SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Monday 7 November 2011

PROCEEDINGS
ON CONSIDERATION OF LORDS AMENDMENTS

LOCALISM BILL

On Consideration of Lords Amendments to the Localism Bill

Lords Amendments 1 to 112 agreed to.

Lords Amendment No. 112

Zac Goldsmith
Martin Vickers
Caroline Lucas
Caroline Nokes
Mr Douglas Carswell
Jason McCartney

To move the following Amendment to the Bill instead of the words left out by Lords Amendments 96 to 112.

Page 37, line 18, at end insert the following new Clause—

‘Duty to hold local referendum
(1) A local authority must hold a referendum (a “local referendum”) if both of the following conditions are met.
(2) The first condition is that the authority receives a petition complying with the rules made under subsections (10) and (11) requesting it to hold a local referendum relating to a proposal of or a decision by the local authority relating to—
(a) services provided in pursuance of the local authority’s functions,
(b) the authority’s expenditure on services provided in pursuance of the local authority’s functions,
(c) the authority’s power under section 2 of the Local Government Act 2000 (authority’s power to promote well-being of its area); or
(d) any other matter relating to the responsibilities of the local authority.
(3) The second condition is that the petition is signed by 20 per cent. of local government electors in the relevant local authority area, to be defined in the rules made under subsections (10) and (11).
Localism Bill, continued

(4) The local authority must, in the case of a petition relating to subsection (2)(a), (2)(b) or (2)(c), hold a referendum on its proposal or decision before taking any steps to implement that proposal or decision, or in the case of a petition relating to subsection (2)(d), hold a referendum on that matter.

(5) In this section, “local authority” means—
   (a) a county council in England,
   (b) a district council,
   (c) a London borough council,
   (d) a Unitary Council as defined in section 117(4),
   (e) the Greater London Authority,
   (f) the Common Council of the City of London in its capacity as a local authority, or
   (g) the Council of the Isles of Scilly.

(6) The outcome of a local referendum shall be binding on the local authority, subject to exceptions set out in regulations made by the Secretary of State by statutory instrument.

(7) If the result of a referendum held under subsection (2)(a), (2)(b) or (2)(c) is to approve the proposal or decision, the local authority must implement that proposal or decision, subject to exceptions set out in regulations made by the Secretary of State by statutory instrument.

(8) If the result of a referendum held under subsection (2)(a), (2)(b) or (2)(c) is not to approve the proposal or decision, the local authority must not implement that proposal or decision, subject to exceptions set out in regulations made by the Secretary of State by statutory instrument.

(9) The outcome of a referendum held under subsection (2)(d) shall be binding on the local authority, subject to exceptions set out in regulations made by the Secretary of State by statutory instrument.

(10) Local referenda must be conducted (including the giving of notice of intent to petition for a referendum, submission of a petition, the determination of appropriateness of the referendum question and the date of referendum, publicity for and in relation to local referenda and voting in local referenda) in accordance with rules made by the Secretary of State by statutory instrument.

(11) Regulations and rules under this section must be laid before Parliament in draft before the end of six months beginning with the day on which this Act is passed and shall be subject to approval by resolution of both Houses of Parliament.’.

Lords Amendments 113 to 153 agreed to.

Lords Amendment No. 154

As an Amendment to the Lords Amendment:—

Hilary Benn
Jack Dromey
Roberta Blackman-Woods
Helen Jones
Chris Williamson
Caroline Lucas

Negatived on division (a)

Line 13, at end add—
Localism Bill, continued

‘(3D) An order under subsection (3) or subsection (3B) must include transitional arrangements for all affected local authorities, including provision relating to national policy statements and local development plan documents.’.

Lords Amendment 154 agreed to.

Lords Amendments 155 to 156 agreed to.

Lords Amendment No. 157

As an Amendment to the Lords Amendment:—

Hilary Benn
Jack Dromey
Roberta Blackman-Woods
Helen Jones
Chris Williamson

Not called (a)

Line 8, after ‘unviable’, insert ‘, and in making the regulations the Secretary of State must include provision for independent assessments to be made in any case where economic unviability is cited.’.

Lords Amendments 157 to 184 agreed to.

Lords Amendment No. 185

As an Amendment to the Lords Amendment:—

Hilary Benn
Jack Dromey
Roberta Blackman-Woods
Helen Jones
Chris Williamson

Not selected (a)

Line 1, leave out from ‘insert’ to end of line 11 and insert ‘“following a period of two years, and sets out the other express terms of the tenancy.”.’.

Lords Amendments 185 to 368 agreed to.

Lords Amendment No. 369

As an Amendment to the Lords Amendment:—
Localism Bill, continued

Hilary Benn
Jack Dromey
Roberta Blackman-Woods
Helen Jones
Chris Williamson
Caroline Lucas

Not called (a)

Line 5, after ‘with’, insert ‘(including in particular a requirement that local community organisations (as defined in the regulations) be given the opportunity to comment on a proposal for a neighbourhood development order)’.

Lords Amendment 369 agreed to.

Lords Amendment No. 370

As an Amendment to the Lords Amendment:—

Hilary Benn
Jack Dromey
Roberta Blackman-Woods
Helen Jones
Chris Williamson
Caroline Lucas

Not called (a)

Line 3, after ‘development’, insert ‘which for this purpose means development that meets the social, economic and environmental needs of the present without compromising the ability of future generations to meet their own needs, based on the following guiding principles—

(a) living within environmental limits, namely respecting the limits of the planet’s environment, resources and biodiversity, to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations;

(b) ensuring a strong, healthy and just society, namely meeting the diverse needs of all people in existing and future communities, promoting personal wellbeing, social cohesion and inclusion, and creating equal opportunity for all;

(c) achieving a sustainable economy, namely building a strong, stable and sustainable economy which provides prosperity and opportunities to all, and in which environmental and social costs fall on those who impose them and efficient resource use is incentivised;

(d) promoting good governance, namely actively promoting effective, participative systems of governance in all levels of society and engaging people’s creativity, energy and diversity; and

(e) using sound science responsibly, namely ensuring policy is developed on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values.’.

Lords Amendments 370 to 390 agreed to.
Localism Bill, continued

Lords Amendment No. 391

As an Amendment to the Lords Amendment:—

Stephen Timms

Not called (a)

Line 5. at end insert ‘and, if more than 50 per cent. of the MDC’s area falls within the area of a particular London council, the Mayor must, subject to sub-paragraph (3), exercise the Mayor’s power under sub-paragraph (1) so as to secure that the members of that MDC include at least two elected members of that London council.’.

Lords Amendments 391 to 441 agreed to.