



# House of Commons

Tuesday 4 December 2012

## PUBLIC BILL COMMITTEE PROCEEDINGS

---

### GROWTH AND INFRASTRUCTURE BILL

[ELEVENTH AND TWELFTH SITTINGS]

---

Roberta Blackman-Woods  
Ian Murray

Clause 13, page 15, line 26, after 'may', insert 'subject to consultation'.

*Withdrawn* 96

Michael Fallon  
Nick Boles

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.?

*Agreed to* 52

Roberta Blackman-Woods  
Ian Murray

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.?

*Not called* 97

*Clause, as amended, agreed to.*

---

Roberta Blackman-Woods  
Ian Murray

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

*Not called* 98

**Growth And Infrastructure Bill, *continued***

Roberta Blackman-Woods  
Ian Murray

*Not called* 99

Schedule 4, page 40, leave out lines 38 to 47.

Roberta Blackman-Woods  
Ian Murray

*Not called* 100

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

*Schedule agreed to on division.*

*Clauses 14 to 18 agreed to.*

---

Michael Fallon  
Nick Boles

*Agreed to* 79

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

Michael Fallon  
Nick Boles

*Agreed to* 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

*Agreed to* 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

*Agreed to* 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.";

---

**Growth And Infrastructure Bill, *continued***

(b) ’.

Michael Fallon  
Nick Boles*Agreed to* **83**

Clause 19, page 21, line 10, at end insert ‘, and  
(c) omit subsections (6) to (10) (provision about certificates under subsection (2)(b)).’.

*Clause, as amended, agreed to.*Michael Fallon  
Nick Boles*Agreed to* **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*Agreed to* **85**

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

---

**Growth And Infrastructure Bill, *continued***

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

Michael Fallon  
Nick Boles

*Agreed to* **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.’.

*Clause, as amended, agreed to.*

---

Roberta Blackman-Woods  
Ian Murray

*Withdrawn* **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

*Withdrawn* **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

*Not called* **109**

Clause **21**, page **25**, leave out line 33.

**Growth And Infrastructure Bill, *continued***

Roberta Blackman-Woods  
Ian Murray

*Not called* 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

*Not called* 104

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

Roberta Blackman-Woods  
Ian Murray

*Not called* 110

- Clause 21, page 25, leave out line 43.

Roberta Blackman-Woods  
Ian Murray

*Not called* 111

- Clause 21, page 26, line 10, leave out from ‘project)’ to end of line 11.

Roberta Blackman-Woods  
Ian Murray

*Not called* 112

- Clause 21, page 26, leave out lines 12 and 13 and insert—  
(5) In this section, “business or commercial project” means a project which consists of any of the following—  
(a) offices and research and development facilities;  
(b) manufacturing and processing proposals;  
(c) warehousing, storage and distribution facilities;  
(d) conference and exhibition centres;  
(e) leisure, tourism and sports and recreation facilities;  
(f) extractive industries (mining and quarrying); and  
(g) mixed-use developments, including one or more of the above uses but not retail where it is the main or predominant use or housing except where it is incidental.  
(6) The Secretary of State may by order, subject to consultation—  
(a) amend subsection (5) to add a new type of project or vary or remove an existing type of project;  
(b) make further provision, or amend or repeal existing provision, about the types of project which are, and are not, within subsection (5).  
(7) An order under subsection (6)(b) may amend this Act.’.

Mr Nick Raynsford  
Roberta Blackman-Woods  
Ian Murray

*Withdrawn* 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.’.

**Growth And Infrastructure Bill, *continued***

Roberta Blackman-Woods  
Ian Murray

*Not called* 113

Clause 21, page 27, line 37, at end insert—

‘(3A) In section 105 (decisions in cases where no national policy statement has effect) after subsection (2)(c) insert—

‘and in the case of a business or commercial development project shall make the decision in accordance with the relevant local plan’.

*Clause agreed to.*

---

Mr Nick Raynsford  
Ian Murray  
Roberta Blackman-Woods

*Negatived on division* 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).’

[Adjourned until Thursday at 11.30 am