, page 282, line 35, leave out paragraph 2

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**200** Schedule 27, page 283, line 3, at end insert—

“(1A) A local authority may not be required to cease operating a committee system where that system was adopted or retained following a referendum, unless a further referendum has approved the change.”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**201** Schedule 27, page 283, line 18, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**202** Schedule 27, page 283, line 33, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**203** Schedule 27, page 283, line 40, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

**204** Schedule 27, page 284, line 3, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

205 Schedule 27, page 284, line 11, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

206 Schedule 27, page 285, line 33, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

207 Schedule 27, page 285, line 33, leave out “one” and insert “three”

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

208 Schedule 27, page 286, line 24, leave out paragraph 3

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

209 Schedule 27, page 286, line 40, leave out paragraph 4

BARONESS TAYLOR OF STEVENAGE  
LORD PARKINSON OF WHITLEY BAY

210 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  
LORD PARKINSON OF WHITLEY BAY

211 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

**212** 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.*

**Clause 60**

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON  
BARONESS BENNETT OF MANOR CASTLE  
LORD SHIPLEY

**213** 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  
LORD SHIPLEY

**214** 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.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON  
LORD SHIPLEY

**215** After Clause 60, insert the following new Clause—

**“Engagement with parish and town councils in neighbourhood governance**

- (1) When establishing neighbourhood governance arrangements under section 60, a principal local authority must have a duty to co-operate with parish and town councils.
- (2) Where a neighbourhood governance body or neighbourhood area committee is established in an area containing one or more parish or town councils, the authority must make arrangements to ensure those councils are consulted and enabled to participate in the exercise of the body’s functions.
- (3) In making arrangements under subsection (2), the authority must consider—
  - (a) inviting representatives of parish or town councils in the relevant area to attend meetings of the neighbourhood governance body,
  - (b) establishing formal liaison mechanisms with parish or town councils, and
  - (c) ensuring that the views of parish or town councils are taken into account in neighbourhood decision-making.
- (4) The Secretary of State may issue guidance to principal authorities on the involvement of parish and town councils in neighbourhood governance arrangements, to which authorities must have regard.”

***Member's explanatory statement***

*This amendment would mandate consultation and engagement with parish and town councils in neighbourhood governance.*

## LORD FULLER

216 After Clause 60, insert the following new Clause—

**“Unparished areas: community governance review**

- (1) Where residents of an area meeting the requirements in subsection (2) make a proposal which meets the requirements in subsection (3), the Secretary of State must initiate a community governance review in relation to their proposal.
- (2) The requirements of this subsection are that the area is—
  - (a) unparished, and
  - (b) subject to governance arrangements under section 60.
- (3) The requirements of this subsection are that the proposal—
  - (a) advocates for the unparished area to be incorporated as an independent parish, town or community council,
  - (b) is supported by more than 5% of the electors in that area, via a public petition.”

***Member's explanatory statement***

*This amendment seeks to ensure that residents in an unparished area can make representations using the community governance review process, following a petition. This amendment seeks to confer a power of initiation on residents in the unparished area.*

**Clause 61**

## LORD PACK

217 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

218 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

219 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

220

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

221 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

222 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

223

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.”

LORD FULLER

224

After Clause 61, insert the following new Clause –

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

- (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 50 (ordinary elections) –
  - (a) in subsection (4), after “But,” insert “in cases of national emergency;”;
  - (b) after subsection (5), insert –
    - “(5A) In circumstances which are not cases of national emergency, the Secretary of State may, by order, make provision which changes the years in which the election of police and crime commissioners are to be held.
    - (5B) Proposals for orders under subsection (5A) must be laid before Parliament no less than six months before the ordinary date of the election.
    - (5C) Draft orders must be laid before Parliament for approval no less than three months before the ordinary date of the election.
    - (5D) Prior to making an order under subsection (5A), the Secretary of State must consult each principal council and Member of Parliament in the affected area.”
- (3) In section 154 (orders and regulations), after subsection (2), insert –
  - “(2A) A statutory instrument containing orders under section 50(5A) is subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006.””

