# House of Commons

## NOTICES OF AMENDMENTS

**given up to and including**

## Thursday 22 January 2015

*New Amendments handed in are marked thus* ★

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

## CONSIDERATION OF BILL

### INFRASTRUCTURE BILL [*LORDS*], AS AMENDED

**NOTE**

**The Amendments have been arranged in accordance with the Infrastructure Bill [Lords] Programme (No. 2) to be proposed by Secretary Patrick McLaughlin.**

*NEW CLAUSES, NEW SCHEDULES, AMENDMENTS TO CLAUSES AND AMENDMENTS TO SCHEDULES RELATING TO PART 5*

Secretary Patrick McLaughlin

**NC15**

☆ To move the following Clause—

**"Advice on likely impact of onshore petroleum on the carbon budget**

(1) The Secretary of State must from time to time request the Committee on Climate Change to provide advice (in accordance with section 38 of the CCA 2008) on the impact which combustion of, and fugitive emissions from, petroleum got through onshore activity is likely to have on the Secretary of State's ability to meet the duties imposed by—

(a) section 1 of the CCA 2008 (net UK carbon account target for 2050), and

(b) section 4(1)(b) of the CCA 2008 (UK carbon account not to exceed carbon budget).

(2) As soon as practicable after each reporting period, the Secretary of State must produce a report setting out the conclusions that the Secretary of State has reached after considering the advice provided by the Committee on Climate Change during that reporting period in response to any request made under subsection (1).

(3) The Secretary of State must lay a copy of any such report before Parliament.

**Infrastructure Bill [*Lords*],** *continued*

(4) In this section—

"CCA 2008" means the Climate Change Act 2008;

"petroleum got through onshore activity" means petroleum got from the strata in which it exists in its natural condition by activity carried out on land in England and Wales (excluding land covered by the sea or any tidal waters);

"petroleum" has the same meaning as in Part 1 of the Petroleum Act 1998 (see section 1 of that Act);

"reporting period" means—

(a) the period ending with 1 April 2016, and

(b) each subsequent period of 5 years."

***Member's explanatory statement***

*This amendment requires the Secretary of State to seek advice from the Committee on Climate Change on the likely impact of petroleum (including natural gas) produced onshore in England and Wales, and to report periodically on the conclusions reached as result of the advice given.*

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Tom Greatrex
Richard Burden
Roberta Blackman-Woods

**NC1**

To move the following Clause—

**"Hydraulic fracturing**

(1) The Environmental Permitting (England and Wales) Regulations 2010, Schedule 1, Part 2, Chapter 1, is amended as follows:

(2) After Section 1.2 insert—

"SECTION 1.3

*Hydraulic Fracturing Activities*

**Part A(1)**

(a) carrying out exploration or assessments prior to hydraulic fracturing;

(b) drilling wells for use in hydraulic fracturing;

(c) process of hydraulic fracturing;

(d) decommissioning and long-term maintenance of hydraulic fracturing wells.""

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**Infrastructure Bill [*Lords*],** *continued*

Tom Greatrex
Richard Burden
Roberta Blackman-Woods

**NC2**

To move the following Clause—

**"Shale gas extraction: devolution**

(1) The Scotland Act 1998 is amended as follows:

(2) In Schedule 5, Part II, section D2, after "gas other than through pipes,", insert—

"( ) The licensing of onshore shale gas extraction underlying Scotland.

( ) Responsibility for mineral access rights for onshore extraction of shale gas in Scotland.""

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Dr Julian Huppert
Martin Horwood
Mr Adrian Sanders
Mr John Leech
Norman Baker
Stephen Lloyd

Paul Burstow Annette Brooke Mr Mark Williams

**NC4**

To move the following Clause—

**"Committee on Climate Change shale gas reports**

It shall be a duty of the Committee on Climate Change to produce Reports into the effects of exploitation of shale gas in the UK on net carbon emissions from the UK."

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Norman Baker
Dr Julian Huppert
Caroline Lucas
Mr Adrian Sanders
Stephen Lloyd
Annette Brooke

Martin Horwood Mr Michael Thornton John McDonnell
Jeremy Corbyn Mr Mark Williams

**NC6**

To move the following Clause—

**"Hydraulic Fracturing exclusion zones**

(1) The Petroleum Act 1998 is amended as follows.

**Infrastructure Bill [*Lords*],** *continued*

(2) In Section 3, after subsection (4), insert—

"(5) No licences shall be granted to search and bore for petroleum in protected areas using the process of hydraulic fracturing.

(6) For the purposes of this section, "protected area" means—

(a) special areas of conservation under the Conservation (Natural Habitats, &c) Regulations 1994,

(b) special protection areas under the Wildlife and Countryside Act 1981,

(c) sites of special scientific interest under the Wildlife and Countryside Act 1981,

(d) national parks under the National Parks and Access to the Countryside Act 1949,

(e) The Broads under the Norfolk and Suffolk Broads Act 1988, and

(f) areas of outstanding natural beauty under the Countryside and Rights of Way Act 2000."

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Miss Anne McIntosh

**NC7**

To move the following Clause—

**"Environmental Impact Assessment: publication**

(1) Any Environmental Statement undertaken in respect of the possible exploitation of petroleum or deep geothermal energy, under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, must be publicised before a planning application is submitted to the local planning authority and/or the Secretary of State.

(2) The publication of an Environmental Statement under subsection (1) must be in accordance with the procedures set out in Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010."

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Miss Anne McIntosh
Ms Margaret Ritchie

**NC8**

To move the following Clause—

**"Impact on rural communities**

The Secretary of State for Environment, Food and Rural Affairs must, within one month of this Act receiving Royal Assent, lay before the House of Commons the full report on Shale Gas Rural Economy Impacts."

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**Infrastructure Bill [*Lords*],** *continued*

Yasmin Qureshi
Mr Roger Godsiff
Geraint Davies
Martin Caton
Mr Michael Thornton
John Mann

Caroline Lucas | Hywel Williams | Dr Julian Huppert
Dr Alan Whitehead | Mr Mark Williams | Joan Walley

**NC9**

☆ To move the following Clause—

**"Moratorium on onshore unconventional petroleum**

(1) All use of land for development consisting of the exploitation of unconventional petroleum in Great Britain shall be discontinued during the relevant period.

(2) The Secretary of State must ensure that an independent assessment is undertaken of the exploitation of unconventional petroleum in Great Britain including the use of high volume hydraulic fracturing.

(3) The assessment must take account of the impacts of the exploitation of the unconventional petroleum on—

(a) climate change;

(b) the environment;

(c) health and safety; and

(d) the economy.

(4) The Secretary of State must—

(a) consult such persons as the Secretary of State thinks fit; and

(b) publish the assessment

within the relevant period.

(5) For the purposes of subsections (1) to (4)—

"relevant period" means a period of not less than 18 months and not more than 30 months commencing on the date two months after Royal Assent;

"unconventional petroleum" means petroleum which does not flow readily to the wellbore.

(6) In section 3 of the Petroleum Act 1998, at the end of subsection (4) add "and subsection (4A).

(4A) Nothing in this section permits the grant of a licence to search and bore for and get unconventional petroleum in Great Britain during the relevant period.

(4B) For the purposes of subsection (4A) "relevant period" and "unconventional petroleum" have the meaning specified in section [Moratorium on onshore unconventional petroleum] of the Infrastructure Act 2015."

