



House of Commons

Tuesday 27 November 2012

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

GROWTH AND INFRASTRUCTURE BILL

NOTE

The Amendments have been arranged in accordance with the Order of the Committee [13 November 2012].

Roberta Blackman-Woods
Ian Murray

Clause 2, page 3, line 18, after 'direct,', insert 'subject to criteria set out in regulations'. 28

Roberta Blackman-Woods
Ian Murray

Clause 2, page 3, line 21, after 'directs,', insert 'subject to criteria set out in regulations'. 29

Roberta Blackman-Woods
Ian Murray

Clause 2, page 3, line 33, after 'direct,', insert 'subject to criteria set out in regulations'. 30

Roberta Blackman-Woods
Ian Murray

Clause 2, page 3, line 36, after 'directs,', insert 'subject to criteria set out in regulations'. 31

Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray

25

Clause 2, page 4, line 2, after ‘State’, insert ‘subject to mitigating circumstances, to include circumstances beyond the control of the holder of the inquiry or hearing’.

Roberta Blackman-Woods
Ian Murray

32

Clause 2, page 4, line 9, after ‘direct,’, insert ‘subject to criteria set out in regulations’.

Roberta Blackman-Woods
Ian Murray

33

Clause 2, page 4, line 12, after ‘directs,’, insert ‘subject to criteria set out in regulations’.

Roberta Blackman-Woods
Ian Murray

26

Clause 2, page 5, line 2, leave out ‘if he thinks fit’ and insert ‘with the agreement of both parties’.

Roberta Blackman-Woods
Ian Murray

27

Clause 2, page 5, line 5, at end insert—

‘(12) The Secretary of State must publish—

- (a) the criteria that are to be applied by the Secretary of State in deciding whether sub-paragraph (11) should be employed; and
- (b) the reasons of the Secretary of State for directing that “anything” be done under sub-paragraph (11).’.

Roberta Blackman-Woods
Ian Murray

61

Clause 3, page 5, line 11, after ‘applies’ insert ‘subject to mitigating circumstances to include circumstances beyond the control of the holder of the inquiry or hearing’.

Roberta Blackman-Woods
Ian Murray

62

Clause 3, page 5, line 16, at end add—

- ‘(c) to the costs of a local authority that is a party to a public local inquiry held in England in pursuance of this Act where one or more other parties does not attend the inquiry.’.
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Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray

Clause 4, page 5, line 23, leave out 'reasonable' and insert 'appropriate'.

63

Roberta Blackman-Woods
Ian Murray

Clause 4, page 5, line 25, leave out from 'if' to 'that' in line 26 and insert 'the local planning authority considers'.

64

Mr Nick Raynsford

Clause 5, page 5, line 31, after '(1)', insert 'Subject to subsection (1A)'.

50

Mr Nick Raynsford

Clause 5, page 5, line 32, at end insert—

'(1A) This section does not apply to planning obligations relating to article 1(5) land as defined in the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418)'.

51

Roberta Blackman-Woods
Ian Murray

Clause 5, page 5, line 34, after 'may', insert 'after the expiry of the relevant period'.

65

Roberta Blackman-Woods
Ian Murray

Clause 5, page 5, line 38, leave out from '(c)' to 'in' in line 40.

67

Mr Nick Raynsford

Clause 5, page 5, line 42, at end insert—

'(2A) An application made to an authority under subsection (2) shall be subject to a fee, which must cover costs incurred in determining whether paragraphs (a) or (b) of subsection (3) apply, including the costs of any specialist advice.'

6

Roberta Blackman-Woods
Ian Murray

Clause 5, page 6, line 3, leave out 'means' and insert 'is assessed by the local authority to be the foremost reason'.

68

Growth and Infrastructure Bill, *continued*

Mr Nick Raynsford

7

Clause 5, page 6, line 9, at end insert—

‘(3A) The Secretary of State shall make an order by Statutory Instrument setting out the criteria by which viability is to be assessed.

(3B) An order shall not be made under subsection (3A) unless he has consulted those persons or organisations he considers to be appropriate and a draft of the Order has been laid before, and approved by resolution of, both Houses of Parliament.’.

Roberta Blackman-Woods

Ian Murray

69

Clause 5, page 6, line 9, at end insert—

‘(3A) An authority can only make a determination in accordance with subsection (3)(a) if it is satisfied that—

(a) it would not result in the development being in material conflict with the strategic policies of the development plan, and

(b) an alternative form of development in accordance with the development plan would not be economically viable.’.