**Member's explanatory statement**

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

LORD FULLER

225 After Clause 61, insert the following new Clause –

**“Changes to time of mayoral elections**

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

**Member's explanatory statement**

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

**Schedule 28**

LORD PACK

226 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

- 227 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

- 228 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

- 229** 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

- 230** 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

- 231** 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

232 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

233 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

234 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

235 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

**236** 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

**237** 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

**238** 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

239

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

- 240 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

- 241 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

**242** 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.*

**After Clause 62**

BARONESS TAYLOR OF STEVENAGE

**243** 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

244 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  
LORD SHIPLEY  
LORD BASSAM OF BRIGHTON

245 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  
 LORD PARKINSON OF WHITLEY BAY

246 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  
BARONESS BENNETT OF MANOR CASTLE

247 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

248 After Clause 63, insert the following new Clause –

**“CHAPTER**

LAND DISPOSED OF BY LOCAL COUNCILS

*Discharge of statutory trusts*

5 **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*

10

**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 –
- 15 (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 –
- 20 (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.
- 30 (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;
- 35 (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.
- 40 (8) The power under subsection (5) to make regulations includes power to make –
- (a) different provision for different cases;
- 45 (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.

50 (10) Section 128G contains further provision about the making of statutory trust discharge orders.

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

55 (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.

60 (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”).

65 (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.

70 (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

80 (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,

- 85 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—
- 90 (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—
- 95 (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—
- 100 (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

- 105 (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.
- 110 (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,
- 115 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,
- 120 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.
- 125 (6) *Qualifying condition D*: the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal.

- 130 (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).
- 135 (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.
- 140 (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;
  - 145 (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;
  - 150 (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)).
- 155 (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 –
    - 160 (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
  - 165 (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.

- 170 (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.
- 175 (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 –
- 180 (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;
- 185 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).
- 190 (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**

- 195 (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 –
- 200 (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 –
- 205 (a) notice which –

- 210 (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
- 215 (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
- 220 (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  
225 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  
230 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
- 235 (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 –
- 240 (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;
- 245 “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**

- 250 (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 –
- 255 (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  
260 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 –
- 265 (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 –
- 270 (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**

- 275 (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  
280 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);
- 285 “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 –
- 290 (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—
- 295 (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;
- 300 “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;
- 305 “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—
- 310 (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;
- 315 (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);
- 320 (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;
- 325 (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)”.
- 330

***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.*

LORD LUCAS

*As an amendment to Amendment 248*

- 248A★** In subsection (2), in inserted section 128A(1), at end insert “provided always that the Secretary of State possesses satisfactory evidence of compensatory provision for the benefit of any community affected by the discharge of any such statutory trust.”

***Member's explanatory statement***

*This amendment seeks to ensure that the Secretary of State takes full account of the interests of those affected by a proposal.*

LORD LUCAS

*As an amendment to Amendment 248*

- 248B★** In subsection (2), after inserted section 128A(1), insert –
- “(1A) When the Secretary of State makes an order under subsection (1), they must publish in full –
- (a) the application,
  - (b) the representations and evidence submitted, and
  - (c) their reasoning in reaching their conclusion that the order should be made.”

***Member's explanatory statement***

*This amendment seeks to increase transparency in the order-making process.*

BARONESS SCOTT OF BYBROOK

LORD JAMIESON

*As an amendment to Amendment 248*

*This amendment replaces Amendment 250 and corrects its position on the Marshalled List*

- 248C★** In subsection (2), after inserted section 128A(2)(b), insert –
- “(c) the Secretary of State has undertaken a review of the availability of open spaces in the United Kingdom and published a report on the findings of the review and laid copies of that report in the Libraries of both Houses of Parliament.”