**Infrastructure Bill [*Lords*],** *continued*

Charles Hendry [R]
Joan Walley
Dan Byles
Paul Farrelly
Peter Aldous
Mrs Mary Glindon

Sir Robert Smith [R] John Hemming Mr Graham Brady
Mr Graham Stuart

**NC10**

☆ To move the following Clause—

**"The security of supply of gas**

(1) The Secretary of State shall, in accordance with section 4AA of the Gas Act 1986 and so far as it appears to him practicable from time to time, keep under review whether further measures may be appropriate in order to protect the interests of existing and future consumers in relation to the security of the supply of gas to them.

(2) For the purposes of subsection (1), the Secretary of State may direct the Gas and Electricity Markets Authority to conduct a Significant Code Review in relation to whether modifications to licences granted under Part 1 of the Gas Act 1986 or to the Uniform Network Code are appropriate in order to underpin the demand for and the security of supply of gas.

(3) For the purposes of this section—

"consumers", for the avoidance of doubt, includes domestic and non-domestic consumers;

"Significant Code Review" has the meaning given in Standard Special Condition A11 (24) of licences granted under section 7 of the Gas Act 1986;

"Uniform Network Code" means the document of that title required to be prepared pursuant to Standard Special Condition A11 of licences granted under section 7 of the Gas Act 1986.

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Charles Hendry [R]
Joan Walley
Dan Byles
Paul Farrelly
Peter Aldous
Mrs Mary Glindon

Sir Robert Smith [R] John Hemming Mr Graham Brady
Mr Graham Stuart

**NC11**

☆ To move the following Clause—

**"Annual report by Secretary of State on security of energy supplies**

(1) Section 172 of the Energy Act 2004 (annual report on security of energy supplies) is amended as follows.

(2) In subsection (2), at the end insert—

[R] Relevant registered interest declared.

**Infrastructure Bill [*Lords*],** *continued*

"(e) the security of supply of gas to consumers in Great Britain, including available storage capacity, and any appropriate remedial measures.""

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Tom Greatrex
Caroline Flint

**NC19**

☆ To move the following Clause—

**"Hydraulic fracturing: necessary conditions**

Any hydraulic fracturing activity can not take place:

(a) unless an environmental imapct assessment has been carried out;
(b) unless independent inspections are carried out of the integrity of wells used;
(c) unless monitoring has been undertaken on the site over the previous 12 month period;
(d) unless site-by-site measurement, monitoring and public disclosure of existing and future fugitive emissions is carried out;
(e) in land which is located within the boundary of a groundwater source protection zone;
(f) within or under protected areas;
(g) in deep-level land at depths of less than 1,000 metres;
(h) unless planning authorities have considered the cumulative impact of hydraulic fracturing activities in the local area;
(i) unless a provision is made for community benefit schemes to be provided by companies engaged in the extraction of gas and oil rock;
(j) unless residents in the affected area are notified on an individual basis;
(k) unless substances used are subject to approval by the Environment Agency
(l) unless land is left in a condition required by the planning authority, and
(m) unless water companies are consulted by the planning authority."

***Member's explanatory statement***

*The purpose of this new clause is to ensure that shale gas exploration and extraction can only proceed with appropriate regulation and comprehensive monitoring and to ensure that any activity is consistent with climate change obligations and local environmental considerations.*

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Miss Anne McIntosh

**NC25**

★ To move the following Clause—

**"Seismic activity: monitoring**

(1) Any operator will be obliged to cease hydraulic fracturing activity if a tremor of magnitude 0.5 or greater is detected.

**Infrastructure Bill [*Lords*],** *continued*

(2) The Health and Safety Executive will be responsible for monitoring the requirement under subsection (1)."

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Caroline Lucas
Norman Baker
Mr Adrian Sanders
Stephen Lloyd
Mr Michael Thornton
John McDonnell

Jeremy Corbyn | Dr Julian Huppert | Mr Alan Reid

**50**

Page **39**, line **12**, leave out Clause 37.

***Member's explanatory statement***

*This deletes the Clause that puts into primary legislation a new duty to maximise the economic recovery of UK oil and gas.*

Joan Walley
Mark Lazarowicz
Caroline Lucas
Dr Matthew Offord
Mrs Caroline Spelman
Dr Alan Whitehead

Zac Goldsmith | Katy Clark | Martin Caton
Dr Julian Huppert

**68**

☆ Clause **37,** page **39**, line **17**, leave out "the objective of maximising the economic recovery of UK petroleum, in particular through" and insert "not the objective of maximising the economic recovery of UK petroleum but ensuring that fossil fuel emissions are limited to the carbon budgets advised by the Committee on Climate Change and introducing a moratorium on the hydraulic fracturing of shale gas deposits in order to reduce the risk of carbon budgets being breached, in particular through—"

***Member's explanatory statement***

*This reflects the conclusions from an inquiry into the Environmental risks of fracking by the Environmental Audit Committee, whose report is published on 26 January (Eighth Report, HC 856).*

Caroline Lucas
Dr Julian Huppert
Joan Walley

**73**

☆ Clause **37,** page **39**, line **31**, at end insert—

"(3A) A strategy must be compatible with the Climate Change Act 2008."

***Member's explanatory statement***

*This would require strategies drawn up under clause 37 on maximising the economic recovery of oil and gas to be compatible with the Climate Change Act 2008, thereby avoiding the risk that the Secretary of State could, as a result of clause 37, be required to fulfil conflicting duties.*

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**Infrastructure Bill [*Lords*],** *continued*

Caroline Lucas
Norman Baker
Helen Jones
Mr Adrian Sanders
Stephen Lloyd
Ms Margaret Ritchie

Mr Michael Thornton John McDonnell Jeremy Corbyn
Dr Julian Huppert

**51**

Page **45**, line **22**, leave out Clauses 39 to 44.

***Member's explanatory statement***

*This deletes the Clauses that seek to change the trespass law and introduce a new right to use deep-level land, which would allow fracking companies to drill beneath people's homes and land without their permission and to leave any substance or infrastructure in the land.*

Dr Julian Huppert
Martin Horwood
Mr Adrian Sanders
Mr John Leech
Norman Baker
Stephen Lloyd

Annette Brooke Mr Michael Thornton Mr Alan Reid
Mr Mark Williams

**44**

Clause **39,** page **45**, line **25**, leave out "petroleum or deep geothermal energy" and insert—

"(a) petroleum; or

(b) deep geothermal energy.

(1A) The right under (1)(a) only applies if the Committee on Climate Change's most recent report under section (Committee on Climate Change Shale Gas Reports) concludes that shale gas exploitation leads to a net reduction of UK carbon emissions.

(1B) The carrying out of hydraulic fracturing in connection with the exploitation of unconventional petroleum is not allowed unless the Committee on Climate Change's most recent report under section (Committee on Climate Change Shale Shale Gas Reports) concludes that shale gas exploitation leads to a net reduction of UK carbon emissions."

John Mann
Andrew Percy
Yasmin Qureshi

**47**

Clause **39,** page **45**, line **27**, leave out from "if" to end of line 29 and insert—

"(a) it is deep-level land,

(b) it is within a landward area, and

(c) the well shaft is not within two kilometres of any village or town."

Miss Anne McIntosh
Ms Margaret Ritchie

**56**

Clause **39,** page **45**, line **29**, at end insert—

"(c) subject to the agreement of the owner of any land altered by the use."