Mr Nick Raynsford

8

Clause 5, page 6, line 15, at end insert—

‘(4A) Second or subsequent applications made to an authority under subsection (2) shall be subject to a fee.’.

Roberta Blackman-Woods

Ian Murray

70

Clause 5, page 6, line 25, at end insert ‘or

‘(e) request that the requirement is to be met in part, or in full, by central government funding allocated for the delivery of affordable homes’.

Mr Nick Raynsford

9

Clause 5, page 6, line 35, at end insert—

‘(6A) Subsections (6)(b) and (c) shall not prevent the planning obligation being modified so as to change the timing of payments.’.

Roberta Blackman-Woods

Ian Murray

71

Clause 5, page 6, line 39, at end insert—

‘(7A) Where the local authority has reasonable grounds to believe that the value of the land, on which planning consent with a planning obligation that contains an affordable housing requirement is placed, has risen and the original obligation has not been reasonably met at the end of one year they may—

(a) determine that requirement is to have effect subject to modifications,

(b) determine that the requirement is to be replaced with a different affordable housing requirement, or

(c) determine that the requirement will be subject to review within a given time period.’.

Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray

72

Clause 5, page 6, line 41, leave out ‘guidance issued by the Secretary of State;’ and insert ‘regulations, subject to consultation, setting out the criteria upon which viability, for the purposes of this section, is to be assessed.

(8A) Regulations under subsection (8) shall be in the form of a statutory instrument and shall not be made unless a draft of them has been laid before and approved by both Houses of Parliament.’

Michael Fallon
Nick Boles

34

Clause 5, page 6, line 42, at end insert ‘—(a)’.

Michael Fallon
Nick Boles

35

Clause 5, page 6, line 43, at end insert ‘, or

(b) if no period is prescribed under paragraph (a), within the period of 28 days beginning with the day on which the application is received, or such longer period as is agreed in writing between the applicant and the authority.’

Roberta Blackman-Woods
Ian Murray

74

Clause 5, page 6, line 47, at end insert—

‘(10A) If, at the end of one year from the date set according to subsection (10) the obligation as modified has not been met, the modification ceases to have effect and the original obligation is reverted to.’

Roberta Blackman-Woods
Ian Murray

75

Clause 5, page 7, line 10, after ‘market’ insert ‘but not including requirements for land on the site to be reserved and transferred at nil cost to a local planning authority or registered provider of social housing’.

Michael Fallon
Nick Boles

36

Clause 5, page 7, line 21, at end insert—

‘(12A) The Secretary of State may by order amend this section so as to modify the definition of “affordable housing requirement” in subsection (12).

(12B) An order under subsection (12A) may have effect for the purposes of planning obligations entered into before (as well as after) its coming into force.’

Roberta Blackman-Woods
Ian Murray

66

Clause 5, page 7, line 21, at end insert—

““relevant period” means—

(a) such period as may be prescribed; or

Growth and Infrastructure Bill, *continued*

- (b) if no period is prescribed, the period of two years beginning with the date of the planning permission for the development.’.

Michael Fallon
Nick Boles

Clause 5, page 7, line 37, leave out ‘and in such manner’.

37

Roberta Blackman-Woods
Ian Murray

Clause 5, page 7, line 38, after ‘Secretary of State’, insert ‘subject to published criteria’.

73

Michael Fallon
Nick Boles

Clause 5, page 7, line 38, at end insert—

38

‘(3A) If no period is prescribed under subsection (3), an appeal under this section must be made—

(a) in relation to an appeal under subsection (1)(a), within the period of 6 months beginning with the expiry of the period mentioned in section 106BA(9) that applies in the applicant’s case, or

(b) otherwise, within the period of 6 months beginning with the date on which notice of the determination is given to the applicant under section 106BA(9).

(3B) An appeal under this section must be made by notice served in such manner as may be prescribed by the Secretary of State.’.

Michael Fallon
Nick Boles

Clause 5, page 7, line 39, after first ‘to’ insert ‘(8), (10) and’.

39

Michael Fallon
Nick Boles

Clause 5, page 7, line 41, leave out ‘(5)’ and insert ‘(4A)’.

40

Michael Fallon
Nick Boles

Clause 5, page 7, line 41, at end insert—

41

‘(4A) References to the affordable housing requirement or the planning obligation are to the requirement or obligation as it stood immediately before the application under section 106BA to which the appeal relates.’.

