

HOUSING AND PLANNING BILL

EXPLANATORY NOTES ON LORDS AMENDMENTS

What these notes do

- 1 These Explanatory Notes relate to the Lords amendments to the Housing and Planning Bill as brought from the House of Lords on 28 April 2016.
- 2 These Explanatory Notes have been prepared by the Department for Communities and Local Government in order to assist the reader of the Bill and the Commons' amendments, and to help inform debate on the Lords amendments. They do not form part of the Bill and have not been endorsed by Parliament.
- 3 These Explanatory Notes, like the Lords amendments themselves, refer to HL Bill 87, the Bill as first printed for the Lords.
- 4 These Explanatory Notes need to be read in conjunction with the Lords amendments and the text of the Bill. They are not, and are not meant to be, a comprehensive description of the Lords amendments.
- 5 All Lords amendments were tabled in the name of the Minister (Baroness Williams of Trafford) with the exception of those stated in **Annex A** and **Annex B**, referenced in paragraphs 6 and 7.
- 6 Non-Government amendments opposed by the Government can be found at **Annex A**.
- 7 Non-Government amendments supported by the Government can be found at **Annex B**.
- 8 In the following Commentary, an asterisk(*) appears in the heading of any paragraph that deals with a non-Government amendment.

Commentary on Lords Amendments

PART 1: CHAPTER 1 STARTER HOMES

Lords Amendments to Clause 2

Lords Amendments 1* and 2 to 8

- 9 Amendment 1* would introduce a new restriction on the sale of starter homes which would require the repayment of the discount by the first-time buyer if the starter home is sold within 20 years. The repayment profile would be on a sliding scale, reducing by 1/20th for each year the starter home is occupied by the first-time buyer, ending in year 20. The amendment does not specify to whom any repayment would be made.
- 10 Amendments 2 and 4 would introduce a minimum age requirement, which would stipulate that for an individual to be a "Qualifying first-time buyer" and so eligible to purchase a starter home, they would need to be at least 23 years old.
- 11 Amendment 3 to clause 2(3) would allow the Secretary of State to specify certain criteria which a first-time buyer would need to meet in order to be a qualifying first-time buyer and thus be eligible to purchase a starter home. Previously the power had referred to characteristics that a first-time buyer must possess.
- 12 Amendment 6 to clause 2(7) would extend the Secretary of State's power to amend the definition of first-time buyer. The power would be extended to allow the Secretary of State, in regulations, to disapply the age requirement in subsection 3(b) (which states a qualifying first-time buyer must be under the age of 40) in relation to specified categories of people and to specify circumstances where the age requirement does not apply to joint purchasers when not all the purchasers meet the age requirement.
- 13 Amendment 7 would introduce a new provision into clause 2 which would require the Secretary of State to consult local planning authorities, the Mayor of London and any other person he thinks appropriate before he uses his power to amend the price caps. The price caps are set out in clause 2 of the Bill and set the maximum price at which a starter home may be sold.
- 14 Amendment 8 would allow regulations made under the powers contained in clause 2 to amend Chapter 1 of Part 1 of the Bill. For example, if the Secretary of State were to use the power under clause 2(7) to create a list of different categories of people in relation to whom the age requirement does not apply, the list could be inserted into Chapter 1 as a new section.
- 15 Amendment 5 would make a minor change to the format.

Lords Amendments to Clause 4*

Lords Amendments 9* and 10*

- 16 Amendment 9* would remove the starter homes requirement from the Bill which provides that an English planning authority would only be able to grant planning permission for certain residential developments if specified requirements relating to starter homes are met (which would have been set out in regulations by the Secretary of State.) It would be replaced with a requirement that an English planning authority shall only be able to grant

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planning permission for residential development, after it first considers the provision of starter homes based on its own local housing need and viability assessments. Amendment 10* is consequential, and would remove subsection (3) (the starter home requirement).

PART 2: CHAPTER 2 BANNING ORDERS

Lords Amendment to Clause 13

Lords Amendment 11

- 17 Amendment 11 would change the word "companies" to "bodies corporate". This includes bodies that are incorporated legal entities such as an association, non-Government organisation or corporation, but also includes a company.
- 18 This amendment would mean that any incorporated body which commits a banning order offence, and not just a company, could be subject to a banning order.
- 19 This amendment would also clarify that the banning order provisions extend to companies and other bodies incorporated abroad (See Lords Amendment 25).