***Member's explanatory statement***

*This amendment would prevent regulations in respect of statutory trust orders from being made until the Government's review on open spaces has taken place.*

BARONESS PINNOCK

BARONESS MILLER OF CHILTHORNE DOMER

*As an amendment to Amendment 248*

249 In subsection (2), after inserted section 128A(2), insert –

- “(2A) The Secretary of State may not make a statutory trust discharge order unless –
- (a) the Secretary of State has consulted the relevant local authority and obtained its express written consent to the making of the order in respect of the of the land subject to the statutory trust,
  - (b) the relevant local authority has, prior to providing such consent –
    - (i) published a notice of the proposed order in such a manner as to bring it to the attention of persons residing in the area to which the land relates,
    - (ii) conducted a public consultation to invite representations from constituents, and
    - (iii) prepared and published a report certifying that it has had due regard to any representations received during that consultation, and
  - (c) the written consent provided under paragraph (a) includes a statement confirming that the authority is satisfied that the discharge of the statutory trust is in the public interest of the local community.”

***Member's explanatory statement***

*This amendment seeks to ensure that any discharge of statutory trusts over land previously held for public enjoyment cannot occur without the clear consent of the relevant local authority and meaningful engagement with the local community. It reinforces the principle that decisions affecting local open spaces should be led locally, not imposed centrally.*

BARONESS SCOTT OF BYBROOK  
LORD JAMIESON

*As an amendment to Amendment 248*

250 [Withdrawn]

LORD LUCAS

*As an amendment to Amendment 248*

250A★ In subsection (2), after inserted section 128A(4), insert –

- “(4A) Section 266 of this Act (orders, rules and regulations) does not apply to a statutory trust discharge order made under this section.”

***Member's explanatory statement***

*This amendment seeks to ensure that order cannot be made by statutory instrument.*

LORD LUCAS

*As an amendment to Amendment 248*

**250B★** In subsection (2), in inserted section 128A(6) leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment seeks to ensure that everything listed in subsection (6) is always included in regulations made under subsection (5) of inserted section 128A.*

LORD LUCAS

*As an amendment to Amendment 248*

**250C★** In subsection (2), in inserted section 128A(6)(c), at end insert “, including evidence as to the compensatory benefit to those adversely affected by such an application, if granted”

***Member's explanatory statement***

*This amendment (along with another in the name of Lord Lucas) seeks to ensure that all evidence is considered by the Secretary of State.*

LORD LUCAS

*As an amendment to Amendment 248*

**250D★** In subsection (2), in inserted section 128A(6)(f), leave out “and the weight to be given to any evidence” and insert “, which must include any evidence referred to in subsection (6)(c) and all evidence submitted in response to the publicity referred to in section 128E”

***Member's explanatory statement***

*This amendment (along with another in the name of Lord Lucas) seeks to ensure that all evidence is considered by the Secretary of State.*

LORD LUCAS

*As an amendment to Amendment 248*

**250E★** In subsection (2), in inserted section 128A(8)(a), at beginning insert “save for the requirement to demonstrate compensatory benefit for those to be affected by any statutory trust discharge order, and the requirement for due publication of an application,”

LORD LUCAS

*As an amendment to Amendment 248*

**250F★** In subsection (2), in inserted section 128B(3), after “may” insert “not”

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Lucas, seeks to ensure that variation of an application can only be achieved via a new application.*

LORD LUCAS

*As an amendment to Amendment 248*

**250G★** In subsection (2), in inserted section 128B(3), leave out from “made” to end

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Lucas, seeks to ensure that variation of an application can only be achieved via a new application.*

LORD LUCAS

*As an amendment to Amendment 248*

**250H★** In subsection (2), in inserted section 128B(4), leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment seeks to ensure that the person making the application always pays a fee.*

LORD LUCAS

*As an amendment to Amendment 248*

**250I★** In subsection (2), in inserted section 128B(6), at end insert “, provided that a period of at least five calendar years has elapsed between the determination and the further application.”