Roberta Blackman-Woods
Ian Murray

Clause 5, page 7, leave out lines 46 and 47 and insert—

76

‘(6) Sections 106BA(5)(c) (removal of requirement) and 106BA(5)(d) (discharge or affordable housing requirement) do not apply under this section.’.

Growth and Infrastructure Bill, *continued*

Michael Fallon
Nick Boles

- 42**
- Clause 5, page 8, line 2, after ‘State’ insert ‘—
- (a) does not uphold the determination under section 106BA to which the appeal relates (if such a determination has been made), and
 - (b) ’.

Michael Fallon
Nick Boles

- 43**
- Clause 5, page 8, line 6, leave out from ‘period’ to end of line 17 and insert ‘, the obligation is treated as containing the affordable housing requirement or requirements it contained immediately before the first application under section 106BA in relation to the obligation, subject to the modifications within subsection (8A).
- (8A) Those modifications are—
- (a) the modifications necessary to ensure that, if the development has been commenced before the end of the relevant period, the requirement or requirements apply only in relation to the part of the development that is not commenced before the end of that period, and
 - (b) such other modifications as the Secretary of State considers necessary or expedient to ensure the effectiveness of the requirement or requirements at the end of that period.’.

Michael Fallon
Nick Boles

- 44**
- Clause 5, page 8, line 18, leave out ‘subsection (8)’ insert ‘subsections (8) and (8A)’.

Roberta Blackman-Woods
Ian Murray

- 77**
- Clause 5, page 8, line 18, leave out ‘three years’ and insert ‘one year’.

Michael Fallon
Nick Boles

- 45**
- Clause 5, page 8, leave out lines 21 and 22 and insert—
- ‘(10) Section 106BA and this section apply in relation to a planning obligation containing a provision within subsection (8) as if—
- (a) the provision were an affordable housing requirement, and
 - (b) a person against whom the obligation is enforceable were a person against whom that requirement is enforceable.
- (10A) If subsection (8) applies on an appeal relating to a planning obligation that already contains a provision within that subsection—
- (a) the existing provision within subsection (8) ceases to have effect, but
 - (b) that subsection applies again to the obligation.’.

Growth and Infrastructure Bill, *continued*

Michael Fallon
Nick Boles

46

Schedule 2, page 36, line 15, at end insert—

‘(2A) After subsection (1) insert—

“(1A) If no period is prescribed under section 106BA(9), the period of 6 weeks referred to in subsection (1)(b) that applies in relation to proceedings for failure to give notice as mentioned in subsection (9) of section 106BA begins with the expiry of the period mentioned in that subsection that applies in the applicant’s case.”.

Mr Nick Raynsford

60

Schedule 2, page 36, line 19, leave out sub-paragraph (4).

Michael Fallon
Nick Boles

47

Schedule 2, page 36, line 34, at end insert—

‘7A (1) Section 333 (regulations and orders) is amended as follows.

(2) In subsection (4) (power to make orders under Act exercisable by statutory instrument), after “87,” insert “106BA(12A),”.

(3) After subsection (5) insert—

“(5ZA) No order may be made under section 106BA(12A) unless a draft of the instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament.”.

Michael Fallon
Nick Boles

48

Schedule 2, page 36, line 37, leave out ‘1(1)’ and insert ‘1—

(a) in sub-paragraph (1)’.

Michael Fallon
Nick Boles

49

Schedule 2, page 36, line 39, at end insert ‘, and

(b) after that sub-paragraph insert—

“(1A) If no classes of appeals under section 106BB are prescribed by regulations under sub-paragraph (1), all appeals under that section are to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.”.

Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray

78

Clause 7, page 9, leave out line 24 and insert—
‘(ba) the need to deliver sustainable development in the United Kingdom.’

Ian Murray
Roberta Blackman-Woods

53

Clause 7, page 9, line 24, leave out ‘the need to promote economic growth in the United Kingdom’ and insert ‘the need to promote economic growth in the UK through the Government’s broadband programme’.

Ian Murray
Roberta Blackman-Woods

54

Clause 7, page 9, line 33, leave out ‘6 April 2018’ and insert ‘31 December 2015’.