**Infrastructure Bill [*Lords*],** *continued*

Sir John Randall
Zac Goldsmith
Mrs Cheryl Gillan

**83**

☆ Clause **39,** page **45**, line **29**, at end insert—

"(c) outside:

(i) Special Areas of Conservation under the Conservation (Natural Habitats, &c.) Regulations 1994,

(ii) Special Protection Ares under the Wildlife and Countryside Act 1981,

(iii) Sites of Special Scientific Interest under the Wildlife and Countryside Act 1981,

(iv) National Parks under the National Parks and Access to the Countryside Act 1949,

(v) The Broads under the Norfolk and Suffolk Broads Act 1988, and

(vi) Areas of Outstanding Natural Beauty under section 82 of the Countryside and Rights of Way Act 2000."

Andrew Miller

**117**

☆ Clause **39,** page **45**, line **29**, at end add—

"(c) subject to the prior collation of existing environmental data and that data is published in a form that enables it to be subject to scientific peer review."

Miss Anne McIntosh
Ms Margaret Ritchie

**57**

Clause **39,** page **45**, line **32**, at end insert—

"(3A) (a) The right of use shall be subject to the precautionary principle being applied;

(b) The Environment Agency will determine whether the condition under paragraph (a) has been met; and

(c) In this section, "precautionary principle" shall mean that no land is used for the purposes of exploiting petroleum or deep geothermal energy unless it is proved that it is not harmful to the environment."

Tom Greatrex
Richard Burden
Roberta Blackman-Woods

**3**

Clause **39,** page **45**, line **33**, leave out "300 metres" and insert "1,000 metres"

Miss Anne McIntosh
Joan Walley

**65**

☆ Clause **39,** page **45**, line **33**, leave out "300 metres" and insert "950 metres"

Secretary Patrick McLoughlin

**86**

☆ Clause **39,** page **45**, line **34**, leave out subsection (5)

***Member's explanatory statement***

*This amendment, which removes a restriction on the exercise of the right of use in Scotland, is*

**Infrastructure Bill [*Lords*],** *continued*

*consequential on amendments 96 to 99 (under which the right of use will not be exercisable in Scotland).*

Tom Greatrex
Richard Burden
Roberta Blackman-Woods

**2**

Clause **39,** page **45**, line **36**, at end insert—

"(6) The Secretary of State shall, before the award of licences in relation to the use of deep-level land for onshore oil and gas exploration, issue additional planning guidance introducing a presumption against such developments within or under protected areas."

Norman Baker
Caroline Lucas
Mr Adrian Sanders
Stephen Lloyd
Annette Brooke
John McDonnell

Jeremy Corbyn Dr Julian Huppert

**48**

Clause **39,** page **45**, line **36**, at end insert—

"(6) The Secretary of State shall prevent the exploitation of shale oil or gas if either a water company or the Environment Agency credibly asserts that to do otherwise would—

(a) create substantial risks to public health due to potential contamination of groundwaters from the extraction process; or

(b) create substantial risks to nearby surface waters due to potential contamination from flowback and waste water arising from hydraulic fracturing activity; or

(c) create substantial risks to the nearby environment due to potential contamination from flowback and waste water arising from hydraulic fracturing activity."

Caroline Lucas
John McDonnell
Jeremy Corbyn
Dr Julian Huppert

**49**

Clause **39,** page **45**, line **36**, at end insert—

"(5A) The use of hydraulic fracturing in connection with the exploitation of unconventional petroleum shall be prohibited.

(5B) For the purposes of subsection (5A), "unconventional petroleum" means petroleum which does not flow readily to the wellbore.

(5C) In section 3 of the Petroleum Act 1998, at the end of subsection (4) add "and subsection (4A).

(4A) Nothing in this section permits the grant of a licence to search and bore for and get unconventional petroleum in Great Britain.

**Infrastructure Bill [*Lords*],** *continued*

(4B) For the purposes of subsection (4A), "unconventional petroleum" has the meaning set out in section 38(5B) of the Infrastructure Act [2015].""

***Member's explanatory statement***

*This amendment would ban fracking (the use of high volume hydraulic fracturing to extract oil and gas) in the UK.*

Mr Elfyn Llwyd
Hywel Williams
Jonathan Edwards
Mr Mark Williams

**66**

☆ Clause **39,** page **45**, line **36**, at end insert—

"(6) This section shall not extend to Wales unless an order authorising it has been passed by the National Assembly for Wales.

(7) An order under subsection (6) may contain any conditions which the Assembly deems appropriate."

Dr Alan Whitehead
Joan Walley

**82**

☆ Clause **39,** page **45**, line **36**, at end insert—

"(5A) The Secretary of State shall be required to commission and consider reports on—

(a) The cumulative impacts of water use in hydraulic fracking of exploratory and productive gas wells;

(b) The cumulative impacts of flowback and waste water arising from hydraulic fracking activity; and

(c) The cumulative impacts on communities of road and vehicle movements from hydraulic fracking activity

Before providing any permissions for exploitation of petroleum on deep level land where one or more exploitation facility exists within one mile of a proposed site."

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Miss Anne McIntosh
Ms Margaret Ritchie

**60**

Clause **40,** page **46**, line **6**, at end insert—

"(f) any substance used for the purposes of paragraph (d) must be—

(i) approved by the Environment Agency; and

(ii) publicly declared by the operator."

Tom Greatrex
Richard Burden
Roberta Blackman-Woods

**1**

Clause **40,** page **46**, line **17**, at end insert—

"(3A) Before a well design is commenced or adopted in connection with the exploitation of petroleum, the right of use requires the Health and Safety Executive to inspect the well so as to satisfy itself that—

(a) so far as is reasonably practicable, there can be no unplanned escape of fluids from the well; and

**Infrastructure Bill [*Lords*],** *continued*

(b) risks to the health and safety of persons from it or anything in it, or in strata to which it is connected, are as low as is reasonably practicable.

(3B) Where the Health and Safety Executive is satisfied that a condition in subsection (3A) is met, it shall give notice to the Secretary of State.

(3C) The Secretary of State shall publish the information received from the Health and Safety Executive in accordance with subsection (3A)."

Miss Anne McIntosh

**59**

Clause **40,** page **46**, line **17**, at end insert—

"(3A) The right of use shall be conditional on operators ensuring the—

(a) safe conveyance of wastewater from the site to a safe place of storage;

(b) effective treatment and disposal of wastewater from the site; and

(c) publication of the details of the treatment and disposal of wastewater under sub-paragraph (ii)."

Miss Anne McIntosh

**128**

★ Clause **40,** page **46**, line **17**, at end insert—

"(3A) The Town and Country Planning (Development Management Procedure) (England) Order 2010 is amended to include the relevant water company as a statutory consultee for planning applications relating to onshore oil and gas operations."

Miss Anne McIntosh

**129**

★ Clause **40,** page **46**, line **17**, at end insert—

"(3A) The Town and Country Planning (Development Management Procedure) (England) Order 2010 is amended to include the relevant internal drainage board as a statutory consultee for planning applications relating to onshore oil and gas operations."

Secretary Patrick McLoughlin

**87**

☆ Clause **40,** page **46**, line **26**, leave out "or delict"

***Member's explanatory statement***

*This amendment, which removes a limitation on a person's liability in the Scottish law of delict in respect of exercise of the right of use, is consequential on amendments 96 to 99 (under which the right of use will not be exercisable in Scotland).*

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Nick Herbert
Sir Nicholas Soames
Eric Ollerenshaw
Mark Menzies
Andrew Percy

**78**

☆ Clause **41,** page **46**, line **41**, leave out "may" and insert "shall"

**Infrastructure Bill [*Lords*],** *continued*

Nick Herbert
Sir Nicholas Soames
Eric Ollerenshaw
Mark Menzies
Andrew Percy

**79**

☆ Clause **41,** page **46**, line **44**, leave out "may" and insert "shall"

Miss Anne McIntosh

**61**

Clause **41,** page **47**, line **2**, at end insert—

"(c) to compulsorily purchase properties in the event of blight from the activities of the extraction and exploitation of petroleum and geothermal energy in deep-level land."