***Member's explanatory statement***

*This amendment seeks to ensure that five years has elapsed before an application can be re-submitted.*

LORD LUCAS

*As an amendment to Amendment 248*

**250J★** In subsection (2), in inserted section 128B(7), leave out “But”

LORD LUCAS

*As an amendment to Amendment 248*

**250K★** In subsection (2), in inserted section 128B(8), leave out “appropriate” and insert “is likely to come to the attention of those affected by the application.”

LORD LUCAS

*As an amendment to Amendment 248*

**250L★** In subsection (2), in inserted section 128D(2), after first “order” insert “unambiguously”

***Member's explanatory statement***

*This amendment seeks to ensure that the land in question is properly identified in the application.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250M★** In subsection (2), in inserted section 128D(3)(a) leave out “or” and insert “, whether in the freeholder’s own right or at the behest of a leaseholder of a subordinate long leasehold in the relevant land”

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Lucas, seeks to prevent an application being made by a leaseholder alone.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250N★** In subsection (2), in inserted section 128D(3), leave out paragraph (b)

***Member's explanatory statement***

*This amendment, connected with another in the name of Lord Lucas, seeks to prevent an application being made by a leaseholder alone.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250P★** In subsection (2), in inserted section 128D(4), at end insert “except that nothing in this subsection applies to any land in respect of which proceedings concerning any appropriation or disposal or the application of section 164 of the Public Health Act 1875 (provision of places of public recreation) or section 10 of the Open Spaces Act 1906 (maintenance of open spaces) started before the day on which this section comes into force.”

***Member's explanatory statement***

*This amendment seeks to ensure that Qualifying Condition C does not apply to cases which are already before the courts.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Q★** In subsection (2), in inserted section 128D, leave out subsection (5) and insert –  
 “(5) *Qualifying condition CA*: The appropriation or disposal of the land occurred before commencement.”

***Member's explanatory statement***

*This amendment seeks to prevent this provision being used for future appropriations or disposals.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250R★** In subsection (2), in inserted section 128D(7)(a), at end insert “, and the Secretary of State shall take notice of any such want of advertising by the statutory trust”

***Member's explanatory statement***

*This amendment, connected with others in the name of Lord Lucas, seeks to ensure that the applicant must prove that the advertisement procedure was not complied with.*

LORD LUCAS

*As an amendment to Amendment 248*

- 250S★** In subsection (2), in inserted section 128D, leave out subsection (7)(b)

***Member's explanatory statement***

*This amendment, connected with others in the name of Lord Lucas, seeks to ensure that the applicant must prove that the advertisement procedure was not complied with.*

LORD LUCAS

*As an amendment to Amendment 248*

- 250T★** In subsection (2), in inserted section 128D, leave out subsection (8)

***Member's explanatory statement***

*This amendment, connected with others in the name of Lord Lucas, seeks to ensure that the applicant must prove that the advertisement procedure was not complied with.*

LORD LUCAS

*As an amendment to Amendment 248*

- 250U★** In subsection (2), in inserted section 128D(9), after “requirements” insert “set out in section 128E must”

LORD LUCAS

*As an amendment to Amendment 248*

- 250V★** In subsection (2), after inserted section 128D(10) insert –

“(10A) *Qualifying condition G*: those being deprived of the benefit of the statutory trust have been appropriately compensated by the applicant, or provision has been made for such compensation.”

LORD LUCAS

*As an amendment to Amendment 248*

- 250W★** In subsection (2), after inserted section 128D(11)(c) insert –

“(ca) whether the relevant land is needed as open space in the local area;”

***Member's explanatory statement***

*This amendment seeks to ensure that the public interest test for an application for a statutory trust discharge order takes into account whether the relevant land is surplus to local requirements for open space.*

LORD LUCAS

*As an amendment to Amendment 248*

**250X★** In subsection (2), after inserted section 128D(11)(f) insert—

“(g) economic, environmental or social benefits which would be preserved if the order were not made.”