Ian Murray
Roberta Blackman-Woods

87

★ Clause 7, page 9, line 36, at end insert—
‘(c) the resulting regulations are expressed so as to require any person to whom the code set out in Schedule 2 to the Telecommunications Act 1984 (“the electronic communications code”) applies, before executing works in a national park, to consult—
(i) the National Park Authority for the park in question,
(ii) each local planning authority in whose area the works are proposed to be executed, and
(iii) such other persons as he considers appropriate.’

Ian Murray
Roberta Blackman-Woods

55

Clause 7, page 9, line 44, leave out ‘6 April 2018’ and insert ‘31 December 2015’.

Ian Murray
Roberta Blackman-Woods

88

★ Clause 7, page 9, line 46, at end insert—
‘(c) the resulting regulations are expressed so as to require any person to whom the code set out in Schedule 2 to the Telecommunications Act 1984 (“the electronic communications code”) applies, before executing works in a national park, to consult—
(i) the Committee for Nature Conservation and the Ulster Countryside Committee,
(ii) each district council in whose area the works are proposed to be executed, and
(iii) such other persons as he considers appropriate.’

Growth and Infrastructure Bill, *continued*

Ian Murray

Roberta Blackman-Woods

56

Clause 7, page 10, line 8, leave out ‘6 April 2018’ and insert ‘31 December 2015’.

Ian Murray

Roberta Blackman-Woods

89

★ Clause 7, page 10, line 10, at end insert—

‘(c) the resulting regulations are expressed so as to require any person to whom the code set out in Schedule 2 to the Telecommunications Act 1984 (“the electronic communications code”) applies, before executing works in the Broads, to consult—

- (i) the Broads Authority,
- (ii) each local planning authority in whose area the works are proposed to be executed, and
- (iii) such other persons as he considers appropriate.’.

Ian Murray

Roberta Blackman-Woods

57

Clause 7, page 10, line 21, leave out ‘6 April 2018’ and insert ‘31 December 2015’.

Ian Murray

Roberta Blackman-Woods

90

★ Clause 7, page 10, line 23, at end insert—

‘(c) the resulting regulations are expressed so as to require any person to whom the code set out in Schedule 2 to the Telecommunications Act 1984 (“the electronic communications code”) applies, before executing works in an area of outstanding natural beauty, to consult—

- (i) any conservation board that exists in respect of the area of outstanding natural beauty, or, if no conservation board exists, Natural England or the Countryside Council for Wales, as appropriate,
- (ii) each local planning authority in whose area the works are proposed to be executed, and
- (iii) such other persons as he considers appropriate.’.

Ian Murray

Roberta Blackman-Woods

58

Clause 7, page 10, line 24, leave out ‘6 April 2018’ and insert ‘31 December 2015’.

Roberta Blackman-Woods

Ian Murray

Nic Dakin

94

★ Clause 12, page 14, line 15, leave out ‘may’ and insert ‘must’.

Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray
Nic Dakin

95

- ★ Clause 12, page 14, line 27, at end insert—
 ‘(e) for publicising the deposit of a statement under subsection (1) in the local area.’.
-

Roberta Blackman-Woods
Ian Murray

96

- ★ Clause 13, page 15, line 26, after ‘may’, insert ‘subject to consultation’.

Michael Fallon
Nick Boles

52

- Clause 13, page 15, line 34, at end insert—
 ‘() The transitional provision that may be included in an order under subsection (5)(a) specifying an additional trigger or terminating event includes provision for this section to apply where such an event has occurred before the order is made or before it comes into force and as to its application in such a case.’.

Roberta Blackman-Woods
Ian Murray

97

- ★ Clause 13, page 16, line 1, leave out from ‘apply’ to the end of line 3 and add ‘in relation to an application under section 15(1) of the Commons Act 2006 which—
 (a) is sent before the day on which this section comes into force, or
 (b) is in an area which is not covered by an adopted local plan or an adopted neighbourhood development plan.’.
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Roberta Blackman-Woods
Ian Murray

98

- ★ Schedule 4, page 40, leave out lines 21 to 27.

Roberta Blackman-Woods
Ian Murray

99

- ★ Schedule 4, page 40, leave out lines 38 to 43.

Growth and Infrastructure Bill, *continued*

Roberta Blackman-Woods
Ian Murray

100

- ★ Schedule 4, page 41, leave out lines 27 to 34.

Michael Fallon
Nick Boles

79

- ★ Clause 19, page 20, line 10, leave out '(3)(a)' and insert '(3)'.