Nick Herbert
Sir Nicholas Soames
Eric Ollerenshaw
Mark Menzies
Andrew Percy

**80**

☆ Clause **41,** page **47**, line **4**, after "the", insert "minimum"

Nick Herbert
Sir Nicholas Soames
Eric Ollerenshaw
Mark Menzies
Andrew Percy

**81**

☆ Clause **41,** page **47**, line **5**, after "payments", insert "which shall be calculated as a percentage of the gross value of the gas extracted"

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Miss Anne McIntosh

**62**

Clause **42,** page **47**, line **19**, leave out sub-paragraphs (i) and (ii) and insert "to persons of specified descriptions"

Miss Anne McIntosh

**63**

Clause **42,** page **47**, line **22**, leave out "within the area" and insert "on the Parish Council noticeboard"

Miss Anne McIntosh
Ms Margaret Ritchie

**64**

Clause **42,** page **47**, line **24**, at end insert—

"(2B) Failure to display or publish notice under the terms of subsection (2) will negate any right to exploit or extract petroleum or geothermal energy."

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## Infrastructure Bill [*Lords*], *continued*

Secretary Patrick McLoughlin

**88**

☆ Clause **43,** page **48**, line **9**, leave out "the Scottish Ministers or"

***Member's explanatory statement***

*This amendment, which removes provision that stops a statutory instrument under clause 41 or 42 from conferring functions on the Scottish Ministers, is consequential on amendments 96 to 99 (under which the right of use will not be exercisable in Scotland).*

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Secretary Patrick McLoughlin

**89**

☆ Clause **44,** page **49**, line **4**, leave out from "area"" to end of line 6 and insert "means those parts of the landward area (within the meaning of the Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014) that are in England and Wales or are beneath waters (other than waters adjacent to Scotland);"

***Member's explanatory statement***

*This amendment, which secures that the right of use is only exercisable in those parts of the "landward area" which are in England and Wales or the adjacent waters, is consequential on amendments 96 to 99 (under which the right of use will not be exercisable in Scotland).*

Secretary Patrick McLoughlin

**90**

☆ Clause **44,** page **49**, line **16**, leave out from beginning to end of line 17

***Member's explanatory statement***

*This amendment removes the definition of the expression "Scottish deep-level land", as the expression is only used in clause 39(5) (which amendment 86 removes).*

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Secretary Patrick McLoughlin

**96**

☆ Clause **51,** page **58**, line **13**, leave out "sections 39 to 44,"

***Member's explanatory statement***

*This amendment removes the provision which specifies the extent of the clauses dealing with the right of use (as new provision is made by amendment 99).*

Secretary Patrick McLoughlin

**97**

☆ Clause **51,** page **58**, line **15**, leave out second "and"

***Member's explanatory statement***

*This amendment is consequential on amendments 96 and 99.*

Secretary Patrick McLaughlin

**98**

☆ Clause **51,** page **58**, line **16**, leave out "extends" and insert "and section (*Advice on likely impact of onshore petroleum on the carbon budget*) extend"

***Member's explanatory statement***

*This amendment provides that NC15 will extend to England and Wales, Scotland and Northern Ireland.*

**Infrastructure Bill [*Lords*],** *continued*

Secretary Patrick McLoughlin

**99**

☆ Clause **51,** page **58**, line **17**, at end insert ", and

( ) sections 39 to 44 extend to England and Wales only."

***Member's explanatory statement***

*This amendment inserts new provision which specifies that the clauses dealing with the right of use will extend only to England and Wales (and so they will no longer extend to Scotland as well).*

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Secretary Patrick McLaughlin

**103**

☆ Clause **52,** page **59**, line **20**, leave out "44" and insert "(*Advice on likely impact of onshore petroleum on the carbon budget*)"

***Member's explanatory statement***

*This amendment provides that NC15 will come into force two months after the Bill is passed.*

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Joan Walley
Mark Lazarowicz
Caroline Lucas
Dr Matthew Offord
Mrs Caroline Spelman
Dr Alan Whitehead

Zac Goldsmith Katy Clark Martin Caton
Dr Julian Huppert

**69**

☆ Title, line **10**, leave out "to make provision about maximising economic recovery of petroleum in the United Kingdom;"

***Member's explanatory statement***

*This reflects the conclusions from an inquiry into the Environmental risks of fracking by the Environmental Audit Committee, whose report is published on 26 January (Eighth Report, HC 856).*

**Infrastructure Bill [*Lords*],** *continued*

*NEW CLAUSES, NEW SCHEDULES, AMENDMENTS TO CLAUSES AND AMENDMENTS TO SCHEDULES RELATING TO PARTS 3, 4 AND 7*

Secretary Patrick McLoughlin

**NC14**

☆ To move the following Clause—

**"Expenditure of Greater London Authority on housing or regeneration**

(1) In section 31 of the Greater London Authority Act 1999 (limits of the general power) after subsection (5A) insert—

"(5B) Nothing in subsection (1)(a) above shall be taken to prevent the Authority incurring expenditure in doing anything for the purposes of, or relating to, housing or regeneration."

(2) The amendment made by subsection (1) applies in relation to expenditure incurred before as well as after the coming into force of this section."

***Member's explanatory statement***

*This removes a prohibition in the Greater London Authority Act 1999 against the Greater London Authority incurring expenditure on anything that may be done by Transport for London. It applies in relation to expenditure incurred before as well after the coming into force of the new clause.*

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Richard Burden
Tom Greatrex
Roberta Blackman-Woods
John McDonnell
Jeremy Corbyn

**NC3**

To move the following Clause—

**"National Infrastructure Commission**

(1) There shall be an independent National Infrastructure Commission.

(2) The Secretary of State may by regulations provide for the appointment, duties, functions and staffing of the National Infrastructure Commission.

(3) Regulations made under subsection (2) may make provision for any consequential matter that the Secretary of State considers is necessary to establish the National Infrastructure Commission.

(4) Regulations made under subsection (2) shall be made by statutory instrument.

(5) A statutory instrument under this section shall not be made unless a draft of it has been laid before and approved by both Houses of Parliament.

(6) In this section—

"National infrastructure" means infrastructure of strategic significance in or relating to the sectors including—

(a) transport covering ports, transport networks (including railways and roads) and aviation;

(b) energy;

(c) flood defences;

(d) hazardous waste;

(e) telecommunications;

(f) water; and

**Infrastructure Bill [*Lords*],** *continued*

(g) such other sectors as are prescribed."

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Nick Herbert
Sir Nicholas Soames
Dr Liam Fox
Mr Andrew Mitchell
Sir Alan Duncan
Zac Goldsmith

| | | |
|---|---|---|
| Richard Benyon | Mr Henry Bellingham | Crispin Blunt |
| Sir Peter Bottomley | Mr Nigel Evans | Chris Heaton-Harris |
| Rebecca Harris | Simon Hart | Mr Dominic Raab |
| Mr Andrew Turner | Mr Graham Stuart | Sir Alan Haselhurst |

**NC12**

☆ To move the following Clause—

**"Abolition of the Planning Inspectorate**

(1) The Planning Inspectorate is abolished.