***Member's explanatory statement***

*This amendment seeks to ensure that the public interest test takes into account detriments which might result from an application, as well as improvements.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Y★** In subsection (2), leave out inserted section 128E(2)(b) and insert—

“(b) on a website with a readership in the local area that is comparable to the readership of a local newspaper, if there is one;  
 (c) if there is no local newspaper, in a national newspaper;  
 (d) by a notice read out at a full, public meeting of all local councils, or trustees as the case may be, so affected.”

***Member's explanatory statement***

*This amendment seeks to improve the arrangements for bringing the proposal to the notice of the affected public.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Z★** In subsection (2), in inserted section 128E(4), leave out “28” and insert “56”

***Member's explanatory statement***

*This amendment, connected to others in the name of Lord Lucas, seeks to increase the likelihood of a proposal coming to public notice and increase the time for a public response.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Z1★** In subsection (2), in inserted section 128E(5), leave out from second “of” to end and insert “56 days at each point of entry to the relevant land.”

***Member's explanatory statement***

*This amendment, connected to others in the name of Lord Lucas, seeks to increase the likelihood of a proposal coming to public notice and increase the time for a public response.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Z2★** In subsection (2), in inserted section 128E(6), leave out “28” and insert “56”

***Member's explanatory statement***

*This amendment, connected to others in the name of Lord Lucas, seeks to increase the likelihood of a proposal coming to public notice and increase the time for a public response.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Z3★** In subsection (2), after inserted section 128E(6) insert –

“(6A) The Secretary of State must serve a notice of the application by email on anyone who has previously asked to be informed of all applications, and who has given the Secretary of State an email address for that purpose.”

***Member's explanatory statement***

*This amendment seeks to require the Secretary of State to serve notice of the application on all those who have asked to be informed of such applications. Any person would be able to ask MHCLG to be notified of applications, who would keep a list of such persons for the purpose. This would ensure that those interested in applications would be alerted to applications without having to monitor a website or local newspapers.*

LORD LUCAS

*As an amendment to Amendment 248*

**250Z4★** In subsection (2), in inserted section 128E(7), after “must” insert “unambiguously”

LORD LUCAS

*As an amendment to Amendment 248*

**250Z5★** In subsection (2), in inserted section 128E(8)(b), at end insert “, which must include email”

LORD LUCAS

*As an amendment to Amendment 248*

**250Z6★** In subsection (2), in inserted section 128E(8), leave out “56” and insert “84”

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z7★** In subsection (2), in inserted section 128F, in the heading, leave out “and presumption”

***Member's explanatory statement***

*This amendment (connected to another in the name of Lord Lucas) seeks to remove a presumption that the previous advertisement procedure was not complied with.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z8★** In subsection (2), in inserted section 128F(4), leave out “must presume” and insert “may, but is not required to, consider”

***Member's explanatory statement***

*This amendment (connected to another in the name of Lord Lucas) seeks to remove a presumption that the previous advertisement procedure was not complied with.*

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z9★** In subsection (2), in inserted section 128F(4), leave out from “disposal” to end of subsection

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z10★** In subsection (2), after inserted section 128G(1)(a), insert –

“(aa) the information provided under section 128A(6)(c), and all other requirements of sections 128A to 128F;”

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z11★** In subsection (2), in inserted section 128G(1)(b), after “(including” insert “specifically”

## LORD LUCAS

*As an amendment to Amendment 248*

- 250Z12★** In subsection (2), in inserted section 128G(1)(b), after second “order” insert –

“(ii) leaseholders of all or part of the relevant land where such leaseholders have not supported the freeholder in making the application,

- (iii) owners of neighbouring land, and
- (iv) beneficiaries of the challenged statutory trust”

***Member's explanatory statement***

*This amendment would ensure that the representations of others with a legitimate interest are taken into account in decisions about whether to make a statutory trust discharge order.*

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z13★** In subsection (2), in inserted section 128G(5), at end insert “, but in any event as extensively as the application was publicised”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z14★** In subsection (2), in inserted section 128H(2), leave out “, or the tenant under a long lease,”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z15★** In subsection (2), in inserted section 128H(2)(a), leave out “or long lease”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z16★** In subsection (2), in inserted section 128H(2)(b), leave out “or long lease”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z17★** In subsection (2), in inserted section 128H(2)(c), leave out “or long lease”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z18★** In subsection (2), in inserted section 128H(2)(d), leave out “or long lease”