Michael Fallon
Nick Boles

80

- ★ Clause 19, page 20, leave out line 12 and insert 'the words from "unless" to the end substitute "unless—
- (a) the Secretary of State is satisfied that one of subsections (4) to (5) applies, and
 - (b) that fact, and the subsection concerned, are recorded in the order or otherwise in the instrument or other document containing the order.'.

Michael Fallon
Nick Boles

81

- ★ Clause 19, page 20, line 34, at end insert ', and
- (c) omit subsections (6) to (10) (provision about certificates under subsection (3)(b)).'.

Michael Fallon
Nick Boles

82

- ★ Clause 19, page 20, line 38, leave out from second 'allotment' to 'after' in line 39 and insert '—
- (a) in subsection (2) (special parliamentary procedure does not apply if Secretary of State certifies that one of subsections (3) to (5) applies) for the words from "unless" to the end substitute "unless—
 - (a) the Secretary of State is satisfied that one of subsections (3) to (5) applies, and
 - (b) that fact, and the subsection concerned, are recorded in the order or otherwise in the instrument or other document containing the order.'.
 - (b) '.

Michael Fallon
Nick Boles

83

- ★ Clause 19, page 21, line 10, at end insert ', and

Growth and Infrastructure Bill, *continued*

- (c) omit subsections (6) to (10) (provision about certificates under subsection (2)(b)).’.
-

Michael Fallon
Nick Boles

84

★ Clause 20, page 22, line 3, at end insert—

- ‘(c) paragraph 22 of Schedule 3 to the Harbours Act 1964 (harbour revision or empowerment order authorising compulsory purchase of, or of rights over, inalienable National Trust land or land forming part of a common, open space or fuel or field garden allotment),
- (d) paragraph 12 or 13 of Schedule 4 to the New Towns Act 1981 (order authorising compulsory purchase of local authority land, inalienable National Trust land or land forming part of a common, open space or fuel or field garden allotment), or
- (e) section 12 of the Transport and Works Act 1992 (order authorising compulsory purchase of, or of rights over, inalienable National Trust land or land forming part of a common, open space or fuel or field garden allotment).
- (4) A reference in this Act to land to which a special-acquisition provision applies is to be read as follows—
- (a) “land” has the same meaning as it has for the purposes of the special-acquisition provision, and
- (b) in the case of a special-acquisition provision mentioned in subsection (3)(c) or (e), the reference is to—
- (i) land (as so defined) belonging to the National Trust which is held by the Trust inalienably, or
- (ii) land (as so defined) forming part of a common, open space or fuel or field garden allotment.
- (5) The definition of “the National Trust” given by section 7(1) of the Acquisition of Land Act 1981, and section 18(3) of that Act (meaning of “held inalienably”), apply for the purposes of subsection (4)(b)(i).
- (6) In subsection (4)(b)(ii) “common”, “fuel or field garden allotment” and “open space” have the same meaning as in section 19 of that Act.”’.

Michael Fallon
Nick Boles

85

★ Clause 20, page 22, line 26, at end insert—

- ‘(5A) In section 3(4A)—
- (a) the reference in the opening words to the order to which a petition relates is to be read as a reference to the order containing the special authorisation to which a petition relates, and
- (b) in paragraph (a) the reference to the order being one that relates to proposals of the kind mentioned is to be read as a reference to the Chairmen being of the opinion that removal of the special

Growth and Infrastructure Bill, *continued*

authorisation from the order would be inconsistent with proposals of that kind.’.

Michael Fallon
Nick Boles

86

- ★ Clause 20, page 25, line 13, leave out from ‘in’ to end of line 15 and insert ‘paragraphs 4(2) and 5(2) of Schedule 3 (certain compulsory purchase orders subject to special parliamentary procedure so far as authorising acquisition of rights over special land if owner objects to the order) for “the order” substitute “the compulsory purchase of the rights”.
- (7A) In paragraph 12 of Schedule 4 to the New Towns Act 1981 (certain compulsory purchase orders subject to special parliamentary procedure so far as authorising acquisition of special land if owner objects to the order) for “to the order” substitute “to the acquisition of the land”.
- (7B) In each of the following provisions (which refer to orders confirmed by Act under section 6 of the 1945 Act) before “6” insert “4 or”—
 section 44(1) of the Harbours Act 1964,
 section 27 of the Acquisition of Land Act 1981,
 paragraph 16(a) of Schedule 4 to the New Towns Act 1981,
 paragraph 6(6)(a) of Schedule 11 to the Water Industry Act 1991,
 paragraph 6(6)(a) of Schedule 19 to the Water Resources Act 1991, and
 section 12(3)(b) of the Transport and Works Act 1992.’.
-

Roberta Blackman-Woods
Ian Murray

101

- ★ Clause 21, page 25, line 23, after ‘may’, insert ‘subject to regulations excluding sites of special environmental or historic importance.’.