(2) Subject to paragrpah (3), all the functions of the Planning Inspectorate are transferred to the Secretary of State for Communities and Local Government.

(3) The functions of the Planning Inspectorate in relation to Wales are transferred to Welsh Ministers.

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Charlotte Leslie
Greg Mulholland
Caroline Lucas
Grahame M. Morris
Ian Swales
Zac Goldsmith

| | | |
|---|---|---|
| Sir Hugh Bayley | Dr Julian Huppert | Mr David Nuttall |
| John Hemming | Mike Weatherley | Sir Hugh Bayley |
| Mr David Anderson | | |

**NC16**

☆ To move the following Clause—

**"Use classes and demolition: drinking establishments**

(1) The Town and Country Planning (Use Classes) Order 1987 (SI 1987/764) is amended as follows.

(2) At the end of section 3(6) add—

"(n) as a drinking establishment."

(3) In the Schedule, leave out "Class A4. Drinking Establishments".

(4) The Town and Country Planning (General Permitted Development) Order 1995 (SI 1995/418) is amended as follows.

(5) In Part 3 of Schedule 2 under Class A: Permitted Development, leave out "A4 (drinking establishments)".

**Infrastructure Bill [*Lords*],** *continued*

(6) In Part 31 of Schedule 2 under A.1 add—

"(c) the building subject to demolition is classed as a drinking establishment"."

***Member's explanatory statement***

*The purpose of this New Clause is to aim to ensure that any proposed demolition of or change of use to public houses and other drinking establishments would be subject to planning permission. Currently such buildings can be demolished or have their use changed without such permission being granted.*

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Nick Herbert
Sir Nicholas Soames
Dr Liam Fox
Mr Andrew Mitchell
Sir Alan Duncan
Zac Goldsmith

| | | |
|---|---|---|
| Richard Benyon | Mr Henry Bellingham | Crispin Blunt |
| Chris Heaton-Harris | Rebecca Harris | Mr Dominic Raab |
| Mr Andrew Turner | Mr Nigel Evans | Mr Graham Stuart |

**NC20**

☆ To move the following Clause—

**"Community right of appeal**

(1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 78 (appeals to the Secretary of State against planning decisions and failure to take such decisions) after subsection (2) insert—

"(2A) Where a planning authority grants an application for planning permissions and—

(a) the authority has publicised the application as not according with the development plan in force in the area in which the land to which the application relates is situated; or

(b) the application is not supported by policies in an emerging development plan;

certain persons as specified in subsection (2B) below may by notice appeal to the Secretary of State, provided any one of the conditions in subsection (2C) below are met.

(2B) Persons who may by notice appeal to the Secretary of State against the approval of planning permissions in the circumstances specified in subsection (2A) above are—

(a) the ward councillors for the area who have lodged a formal objection to the planning application in writing to the planning authority, or where there is more than one councillor, all councillors by unanimity;

(b) any parish council or neighbourhood forum by two thirds majority voting, as defined in Section 61F, covering or adjoining the area of land to which the application relates is situated; or

(c) any overview and scrutiny committee by two thirds majority voting.

**Infrastructure Bill [*Lords*],** *continued*

(2C) The conditions are:

(a) the application falls within the definition of "major development";

(b) the application is accompanied by an environmental impact assessment;

(c) the planning officer has recommended refusal of planning permission."

(3) Section 79 is amended as follows—

(a) in subsection (2), leave out "either" and after "planning authority", insert "or the applicant (where different from the appellant)";

(b) in subsection (6), after "determination", insert "(except for appeals as defined in section 78 (2A) and where the appellant is as defined in section 79 (2B)).

(4) In this section—

"emerging" means a development plan that is being examined by the Secretary of State, or is due to be examined, having met the public consultation requirements necessary to proceed to this stage; and

"major development" means cases within categories defined in guidance produced by the Secretary of State."

---

Miss Anne McIntosh

**NC21**

★ To move the following Clause—

**"Consultation for housing developments: water companies**

Any housing development of more than 30 dwellings can not proceed without prior consultation with the local water company."

---

Miss Anne McIntosh

**NC22**

★ To move the following Clause—

**"Consultation for housing developments: internal drainage boards**

Any housing development of more than 30 dwellings can not proceed without prior consultation with the internal drainage board."

---

Secretary Patrick McLoughlin

**84**

☆ Clause **20,** page **13**, line **8**, at end insert "or

**Infrastructure Bill [*Lords*],** *continued*

(c) a person who for the time being exercises powers of management or control over the land."

***Member's explanatory statement***

*This amendment extends the definition of "owner" to include persons with powers of management or control over land.*

Secretary Patrick McLoughlin

**45**

Clause **20,** page **14**, line **23**, at end insert—

*"Notice of compliance*

8A Where an environmental authority considers that an owner of premises has complied with all the requirements in a species control agreement to carry out species control operations, the authority must give the owner notice to that effect."

***Member's explanatory statement***

*This amendment requires the environmental authority to issue a notice to an owner once it considers that the owner has complied with all the requirements in a species control agreement.*

---

Secretary Patrick McLoughlin

**46**

Clause **21,** page **23**, line **11**, at end insert—

| | |
|---|---|
| "Beaver, Eurasian (but not in relation to Wales) | Castor fiber" |

***Member's explanatory statement***

*This amendment aims to secure that, in England, the species control provisions will not apply to Eurasian beavers which are released into the wild under licence. It will continue to be the case that Eurasian beavers may only be released into the wild under licence.*

---

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

**53**

Clause **28,** page **27**, line **9**, at end insert "provided that any designated property, rights or liabilities to be transferred pursuant to a scheme—

(a) have been classified as surplus;

(b) do not compromise land forming part of a common, open space or fuel or field garden allotment;

(c) do not extinguish any public right of way;

(d) are subject to transparent reporting of all aspects of the transaction to the Land Registry; and

**Infrastructure Bill [*Lords*],** *continued*

(e) shall be subject to a test of viability that is underpinned by guidance and an open book approach."

---

Secretary Patrick McLoughlin

**85**

☆ Clause **29,** page **33**, line **35**, leave out "which is" and insert "the freehold interest in which was"

***Member's explanatory statement***

*This amends clause 29(11) with the effect that the amendments made by the clause do not apply to any freehold disposals of land made before commencement by the bodies to which the clause applies. Those amendments will apply to land in respect of which a lease was granted by those bodies before commencement.*

---

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

**52**

Page **34**, line **2**, leave out Clauses 30 to 32.

---

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

**54**

Clause **33,** page **34**, line **36**, at end insert "and shall relate to buildings or developments of any size"

Roberta Blackman-Woods
Joan Walley

**67**

☆ Clause **33,** page **34**, line **36**, at end insert—

"(e) carbon abatement offsite must only be considered exceptionally, where:

(i) it has been demonstrated that the carbon abatement can not reasonably be met on the development site, and

(ii) the homes on the development site achieve a high standard of energy efficiency."

Mr Nick Raynsford

**71**

☆ Clause **33,** page **35**, line **5**, at end insert "and where the requirement cannot reasonably be met on the building site."

**Infrastructure Bill [*Lords*],** *continued*

Mr Nick Raynsford

**72**

☆ Clause **33,** page **36**, line **21**, at end insert—

"(7) No variation to the requirement of the building regulations in respect of a building's contribution to or effect on emissions of carbon dioxide may be made solely by regard to the number of buildings on any particular building site."