Lords Amendments to Clause 17

Lords Amendments 12 to 15

- 20 These amendments would change the word "company" to "body corporate". Please see Amendment 11 to Clause 13 above for more information.

Lords Amendments to Clause 20

Lords Amendments 16 and 17

- 21 These amendments would mean that where a person is convicted of breaching a banning order and the breach continues after conviction the person commits a further offence and would be liable on summary conviction to a fine not exceeding one tenth of the level 2 fine on the standard scales for each day or part of a day on which the breach continues (this would currently equate to a fine of up to £50 per day). However, there would be a defence to this further offence where the person could show that they had a reasonable excuse for the continued breach – this would capture cases where a person is genuinely not able to cease breaching a banning order.

Lords Amendments to Clause 22

Lords Amendments 18 to 21

- 22 Lords Committee Amendments 19 to 21 would provide that a person who continues to breach a banning order following a civil penalty being imposed for the breach, as an alternative to prosecution, could be subject to further civil penalties for every additional six months, or part of that period, that they continue to breach the banning order.
- 23 Amendment 18 would mean that a local housing authority that imposes a financial penalty for the breach of a banning order would need to apply the criminal standard of proof, or beyond reasonable doubt.

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Lords Amendment to Schedule 1

Lords Amendment 197

- 24 Amendment 197 would provide clarification for how the First Tier Tribunal should deal with an appeal against the imposition of a financial penalty, in relation to penalties imposed for a breach of a banning order.
- 25 On appeal, the Tribunal would need to consider the local housing authority's financial penalty decision afresh and in reaching its own decision could take account of matters which the local authority was not aware of when it made its decision.
- 26 The Tribunal would not simply review the authority's decision and decide whether it was reasonable but instead it would re-determine the case itself, applying the criminal standard of proof on the facts known to it.

Lords Amendment to Clause 38

Lords Amendment 22

- 27 This amendment would clarify that for the purposes of Schedule 23 to the Finance Act 2011 the database of rogue landlords and property agents is to be treated as being maintained by the Secretary of State. This will ensure that Her Majesty's Revenue and Customs are able to use their existing powers to access information held on the database in order to assist them in particular in ensuring that residential landlords comply with their tax obligations.
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PART 2: CHAPTER 4 RENT REPAYMENT ORDERS

Lords Amendment (New Clause) after Clause 51

Lords Amendment 23

- 28 The amendment relates to appeals under Part 2 of this Bill from the First Tier Tribunal.
- 29 Amendment 23 would apply the same appeals mechanism to this Bill as is applied to other housing legislation, such as the Housing Act 2004 and the Mobiles Homes Act 1983.
- 30 The amendment would provide that an appeal to the Upper Tribunal could not be made unless permission had been granted by either the First Tier Tribunal or the Upper Tribunal. Any such appeal would not be limited to a point of law only.

Lords Amendment to Clause 53

Lords Amendment 24

- 31 Amendment 24 would amend the definition of "property manager" to clarify that this does not include a person engaging in property management work in the course of their employment under a contract of employment. A similar exclusion is already provided in relation to letting agents under clause 52.
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PART 2: CHAPTER 5 INTERPRETATION OF PART 2

Lords Amendment to Clause 54

Lords Amendment 25

- 32 Amendment 25 would insert a definition of "body corporate" for the purposes of Part 2 of this Bill. See paragraph 19 above for more information.
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PART 3: RECOVERING ABANDONED PREMISES IN ENGLAND

Lords Amendment to Clause 55*

Lords Amendment 26*

- 33 Amendment 26* and subsequent amendments to Part 3 of this Bill would require that the landlord, who has received a deposit for the tenancy paid by someone other than the tenant, to serve the written warning notices under clause 57 on that person, as well as the tenant and any named occupier.
- 34 This would allow the deposit payer, such as a local authority or charitable organisation, to respond to the warning notices to advise the landlord that the property has not been abandoned and, by doing so, that will end the process.

