



# House of Commons

Thursday 3 December 2015

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### HOUSING AND PLANNING BILL

[TWELFTH AND THIRTEENTH SITTINGS]

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* **199**

Clause 74, page 30, line 4, at beginning insert “Subject to subsection 1(A)”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* **198**

Clause 74, page 30, line 6, at end insert “but only where a registered provider of social housing has failed to set a graduated rent charging scheme related to income level”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* **200**

Clause 74, page 30, line 6, at end insert—

“(1A) The Secretary of State must not make regulations under subsection (1) which apply—

- (a) to people aged over 65,
- (b) to people who have a registered disability,
- (c) to people on zero hours contracts,
- (d) to people with seasonal contracts of employment,
- (e) to households where one or more members is in receipt of Employment and Support Allowance,
- (f) where a household member is in receipt of care,
- (g) where a member of the household is a carer for another household member,
- (h) to those living in supported housing, or
- (i) to households in receipt of housing benefit.”

**Housing and Planning Bill, *continued***

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 201

Clause 74, page 30, leave out lines 8 and 9 and insert—

- “(a) to be on a graduated scale established by the registered provider of social housing to reflect level of income and affordability in the area,
- (b) to follow a scheme that has been subject to full consultation with tenants and agreed by them.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 202

Clause 74, page 30, leave out lines 8 and 9 and insert—

- “(a) to be based on the condition of the property with regard to—
  - (i) state of repair,
  - (ii) age,
  - (iii) degree of modernisation/refurbishment,
  - (iv) locality,
- (b) in accordance with affordable rents in the area.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 203

Clause 74, page 30, line 10, at end insert—

- “(d) to be increased on a tapered system relating to income and level of rent charged.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 204

Clause 74, page 30, line 10, at end insert—

- “(d) to take into account the need to promote socially cohesive communities.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 205

Clause 74, page 30, line 10, at end insert—

- “(d) to take into account the need to promote mixed communities.”

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**Housing and Planning Bill, *continued***

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Not called* **206**

Clause 74, page 30, line 10, at end insert—  
 “(d) take into account local affordability.”

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Withdrawn* **207**

Clause 74, page 30, leave out line 13

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Withdrawn* **211**

Clause 74, page 30, line 13, at end insert “and shall only apply where the costs of implementation are reasonable as determined by local authority or Housing Association Board of Trustees.”

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Negated on division* **208**

Clause 74, page 30, line 13, at end insert—  
 “(c) and to be subject to a notice period of one year”

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Negated on division* **209**

Clause 74, page 30, line 13, at end insert—  
 “(c) and shall be subject to transitional protection”

Dr Roberta Blackman-Woods  
 John Healey  
 Teresa Pearce  
 Matthew Pennycook

*Withdrawn* **210**

Clause 74, page 30, line 13, at end insert—  
 “(3A) The Secretary of State must make regulations to provide for the external valuation of high income rents”

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Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 212

Clause 74, page 30, line 18, at end insert—

“(6) The provisions in this section shall only apply to new tenancies commenced after 30 April 2017.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 213

Clause 74, page 30, line 18, at end insert—

“(6) All provisions in this clause shall only apply to where the tenant has been provided with a new tenancy agreement.”

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 214

Clause 75, page 30, line 23, at end insert—

“(1A) For the purposes of this Chapter high income cannot be set at a level lower than median incomes.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 216

Clause 75, page 30, line 23, at end insert—

“(c) be set with reference to average incomes in the area with high incomes being defined by income falling in the top quartile of incomes in the area”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 217

Clause 75, page 30, line 23, at end insert—

“(c) use a definition of high income for this purpose based on at least three times multiple of average income in the area concerned”

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Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 215

Clause 75, page 30, line 34, at end insert—  
“(g) relate to incomes of the tenants only.”

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 218

Clause 76, page 31, line 1, leave out subsection (3)

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 219

Clause 77, page 31, line 8, at beginning insert “Following the adoption of a process agreed with the tenants,”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Withdrawn* 220

Clause 77, page 31, line 15, leave out subsection 2(c)

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not called* 221

Clause 77, page 31, line 18, leave out subsection (2)(d)

**Housing and Planning Bill, *continued***

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 77, page 31, line 20, leave out subsections (3) to (5)

*Not called* 222

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 78, page 32, line 11, at end insert—  
“(c) should be subject to an external review system.”

*Withdrawn* 223

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 79, page 32, line 15, leave out subsection (1)

*Withdrawn* 225

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 79, page 32, line 16, leave out “estimated”

*Not called* 224

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 79, page 32, line 23, at end insert “without reasonable cause”

*Withdrawn* 226

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

Clause 79, page 32, line 24, leave out subsection (5)

*Not called* 227

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Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Negatived on division* **228**

Clause 79, page 32, line 28, at end insert “and such payments will only be applied after replacement costs of the dwelling on a like for like basis, of the same tenure, in the same locality have been deducted by the local authority or registered provider of social housing.”

Gareth Thomas

*Not selected* **100**

Page 32, line 14, leave out Clause 79

*Clause agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook

*Not selected* **229**

Page 32, line 30, leave out Clause 80

*Clause agreed to.*

*Clause 81 agreed to.*

*Clause 82 agreed to.*

*Clause 83 agreed to.*

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Gareth Thomas

*Withdrawn* **93**

Clause 92, page 38, line 24, at end insert—

“(14) The Secretary of State may by regulations require local planning authorities to designate land for use by housing co-operatives”

*Clause agreed to.*

*Clauses 93 to 95 agreed to.*

*Clause 96 agreed to.*

*Clauses 97 to 98 agreed to.*

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**Housing and Planning Bill, *continued***

Brandon Lewis

*Agreed to* **182**

Clause 99, page 43, line 25, leave out “those matters” and insert “publication of those recommendations and reasons”

*Clause, as amended, agreed to.*

*Clause 100 agreed to.*

*Clause 101 agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook  
Helen Hayes

*Withdrawn* **230**

Clause 102, page 45, line 14, after “of”, insert “housing”

Stephen Hammond

*Withdrawn* **240**

☆ Clause 102, page 45, line 22, at end insert—

“(4) A development order under subsection (1) shall be made in respect of land in Greater London by the Mayor of London and in respect of land in England outside of Greater London by the Secretary of State.