---

Secretary Patrick McLoughlin
Chris Bryant
John McDonnell

**91**

☆ Page **55**, line **32**, leave out Clause 49

***Secretary Patrick McLoughlin's explanatory statement***

*This amendment and amendments 106 and 107 remove clause 49 and Schedules 8 and 9 which included provision replacing the telecommunications code in Schedule 2 to the Telecommunications Act 1984 with a substantially revised version called the electronic communications code, and made related consequential amendments. The existing telecommunications code will accordingly continue in effect.*

---

Secretary Patrick McLoughlin

**92**

☆ Clause **50,** page **57**, line **15**, at end insert "or"

***Member's explanatory statement***

*This amendment together with amendments 93, 100, 104, 105 and 108 remove the provisions about secondary legislation, extent and commencement and in the long title which were consequential on the provisions of clause 49 and Schedules 8 and 9.*

Secretary Patrick McLoughlin

**93**

☆ Clause **50,** page **57**, line **17**, leave out from "Act," to end of line 19

***Member's explanatory statement***

*The explanatory statement for amendment 92 also applies to this amendment.*

---

Secretary Patrick McLoughlin

**95**

☆ Clause **51,** page **58**, line **9**, leave out "and 29(11) and (12)" and insert ", 29(11) and (12) and (*Expenditure of Greater London Authority on housing or regeneration*)(2)".

***Member's explanatory statement***

*This provides for NC14 to extend to England and Wales only.*

**Infrastructure Bill [*Lords*],** *continued*

Secretary Patrick McLoughlin

**100**

☆ Clause **51,** page **58**, line **20**, leave out subsections (7) and (8)

***Member's explanatory statement***

*The explanatory statement for amendment 92 also applies to this amendment.*

---

Secretary Patrick McLoughlin

**102**

☆ Clause **52,** page **59**, line **5**, leave out "section 26 comes" and insert "sections 26 and (*Expenditure of Greater London Authority on housing or regeneration*) come".

***Member's explanatory statement***

*This provides for NC14 to come into force on the day that the Act is passed.*

Secretary Patrick McLoughlin

**104**

☆ Clause **52,** page **59**, line **28**, leave out subsection (8)

***Member's explanatory statement***

*The explanatory statement for amendment 92 also applies to this amendment.*

Secretary Patrick McLoughlin

**105**

☆ Clause **52,** page **59**, line **31**, leave out ", (6)(c) or (8)" and insert "or (6)(c)"

***Member's explanatory statement***

*The explanatory statement for amendment 92 also applies to this amendment.*

---

Secretary Patrick McLoughlin
Chris Bryant
John McDonnell

**106**

☆ Page **122**, line **13**, leave out Schedule 8

***Member's explanatory statement***

*The explanatory statement for amendment 91 also applies to this amendment.*

Mr Nick Raynsford

**74**

☆ Schedule **8,** page **128**, line **2**, leave out from "sharing" to end of line 4 and insert "do not change its appearance."

Mr Nick Raynsford

**75**

☆ Schedule **8,** page **132**, line **20**, leave out paragraph (b).

Mr Nick Raynsford

**118**

☆ Schedule **8,** page **165**, line **28**, leave out "or other vegetation"

**Infrastructure Bill [*Lords*],** *continued*

Mr Nick Raynsford

**119**

☆ Schedule **8,** page **165**, line **30**, leave out "or vegetation"

Mr Nick Raynsford

**120**

☆ Schedule **8,** page **165**, line **41**, leave out "or vegetation"

Mr Nick Raynsford

**121**

☆ Schedule **8,** page **165**, line **41**, leave out from "lopped" to second "to" in line 42

Mr Nick Raynsford

**122**

☆ Schedule **8,** page **166**, line **2**, leave out "or cutting back of the vegetation"

Mr Nick Raynsford

**123**

☆ Schedule **8,** page **166**, line **11**, leave out from "lopped" to end of line 12

Mr Nick Raynsford

**124**

☆ Schedule **8,** page **166**, line **13**, leave out "or cuts back vegetation"

Mr Nick Raynsford

**125**

☆ Schedule **8,** page **166**, line **16**, leave out "or vegetation"

Mr Nick Raynsford

**126**

☆ Schedule **8,** page **166**, line **24**, leave out "or cutting back of the vegetation"

---

Secretary Patrick McLoughlin
Chris Bryant
John McDonnell

**107**

☆ Page **177**, line **17**, leave out Schedule 9

***Member's explanatory statement***

*The explanatory statement for amendment 91 also applies to this amendment.*

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**Infrastructure Bill [*Lords*],** *continued*

Mr John Hayes

**108**

☆ Title, line **15**, leave out "to make provision about the electronic communications code;"

***Member's explanatory statement***

*The explanatory statement for amendment 92 also applies to this amendment.*

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*REMAINING PROCEEDINGS ON CONSIDERATION*

Secretary Patrick McLoughlin
Dr Julian Huppert

**NC13**

☆ To move the following Clause—

**"Cycling and Walking Investment Strategies**

"(1) The Secretary of State may at any time—

(a) set a Cycling and Walking Investment Strategy for England, or

(b) vary a Strategy which has already been set.

(2) A Cycling and Walking Investment Strategy is to relate to such period as the Secretary of State considers appropriate; but a Strategy for a period of more than five years must be reviewed at least once every five years.

(3) A Cycling and Walking Investment Strategy must specify—

(a) objectives to be achieved during the period to which it relates, and

(b) the financial resources to be made available by the Secretary of State for the purpose of achieving those objectives.

(4) The objectives to be achieved may include—

(a) activities to be performed;

(b) results to be achieved;

(c) standards to be met.

(5) Before setting or varying a Cycling and Walking Investment Strategy the Secretary of State must consult such persons as he or she considers appropriate.

(6) In considering whether to vary a Cycling and Walking Investment Strategy the Secretary of State must have regard to the desirability of maintaining certainty and stability in respect of Cycling and Walking Investment Strategies.

(7) A Cycling and Walking Investment Strategy must be published in such manner as the Secretary of State considers appropriate.

(8) Where a Cycling and Walking Investment Strategy has been published the Secretary of State must from time to time lay before Parliament a report on progress towards meeting its objectives.

(9) If a Cycling and Walking Investment Strategy is not currently in place, the Secretary of State must—

(a) lay before Parliament a report explaining why a Strategy has not been set, and

**Infrastructure Bill [*Lords*],** *continued*

(b) set a Strategy as soon as may be reasonably practicable."

***Member's explanatory statement***

*This amendment makes provision for the Secretary of State to set and vary Cycling and Walking Investment Strategies.*

---

Secretary Patrick McLoughlin

**NC17**

☆ To move the following Clause—

**"Route strategies**

(1) The Secretary of State must from time to time direct a strategic highways company to prepare proposals for the management and development of particular highways in respect of which the company is appointed ("a route strategy").

(2) A route strategy must relate to such period as the Secretary of State may direct.

(3) The strategic highways company must—

(a) comply with a direction given to it under subsection (1), and

(b) publish the route strategy in such manner as the company considers appropriate.

(4) A direction under subsection (1) must be published by the Secretary of State in such manner as he or she considers appropriate."

***Member's explanatory statement***

*This amendment inserts a new clause requiring the Secretary of State to direct a strategic highways company to prepare route strategies. The company must comply with such a direction and publish route strategies in such manner as it considers appropriate.*

---

Secretary Patrick McLoughlin

**NC18**

☆ To move the following Clause—

**"Periodic reports by the Secretary of State**

(1) The Secretary of State must from time to time prepare and publish reports on the manner in which a strategic highways company exercises its functions.