LORD LUCAS

*As an amendment to Amendment 248*

- 250Z19★** In subsection (2), in inserted section 128H(2)(e), leave out “or long lease”

LORD LUCAS

*As an amendment to Amendment 248*

250Z20★ In subsection (2), in inserted section 128H(2)(f), leave out “or long lease”

BARONESS COFFEY

251 After Clause 63, insert the following new Clause –

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

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

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

**Schedule 29**

BARONESS TAYLOR OF STEVENAGE

252 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.*

THE EARL OF CLANCARTY  
LORD FREYBERG

253 Schedule 29, page 298, line 37, after “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

254 Schedule 29, page 298, line 38, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE  
BARONESS FREEMAN OF STEVENTON  
LORD FREYBERG

255 Schedule 29, page 298, line 41, after “economic” insert “, environmental”

***Member's explanatory statement***

*This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside*

*economic and social benefits; provided that the land is not allocated otherwise for the local development plan.*

THE EARL OF CLANCARTY  
LORD FREYBERG

256 Schedule 29, page 299, line 1, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE  
BARONESS FREEMAN OF STEVENTON  
LORD FREYBERG

257 Schedule 29, page 299, line 1, after “economic” insert “, environmental”

***Member's explanatory statement***

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

THE EARL OF CLANCARTY  
LORD FREYBERG

258 Schedule 29, page 299, line 9, after the first “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

259 Schedule 29, page 299, line 9, after the second “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

260 Schedule 29, page 299, line 14, after “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

261 Schedule 29, page 299, line 15, after “economic” insert “, cultural”

THE EARL OF CLANCARTY  
LORD FREYBERG

262 Schedule 29, page 300, line 8, at end insert –

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

*Member's explanatory statement*

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

THE EARL OF CLANCARTY  
LORD FREYBERG

263 Schedule 29, page 300, leave out line 10

BARONESS HOEY

263A★ Schedule 29, page 313, line 5, at end insert “and the market value is to be assessed assuming no planning permission would be granted for residential or commercial development on the asset of community value (but this shall not prevent unexpired planning permission that has already been granted being taken into account).”

BARONESS HOEY

263B★ Schedule 29, page 313, line 28, at end insert –

“(9A) Where –

- (a) there is disagreement between the owner of the land and the preferred community buyer regarding the market value as determined by the valuer,
- (b) the asset of community value is in danger of being lost, or
- (c) the owner of the asset is unwilling to sell,

the relevant local authority may use their power under section 226 of the Town and Country Planning Act 1990 to acquire compulsorily the relevant asset of community value, and pay the market value of the asset in accordance with section 14A of the Land Compensation Act 1961.”

BARONESS TAYLOR OF STEVENAGE

264 Schedule 29, page 319, line 38, at end insert –

“1A (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  
BARONESS BENNETT OF MANOR CASTLE  
LORD BASSAM OF BRIGHTON

265

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.*

**Clause 64**

BARONESS TAYLOR OF STEVENAGE

266 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

267 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**

LORD BORWICK  
BARONESS BRINTON

268 Clause 65, page 66, line 3, at end insert “, which must require taxis to conform with minimum taxi accessibility requirements under section 160(1) to (3) of the Equality Act 2010 within three years of the day on which such regulations are made.”