Roberta Blackman-Woods
Ian Murray

102

- ★ Clause 21, page 25, line 26, at end insert—
 ‘(1B) The Secretary of State must publish his reasons for giving a direction under this subsection.’.

Roberta Blackman-Woods
Ian Murray

103

- ★ Clause 21, page 25, line 33, at end insert—
 ‘(aa) the development does not involve surface mineral extraction or quarrying.’.

Roberta Blackman-Woods
Ian Murray

104

- ★ Clause 21, page 25, line 36, leave out ‘thinks that’ and insert ‘considers that, subject to published criteria.’.

Growth and Infrastructure Bill, *continued*

Mr Nick Raynsford

91

★ Clause 21, page 26, line 13, at end insert—

‘(6) The Secretary of State must prepare and lay before Parliament a proposal for a national policy statement, setting out national policy in relation to this section.’.

Mr Nick Raynsford

92

★ Clause 22, page 28, line 30, at end add—

‘(11) The Secretary of State may not by order appoint for this section to come into force until—

- (a) he has published calculated estimates of the total numbers of those ratepayers who would be liable to pay more and of those who would be liable to pay less to their billing authority if this section were or were not brought into force, and
 - (b) he has consulted with representatives of those likely to be affected by the bringing into force of this section, after publishing the information required under subsection (11)(a).’.
-

Mr Nick Raynsford

93

★ Clause 27, page 30, line 29, leave out ‘16 and 22’ and insert ‘and 16’.

NEW CLAUSES
Removal of Planning Act 2008 consent and certification requirements

Michael Fallon

Nick Boles

NC3

★ To move the following Clause:—

- ‘(1) The Planning Act 2008 is amended as follows.
- (2) In section 127 (compulsory acquisition of statutory undertakers’ land, and rights over statutory undertakers’ land)—
 - (a) in subsection (2), for the words from “Secretary of State” to the end substitute “Secretary of State is satisfied of the matters set out in subsection (3).”;
 - (b) in subsection (5), for the words from “Secretary of State” to the end substitute “Secretary of State is satisfied of the matters set out in subsection (6).”;
 - (c) omit subsection (7).

Growth and Infrastructure Bill, *continued*

- (3) Section 137 (consent of statutory undertakers etc required to extinguishment of right of way over land on which they have apparatus) is repealed.
- (4) In section 138 (extinguishment of rights, and removal of apparatus, of statutory undertakers etc)—
 - (a) in subsection (4), for the words from “only if” to the end substitute “only if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates.”;
 - (b) after subsection (4) insert—
 - “(4A) In this section “statutory undertakers” means persons who are, or are deemed to be, statutory undertakers for the purpose of any provision of Part 11 of TCPA 1990.
 - (4B) In this section the following terms have the meanings given in paragraph 1(1) of Schedule 17 to the Communications Act 2003—
 - “electronic communications apparatus”;
 - “electronic communications code”;
 - “electronic communications code network”;
 - “operator”.
 - (c) omit subsections (5) and (6).
- (5) In Schedule 12 (modifications of Act in its application to Scotland), in paragraph 18, for “Section 137(7)” substitute “Section 138(4A)”.

Purpose of planning

Roberta Blackman-Woods
Ian Murray

NC1

To move the following Clause:—

‘In Part 2 of the Planning and Compulsory Purchase Act 2004 insert—

“13A The Purpose of Planning

- (1) The purpose of the planning system is to positively promote the long term spatial organisation of land in order to achieve sustainable development.
- (2) In the Planning Act 2008, sustainable development means managing the use, development and protection of land and natural resources in a way, or at a rate, which enables people and communities to provide for their legitimate social, economic and cultural wellbeing while sustaining the potential of future generations to meet their own needs by respecting environmental limits.
- (3) In achieving sustainable development, planning should—
 - (a) positively identify suitable land for development in line with the economic, social and environmental objectives so as to improve the quality of life, wellbeing and health of people and communities;
 - (b) contribute to sustainable economic development;