(2) The Secretary of State must lay a report prepared under subsection (1) before Parliament."

***Member's explanatory statement***

*This amendment would place a duty on the Secretary of State to prepare and publish reports on the exercise by a strategic highways company of its functions.*

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**Infrastructure Bill [*Lords*],** *continued*

Dr Julian Huppert
Ian Austin
Dr Sarah Wollaston
Norman Baker
Caroline Lucas
Jim Fitzpatrick

| | | |
|---|---|---|
| Annette Brooke | Mark Lazarowicz | Zac Goldsmith |
| John Hemming | Jason McCartney | Mr Ben Bradshaw |
| Helen Jones | Mark Durkan | Paul Burstow |
| Mr Dave Watts | Mr Alan Reid | Sir Tony Cunningham |
| Mr Adrian Sanders | Stephen Lloyd | Duncan Hames |
| Annette Brooke | Sir Andrew Stunell | Mr Michael Thornton |
| John Thurso | John McDonnell | Jeremy Corbyn |
| Sir Hugh Bayley | Martin Caton | Mr John Leech |
| Mr Mark Williams | | |

**NC5**

To move the following Clause—

**"Cycling and Walking Investment Strategy**

(1) The Secretary of State may at any time—
  (a) set a Cycling and Walking Investment Strategy; or
  (b) vary a Strategy which has already been set.

(2) A Cycling and Walking Investment Strategy is to relate to such period as the Secretary of State considers appropriate but must be reviewed as least every five years.

(3) A Cycling and Walking Investment Strategy must specify—
  (a) the objectives to be achieved during the period to which it relates; and
  (b) the financial resources to be provided by the Secretary of State for the purpose of achieving those objectives.

(4) The objectives to be achieved may include—
  (a) activities to be performed;
  (b) results to be achieved; and
  (c) standards to be met.

(5) The Secretary of State must comply with the Cycling and Walking Investment Strategy and shall be responsible for updating Parliament annually on his compliance with it.

(6) If a Cycling and Walking Investment Strategy is not currently in place, the Secretary of State must—
  (a) lay before Parliament a report explaining why a Strategy has not been set; and
  (b) set a Cycling and Walking Investment Strategy as soon as may be reasonably practicable.

(7) Schedule (Cycling and Walking Investment Strategy: Procedure] (which contains provision about the procedure for setting or varying a Cycling and Walking Investment Strategy) has effect."

**Infrastructure Bill [*Lords*],** *continued*

Miss Anne McIntosh

**NC23**

★ To move the following Clause—

**"Consultation for highway construction: water companies**

The construction of any new highway is conditional on prior consultation with the local water company."

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Miss Anne McIntosh

**NC24**

★ To move the following Clause—

**"Consultation for highway construction: internal drainage boards**

The construction of any new highway is conditional on prior consultation with the local internal drainage board."

---

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**4**

Page **1**, line **4**, leave out Clauses 1 and 2.

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**5**

Clause **3,** page **2**, line **40**, leave out "a strategic highways company" and insert "the Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**6**

Clause **3,** page **3**, line **4**, leave out "company" and insert "Highways Agency"

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**43**

Clause **3,** page **3**, line **7**, at end insert—

"(c) the anticipated impact of the Roads Investment Strategy upon the condition and development of the local roads network;

(d) the anticipated impact of the Roads Investment Strategy upon the provision of local transport, including increasing walking and cycling;

(e) the anticipated impact of the Roads Investment Strategy on links with other nationally and regionally significant transport and infrastructure projects, including ports and airports, and;

(f) the anticipated impact of the Roads Investment Strategy on the growth plans of city regions and sub-regional bodies."

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**7**

Clause **3,** page **3**, line **16**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**8**

Clause **3,** page **3**, line **18**, leave out "a strategic highways company" and insert "the Highways Agency"

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**9**

Clause **4,** page **3**, line **26**, leave out "a strategic highways company" and insert "the Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**10**

Clause **4,** page **3**, line **27**, leave out "A strategic highways company" and insert "The Highways Agency"

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**11**

Clause **4,** page **3**, line **32**, leave out "A strategic highways company" and insert "The Highways Agency"

Joan Walley
Martin Caton
Zac Goldsmith
Caroline Lucas
Mark Lazarowicz
Dr Matthew Offord

Mrs Caroline Spelman Dr Alan Whitehead Peter Aldous
Dr Julian Huppert

**70**

☆ Clause **4,** page **3**, line **34**, leave out "the environment, and" and insert "air quality and other aspects of the environment, and"

***Member's explanatory statement***

*The Amendment would add an explicit obligation on the Strategic Highways Company to address air quality, as recommended by the Sixth Report from the Environmental Audit Committee, Action on Air Quality, HC 212, paragraph 61.*

---

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**12**

Page **3**, line **36**, leave out Clauses 5 to 7.

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**13**

Clause **8,** page **5**, line **34**, leave out "a strategic highways company" and insert "the Highways Agency"

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**14**

Clause **8,** page **5**, line **38**, leave out "a strategic highways company's" and insert "the Highways Agency's"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**15**

Clause **8,** page **5**, line **42**, leave out "a strategic highways company" and insert "the Highways Agency"

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**16**

Clause **9,** page **6**, line **23**, leave out "a strategic highways company" and insert "the Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**17**

Clause **9,** page **6**, line **26**, leave out "a strategic highways company" and insert "the Highways Agency"

Secretary Patrick McLoughlin

**112**

☆ Clause **9,** page **6**, line **28**, at end insert ", and

(c) the effect of directions and guidance given by the Secretary of State to a strategic highways company under this Part."

***Member's explanatory statement***

*This amendment provides that the activities of the Office of Rail Regulation may include investigating, publishing reports or giving advice on the effect of directions and guidance under Part 1 of the Bill.*

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**18**

Clause **9,** page **6**, line **29**, leave out "a strategic highways company" and insert "the Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**19**

Clause **9,** page **6**, line **35**, leave out "strategic highways company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**20**

Clause **9,** page **6**, line **37**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**21**

Clause **9,** page **6**, line **39**, leave out "strategic highways company" and insert "Highways Agency"

Secretary Patrick McLoughlin

**113**

☆ Clause **9,** page **6**, line **42**, at end insert—

"(8) The Secretary of State must lay a report published by the Office under this section before Parliament."

***Member's explanatory statement***

*This amendment provides a duty for the Secretary of State to lay a report published by the Office of Rail Regulation before Parliament.*

Secretary Patrick McLoughlin

**114**

☆ Clause **9,** page **6**, line **42**, at end insert—

"(9) In Part 2 (Office of Rail Regulation) of the Railways and Transport Safety Act 2003, after section 15 insert—

**"15A Change of name**

(1) The Secretary of State may by regulations make provision for the body established by section 15 to be known by a different name.

**Infrastructure Bill [*Lords*],** *continued*

(2) Regulations under this section may amend this Act or any other enactment, whenever passed or made.

(3) Regulations under this section are to be made by statutory instrument.

(4) A statutory instrument which contains regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.""