(5) Section 59B shall apply to the making of a development order under subsection (1) by the Mayor of London.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook  
Helen Hayes

*Not called* **231**

Clause 102, page 45, line 26, after “to” insert “housing”

Stephen Hammond

*Not called* **241**

☆ Clause 102, page 45, line 30, leave out paragraph (b) and insert—

“(b) provide for the granting in respect of land in Greater London by the Mayor of London or the local planning authority, and in respect of land in England outside Greater London by the local planning authority on application to the authority in accordance with the provisions of the order, of permission in principle for development of a prescribed description.”

Stephen Hammond

*Not called* **242**

☆ Clause 102, page 46, line 5, leave out “Secretary of State” and insert “the Mayor of London in respect of land in Greater London and the Secretary of State in respect of land in England outside of Greater London”



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**Housing and Planning Bill, *continued***

Stephen Hammond

*Not called* 243

- ☆ Clause 102, page 46, line 8, leave out “Secretary of State” and insert “Mayor of London in respect of land in Greater London and the Secretary of State in respect of land in England outside of Greater London”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Helen Hayes

*Withdrawn* 232

Clause 102, page 46, line 14, leave out “not”

Stephen Hammond

*Not called* 244

- ☆ Clause 102, page 46, line 28, after “authorities” insert “and the Mayor of London”

Stephen Hammond

*Not called* 245

- ☆ Clause 102, page 46, line 30, at end insert—

“(2A) After section 59A of that Act insert—

**“59B Development orders made by the Mayor of London**

- (1) Subsection (2) shall apply to a development order made by the Mayor of London under section 58A(1).
- (2) The Mayor of London may make a development order if—
  - (a) the Mayor of London has consulted the persons specified by subsection (3);
  - (b) the Mayor of London has had regard to any comments made in response by the consultees;
  - (c) in the event that those comments include comments made by the Secretary of State, the London Assembly or a consultee under subsection (3)(e) or (f) that are comments that the Mayor of London does not accept, the Mayor of London has published a statement giving the reasons for the non-acceptance;
  - (d) the Mayor of London has laid before the London Assembly, in accordance with standing orders of the Greater London Authority, a document that is a draft of the development order that the Mayor of London is proposing to make, and
  - (e) the consideration period for the document has expired without the London Assembly having rejected the proposal.
- (3) The persons who have to be consulted before a development order may be made by the Mayor of London are—
  - (a) the Secretary of State;
  - (b) the London Assembly;
  - (c) each constituency member of the London Assembly;
  - (d) each Member of Parliament whose parliamentary constituency is in Greater London;
  - (e) each London borough council;
  - (f) the Common Council of the City of London, and

**Housing and Planning Bill, *continued***

- (g) any other person whom the Mayor considers it appropriate to consult.
- (4) In this section—  
the “consideration period” for a document is the 21 days beginning with the day the document is laid before the London Assembly in accordance with standing orders of the Greater London Authority, and  
the London Assembly rejects a proposal if it resolves to do so on a motion—
- (i) considered at a meeting of the Assembly throughout which members of the public are entitled to be present, and
  - (ii) agreed to by at least two thirds of the Assembly members voting.
- (5) If the Mayor of London makes a development order he must—
- (a) publish a notice setting out the effect of the development order in the London Gazette and otherwise give the development order adequate publicity including on the Greater London Authority’s website, and
  - (b) notify and send a copy of the development order to—
    - (i) the Secretary of State, and
    - (ii) every London local planning authority.”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook  
Helen Hayes

*Not called* 233

Clause 102, page 46, line 41, at end insert “unless any material considerations indicate otherwise”

Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook  
Helen Hayes

*Not called* 234

Clause 102, page 47, line 8, after “period”, insert “and in any event no longer than five years”

*Clause agreed to.*

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Brandon Lewis

*Agreed to* 238

Schedule 6, page 87, line 11, leave out sub-paragraph (3) and insert—

“(3) In subsection (4)—

- (a) for “subsection (5), where” substitute “subsection (5)—
- (a) where”;

**Housing and Planning Bill**, *continued*

- (b) for “local planning authority and” substitute “local planning authority;
- (b) where an application for permission in principle is referred to the Secretary of State under this section, section 70 shall apply, with any necessary modifications, as it applies to such an application which falls to be determined by the local planning authority; and”.

Brandon Lewis

*Agreed to* 239

Schedule 6, page 87, line 34, leave out sub-paragraph (2) and insert—

“(2) In subsection (4)—

- (a) for “subsection (2), the provisions of sections” substitute “subsection (2)—
- (a) sections”;
- (b) after “under section 78” insert “in respect of an application within section 78(1)(a), (b) or (c)”;
- (c) for “local planning authority and” substitute “local planning authority;
- (b) section 70 shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 in respect of an application for permission in principle as it applies in relation to such an application which falls to be determined by the local planning authority; and”

*Schedule, as amended, agreed to.*

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Dr Roberta Blackman-Woods  
John Healey  
Teresa Pearce  
Matthew Pennycook  
Helen Hayes

*Withdrawn* 235

Clause 103, page 48, line 16, at end insert “and in particular the achievement of sustainable development and good design”

*Clause agreed to.*

[Adjourned until Tuesday 8 December at 9.25 am