Growth and Infrastructure Bill, *continued*

- (c) protect and enhance the natural and historic environment and quality of existing communities and the countryside;
 - (d) ensure long term sustainable patterns of resource use;
 - (e) positively promote civic beauty through high quality and inclusive design; and
 - (f) ensure the planning system is open, transparent, participative and accountable.”’.
-

Requirement for local development documents to contribute to social cohesion and inclusion

Roberta Blackman-Woods
Ian Murray

NC2

To move the following Clause:—

‘In section 19 of the Planning and Compulsory Purchase Act 2004 (preparation of local development documents) after subsection (1A) insert—

- “(1B) Local development documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to social cohesion and inclusion by addressing the needs of all sections of the community and in particular requirements relating to age, sex, ethnic background, religion, disability and income.”’.
-

Development plan documents: climate change policies

Roberta Blackman-Woods
Ian Murray

NC4

★ To move the following Clause:—

‘In section 19 of the Planning and Compulsory Purchase Act 2004 (preparation of local development documents) after subsection (1) insert—

- “(1A) Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of and adaptation to climate change in line with the objectives and provisions of the Climate Change Act 2008.”’.
-

Growth and Infrastructure Bill, *continued*

Sustainable development as a criterion for deciding development consent applications

Roberta Blackman-Woods
Ian Murray

NC5

★ To move the following Clause:—

‘In section 105 of the Planning Act 2008 (decisions of Secretary of State) after subsection (2)(a) insert—

“(aa) the objective of achieving sustainable development”.’.

ORDER OF THE HOUSE [5 NOVEMBER 2012]

That the following provisions shall apply to the Growth and Infrastructure Bill—

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 6 December 2012.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

ORDER OF THE COMMITTEE [13 NOVEMBER 2012]

That—

- (1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 13 November) meet—
 - (a) at 2.00 pm on Tuesday 13 November;
 - (b) at 8.55 am and 2.00 pm on Tuesday 20 November;
 - (c) at 11.30 am and 2.00 pm on Thursday 22 November;
 - (d) at 8.55 am and 2.00 pm on Tuesday 27 November;
 - (e) at 11.30 am and 2.00 pm on Thursday 29 November;
 - (f) at 8.55 am and 2.00 pm on Tuesday 4 December;
 - (g) at 11.30 am and 2.00 pm on Thursday 6 December;

Growth and Infrastructure Bill, *continued*

- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 13 November	Until no later than 10.00 am	Department for Business, Innovation and Skills; Department for Communities and Local Government; Department for Energy and Climate Change
Tuesday 13 November	Until no later than 10.30 am	Local Government Association; Association of Convenience Stores
Tuesday 13 November	Until no later than 11.25 am	Institute of Directors; Confederation of British Industry; British Chamber of Commerce
Tuesday 13 November	Until no later than 3.00 pm	Country Land and Business Association; British Property Federation; British Council of Shopping Centres
Tuesday 13 November	Until no later than 4.00 pm	Chartered Institute of Housing; Home Builders Federation; National Housing Federation
Tuesday 13 November	Until no later than 5.00 pm	Royal Institute of British Architects; Shelter
Tuesday 20 November	Until no later than 9.30 am	Adrian Penfold (author of the Penfold Review of non-planning consents)
Tuesday 20 November	Until no later than 10.30 am	Royal Town Planning Institute; Town and Country Planning Association; Planning Officers Society
Tuesday 20 November	Until no later than 11.25 am	National Infrastructure Planning Association; Energy UK; Broadband Stakeholder Group
Tuesday 20 November	Until no later than 3.00 pm	Taylor Wessing LLP; Working Families; Trades Union Congress; Chartered Institute of Personnel and Development
Tuesday 20 November	Until no later than 4.00 pm	English National Park Authorities Association; Campaign to Protect Rural England; RSPB; RenewableUK
Tuesday 20 November	Until no later than 5.00 pm	National Trust; Friends of the Earth; Campaign for National Parks

- (3) Proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 1; Schedule 1; Clauses 2 to 5; Schedule 2; Clauses 6 to 8; Schedule 3; Clauses 9 to 13; Schedule 4; Clauses 14 to 28; new Clauses; new Schedules; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 6 December.

Growth and Infrastructure Bill, *continued*

NOTICES WITHDRAWN

The following Notices were withdrawn on 26 November:

Amendment 59.