***Member's explanatory statement***

*This amendment, and another in the name of Lord Borwick, seeks to commence section 160(1) to (3) of the Equality Act 2010 in relation to minimum taxi accessibility requirements and ensure that the standards prescribed under Clause 65 of this Bill conform with those taxi accessibility requirements in the Equality Act 2010, with the intention of ensuring disabled persons can use taxis to travel in comfort and dignity.*

BARONESS TAYLOR OF STEVENAGE

269 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

270 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

271 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

272 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

273 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

274 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

275 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

276 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

277 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

278 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

279 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

280

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.*

LORD MOYLAN

*As an amendment to Amendment 280*

**280A★** Leave out subsection (3)

***Member's explanatory statement***

*This amendment removes the power in Government Amendment 280 for an enforcement officer to temporarily suspend a regulated private hire vehicle operator licence.*

BARONESS TAYLOR OF STEVENAGE

**281** 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 (*Responsible 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

282

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

283 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

284 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 (*Responsible licensing authority to be notified of suspension*) 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

285 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 (*Suspension notice given to person who is not 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

286 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.*

LORD BORWICK  
BARONESS BRINTON

287 After Clause 68, insert the following new Clause –

**“Minimum accessibility requirements for taxis**

- (1) In section 160(1) of the Equality Act 2010 (taxi accessibility regulations), after “regulations”)” insert “which must be adhered to in the prescribing of standards for the licensing of taxis under section 65 (standards relating to the grant of a regulated licence) of the English Devolution and Community Empowerment Act 2026.”
- (2) The Secretary of State must, by regulations under section 216(3) of the Equality Act 2010, commence section 160(1) to (3) (taxi accessibility regulations) of that Act on the day on which this Act is passed.”

***Member's explanatory statement***

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

**Clause 70**

BARONESS TAYLOR OF STEVENAGE

288 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

- 289 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

- 290 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 of the new functions relating to temporary suspension of licences.*

BARONESS TAYLOR OF STEVENAGE

- 291 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

- 292 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

293 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

294 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

295 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

296 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

297 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

298 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

299 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

300 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

301 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

302 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

303 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

304 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

305 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

306

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.*

LORD BEST  
LORD SHIPLEY  
LORD LANSLEY  
BARONESS BENNETT OF MANOR CASTLE

307 After Clause 73, 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  
LORD SHIPLEY

308 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.”

LORD RICHARD  
LORD SHIPLEY

309 After Clause 73, insert the following new Clause –

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

- (1) The Secretary of State must by regulations designate certain persons or bodies as local public service partners for the purposes of this section.
- (2) Regulations made under subsection (1) must include –
  - (a) integrated care boards and NHS Trusts,
  - (b) police and fire authorities, and
  - (c) any other public service provider,
 exercising functions wholly or partly in the area of the strategic authority or principal council.
- (3) A local public service partner in subsection (2) must, in exercising its functions so far as they affect that area, cooperate with –
  - (a) the strategic authority, and
  - (b) the principal councils for that area.
- (4) The duty to cooperate under subsection (3) includes –
  - (a) a duty to attend any meeting reasonably convened by the mayor of the strategic authority under section 21 (or by the strategic authority acting collectively), when given due notice,
  - (b) a duty to provide information and assistance to the strategic authority and principal councils, insofar as reasonably required to facilitate the exercise of their functions or any joint planning of services for that area, and
  - (c) a duty to engage constructively, actively and on an ongoing basis with the strategic authority and principal councils when formulating or implementing policies, plans or services that affect the area.
- (5) In performing the duty under subsection (3), a local public service partner must have regard to any guidance issued by the Secretary of State on the implementation of the whole-area public service collaboration.
- (6) Regulations made under this section are subject to affirmative resolution procedure.

- (7) In this section, “principal councils” means the county, district or London borough councils (including the Common Council of the City of London) whose territories lie within the area of the strategic authority.”

***Member's explanatory statement***

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

BARONESS ROYALL OF BLAISDON  
LORD CAMERON OF DILLINGTON  
LORD BEST  
BARONESS BENNETT OF MANOR CASTLE

- 310** After Clause 73, insert the following new Clause –

*“Rural communities*

**Duty to consider the needs of rural communities**

- (1) When considering whether or how to exercise any of its functions a combined authority, a CCA and each district council or county council that is a strategic authority must have regard to the needs of rural communities in relation to land use, the development of land and regeneration, housing, employment, public and active transport provision, health and wellbeing.
- (2) When considering whether or how to exercise any function, the mayor for the area of a combined authority and the mayor for the area of a CCA must have regard to the considerations set out in subsection (1).”