***Member's explanatory statement***

*This amendment inserts a new section 15A into the Railways and Transport Safety Act 2003 which provides for the Secretary of State to change the name of the Office of Rail Regulation by regulations. The regulations may also make amendments to legislation which are consequential on the name change.*

---

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**22**

Clause **10,** page **7**, line **2**, leave out "a strategic highways company" and insert "the Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**23**

Clause **10,** page **7**, line **8**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**24**

Clause **10,** page **7**, line **9**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**25**

Clause **10,** page **7**, line **10**, leave out "company" and insert "Highways Agency"

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**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**26**

Clause **11,** page **7**, line **16**, leave out "strategic highways company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**27**

Clause **11,** page **7**, line **20**, leave out "strategic highways company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**28**

Clause **11,** page **7**, line **22**, leave out "strategic highways company" and insert "Highways Agency"

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**29**

Page **8**, line **2**, leave out Clauses 13 and 14.

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**30**

Clause **15,** page **9**, line **32**, leave out "strategic highways company" and insert "Highways Agency"

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**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**31**

Page **10**, line **10**, leave out Clause 16.

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Secretary Patrick McLoughlin

**94**

☆ Clause **51,** page **57**, line **45**, at end insert—

"( ) Part 1A (Cycling and Walking Investment Strategies) extends to England and Wales only."

***Member's explanatory statement***

*This amendment provides for the new clause relating to Cycling and Walking Investment Strategies, which it is intended will form a new Part after Part 1, to extend to England and Wales only.*

---

Secretary Patrick McLoughlin

**101**

☆ Clause **52,** page **58**, line **32**, at end insert—

"( ) Part 1A (Cycling and Walking Investment Strategies) comes into force on such day as the Secretary of State appoints by regulations."

***Member's explanatory statement***

*This amendment provides for the new clause relating to Cycling and Walking Investment Strategies, which it is intended will form a new Part after Part 1, to come into force by regulations.*

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Dr Julian Huppert
Ian Austin
Dr Sarah Wollaston
Norman Baker
Caroline Lucas
Jim Fitzpatrick

| | | |
|---|---|---|
| Annette Brooke | Mark Lazarowicz | Zac Goldsmith |
| John Hemming | Jason McCartney | Mr Ben Bradshaw |
| Mark Durkan | Paul Burstow | Mr Dave Watts |
| Mr Alan Reid | Sir Tony Cunningham | Mr Adrian Sanders |
| Stephen Lloyd | Duncan Hames | Annette Brooke |
| Mr Michael Thornton | John Thurso | John McDonnell |
| Jeremy Corbyn | Sir Hugh Bayley | Martin Caton |
| Mr John Leech | Mr Mark Williams | |

**NS1**

To move the following Schedule—

**Infrastructure Bill [*Lords*],** *continued*

"SCHEDULE

*Cycling and Walking Infrastructure Strategy: Procedure*

1 This Schedule specifies the procedure by which a Cycling and Walking Investment Strategy is set or varied.

2 The proposals in a Cycling and Walking Investment Strategy must include details of—

(a) the objectives to be achieved, including but not limited to—

(i) increasing the share of travel that is walked and cycled;

(ii) increasing the proportion of the population that regularly walks or cycles; and

(iii) improving actual and perceived safety of walking and cycling.

(b) the financial resources to be provided by the Secretary of State for the purpose of achieving those objectives; and

(c) the period to which the proposals relate.

3 Publication of the Cycling and Walking Strategy may be in such manner as the Secretary of State considers appropriate.

4 The Secretary of State may only publish or vary a Cycling and Walking Investment Strategy if the Secretary of State has consulted on the proposals with such persons as the Secretary of State considers appropriate.

5 In performing functions under this Schedule, the Secretary of State must have regard to the desirability of maintaining certainty and stability in respect of Cycling and Walking Investment Strategies."

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**32**

Page **60**, line **2**, leave out Schedule 1.

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**33**

Schedule **2,** page **87**, line **11**, leave out "a strategic highways company" and insert "the Highways Agency"

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**34**

Schedule **2,** page **87**, line **19**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**35**

Schedule **2,** page **87**, line **20**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**36**

Schedule **2,** page **87**, line **22**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**37**

Schedule **2,** page **87**, line **27**, leave out "strategic highways company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**38**

Schedule **2,** page **88**, line **4**, leave out "strategic highways company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**39**

Schedule **2,** page **88**, line **6**, leave out "company" and insert "Highways Agency"

**Infrastructure Bill [*Lords*],** *continued*

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**40**

Schedule **2,** page **88**, line **10**, leave out "company" and insert "Highways Agency"

Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**41**

Schedule **2,** page **88**, line **22**, leave out "strategic highways company" and insert "Highways Agency"

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Richard Burden
Roberta Blackman-Woods
Tom Greatrex
John McDonnell
Jeremy Corbyn

**42**

Page **88**, line **25**, leave out Schedule 3.

John McDonnell

**127**

☆ Schedule **3,** page **89**, line **8**, at end insert—

"(2A) The transfer scheme may make consequential, supplementary, incidental or transitional provision and may, if the TUPE regulations do not apply in relation to the transfer, make provision which is the same or similar."

John McDonnell

**76**

☆ Schedule **3,** page **92**, line **5**, at end insert—

"(d) that person is protected by the conditions set out in the Transfer of Undertakings (Protection of Employment) Regulations 2006."

Secretary Patrick McLoughlin

**115**

☆ Schedule **3,** page **92**, line **5**, at end insert—

"(1A) Where in accordance with a scheme a person employed by a transferor becomes an employee of a transferee, the scheme must provide for the transfer of all the rights and liabilities relating to the person's contract of employment."

***Member's explanatory statement***

*This amendment requires a transfer scheme to provide for the transfer to the transferee of all of the transferor's rights and liabilities relating to a person's contract of employment, where the person becomes employed by the transferee as a result of the scheme.*

**Infrastructure Bill [*Lords*],** *continued*

John McDonnell

**77**

☆ Schedule **3,** page **92**, line **5**, at end insert—

"(1A) The Transfer of Undertakings (Protection of Employment) Regulations 2006 apply to the transfer of a relevant undertaking either.

(a) to a different company appointed as a highway authority under section 1 of this Act, or

(b) to any other equivalent public sector body established to undertake general duties of a strategic highways company."

Secretary Patrick McLoughlin

**116**

☆ Schedule **3,** page **92**, line **19**, at end insert—

"(3A) No damages are payable by virtue of a constructive dismissal occurring under sub-paragraph (3) in respect of unpaid wages relating to a notice period which the employee has not worked."

***Member's explanatory statement***

*This amendment provides that, where a transferred employee claims constructive dismissal as a result of a substantial detrimental change made to the employee's working conditions, no damages are payable in respect of any unpaid wages relating to a notice period which the employee has not worked.*

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ORDER OF THE HOUSE [8 DECEMBER 2014]

That the following provisions shall apply to the Infrastructure Bill [*Lords*]:

*Commital*

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

*Proceedings in Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 15 January 2015.
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 any message from the Lords) may be programmed.

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## Infrastructure Bill [*Lords*], *continued*

INFRASTRUCTURE BILL [LORDS] PROGRAMME (NO. 2)

Secretary Patrick McLoughlin

That the Order of 8 December 2014 (Infrastructure Bill [*Lords*] (Programme)) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration shall be taken in the order show in the first column of the following Table.
3. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

**TABLE**

| *Proceedings* | *Time for conclusion of proceedings* |
|---|---|
| New Clauses, new Schedules, amendments to clauses and amendments to Schedules relating to Part 5 | 5.30pm |
| New Clauses, new Schedules, amendments to clauses and amendments to Schedules relating to Parts 3, 4 and 7 | 7.30pm |
| Remaining proceedings on Consideration | 9.00pm |

4. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 10.00pm.

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 21 January 2015:*

Amendment 58.

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