***Member's explanatory statement***

*This amendment would require strategic authorities and their mayors, when considering whether or how to exercise any of their functions, to have regard to the needs of rural communities.*

BARONESS WILLIS OF SUMMERTOWN  
BARONESS BENNETT OF MANOR CASTLE  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 311** After Clause 73, insert the following new Clause –

**“Duty to deliver on the environment and climate change**

Strategic authorities, mayoral, or local authorities must, in the exercise of their functions, and when delivering on areas of competence in section 2, take all reasonable steps to contribute to –

- (a) the achievement of targets set under Part 1 of the Climate Change Act 2008;
- (b) the achievement of biodiversity targets set under sections 1 to 3 of the Environment Act 2021;

- (c) adapting to any current or predicted impacts of climate change identified in the most recent report under section 56 of the Climate Change Act 2008.”

***Member's explanatory statement***

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

**Schedule 33**

BARONESS TAYLOR OF STEVENAGE

**312** 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

**313** 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

**314** Schedule 33, page 361, line 29, at end insert –

- “(4) 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

**315** Schedule 33, page 361, line 32, at end insert –

“(2A) In section 15(1A) (which is inserted by Schedule (*Mayoral 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

**316** Schedule 33, page 362, line 4, at end insert –

“(5) In Schedule 1A (inserted by Schedule (*Mayoral 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.*

**After Clause 85**

BARONESS BERRIDGE

**317** 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 –

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“Rutland

Rutland”

---

***Member's explanatory statement***

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

LORD FULLER

**318** After Clause 85, insert the following new Clause –

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

- (1) Section 39 of the Local Government Finance Act 1992 (precepting and precepted authorities) is amended as follows.
- (2) In subsection (1), after paragraph (ac) insert –
  - “(ad) a parish or community council where –
    - (i) the population of the authority area is greater than 50,000 people, or
    - (ii) the precept issued in the previous financial year totalled over £1,000,000;
  - (ae) the chairman of a parish meeting where the parish council's authority area –
    - (i) has a population greater than 50,000 people, or
    - (ii) issued a precept in the previous financial year totalling over £1,000,000;”
- (3) In subsection (2) –
  - (a) in paragraph (c), at end insert “of an area with a population less than 50,000 people or which issued a precept in the previous financial year totalling over £1,000,000”;
  - (b) in paragraph (d), after “meeting” insert “for a parish council of an area with a population less than 50,000 people or which issued a precept in the previous financial year totalling over £1,000,000”.
- (4) After subsection (2), insert –
 

“(2A) The Secretary of State may, by regulations made by statutory instrument, change the value of the precept for the purposes of subsection (1)(ad)(ii) and (1)(ae)(ii) and subsection (2)(c) and (2)(d).”

***Member's explanatory statement***

*This amendment seeks to ensure that parish and community councils with populations over 50,000 or precepts over £1,000,000 in the previous financial year are constrained in their ability to raise council tax in line with the restrictions placed on major precepting authorities, as defined in the Local Government Finance Act 1992.*

## THE LORD BISHOP OF MANCHESTER

**318A★** After Clause 85, insert the following new Clause –

**“Duty relating to community empowerment**

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

***Member's explanatory statement***

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

**Schedule 34**

BARONESS TAYLOR OF STEVENAGE

**319** 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

320

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

- 321 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

- 322 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

- 323 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

- 324 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.*

**After Clause 88**

BARONESS TAYLOR OF STEVENAGE

325 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

326 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

327 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 and CCAs: overview and scrutiny committees*) (and Schedules (*Mayoral CCAs: overview and scrutiny committees*) and (*Mayoral combined authorities: overview and scrutiny committees*)) (**mayoral combined authorities and 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.*

# English Devolution and Community Empowerment Bill

SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

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*25 March 2026*

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