Lords Amendments to Clause 57*

Lords Amendments 27*, 28*, 29*, 30* and 31*

- 35 Amendment 27*, 28*, 29*, 30* and 31* would make further changes to provide that a third party deposit payer could advise on the status of a property considered abandoned. See above information on Amendment 39 for more detail.
- 36 Amendment 31* would define a "deposit payer", for the purposes of Part 3 of this Bill, as a person who the landlord knows paid a tenancy deposit in relation to the tenancy on behalf of the tenant.

Lords Amendments to Clause 59*

Lords Amendments 32*, 33*, 34* and 35*

- 37 See paragraph 33 for more information on these amendments.

Lords Amendment to Clause 60

Lords Amendment 36*

- 38 Amendment 36* would provide a definition of "tenancy deposit" for the purposes of Part 3 of this Bill.
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PART 4: VACANT HIGH VALUE LOCAL AUTHORITY HOUSING

Lords Amendments to Clause 67*

Lords Amendments 37*, 38 to 43

- 39 Amendment 37* would insert after "may" the words "by regulations" in clause 67 subsection (1). This would require the determination setting out the detail of the calculation and the payments to be made by authorities to be set out in a statutory instrument (regulations). Amendment 184* (to clause 190) would provide that these regulations are subject to the affirmative procedure when they contain more than one determination or a determination that relates to more than one local housing authority.
- 40 Amendments 38, 39, and 41 would change the word "high" to "higher". These, and the similar amendments to clauses 74, 75 and 77, would enable the definition of "higher value" in clause 67 subsection (8) to be set in a way that is not tied to the wider housing market. For example it could be set as a proportion of a local housing authority's stock. Without this amendment all housing stock of some local housing authorities could have been defined as high value against a threshold set at national or regional housing market levels.
- 41 Amendment 40 would provide clarity, inserting after "value", the words ", in relation to housing". This is a small drafting change which would clarify that the "higher value" definition is in relation to housing.
- 42 Amendment 42 would make clear that the regulations defining "higher value" in relation to housing could make different provision for different kinds of housing and different local housing authorities, as well as different areas.
- 43 Amendment 43 would give the Secretary of State the ability to define "higher value" by using any class of housing as a comparator and would make clear that other appropriate factors may be taken into account when setting that definition.

Lords Amendments to Clause 72*

Lords Amendments 44 to 46, 47*, 48 and 49

- 44 Amendment 49 would make a minor drafting change providing greater clarity to the provisions dealing with agreements.
- 45 Amendment 44 at Third Reading would mean that where Government makes an agreement with a local housing authority outside London then it would require the authority to provide one new affordable home (as defined in subsection (7)) for each of the local authority's higher value dwellings taken into account under the determination (see the definition of "old dwelling" in subsection (7)). This would mirror the existing subsection (4) where agreements with local housing authorities in London require two new affordable homes for each old dwelling taken into account under the determination. As these provisions would mean agreements would have to specify the number of homes which must be delivered as a result of the agreement, subsection (2) would no longer be required.
- 46 Amendments 45, 46 and 48 are minor drafting amendments that would clarify that the amount to be retained by an authority and requirements regarding the number of new affordable homes to be provided under the agreement, form part of the terms and conditions of the agreement.

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- 47 Amendment 47* would require Government to enter into an agreement with a local authority under clause 72 (reduction of payment by agreement) where the authority could show a need in its area for the type of social housing it proposes to build. In such cases the Secretary of State would be compelled to enter into an agreement with an authority and ensure the amount which it is allowed to retain is sufficient to enable the local authority to fund the costs of a replacement dwelling of the same type (i.e. the same tenure, and same rent) as the old dwelling identified for sale under the determination.

Lords Amendment to Clause 74

Lords Amendment 50

- 48 This amendment would change the word "high" to "higher" as described in paragraph 40.

Lords Amendments to Clause 75

Lords Amendments 51 and 52

- 49 These amendments would change the word "high" to "higher" as described in paragraph 40.

Lords Amendment to Clause 77

Lords Amendment 53

- 50 Amendment 53 would leave out the words "high value" and replaces them with "'higher value", in relation to housing". The change to "higher" is consequential on the equivalent amendments to clause 67 and like Amendment 40 this amendment would also make a small drafting change clarifying that the "higher value" definition is in relation to housing.
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PART 4: RENTS FOR HIGH INCOME SOCIAL TENANTS

Lords Amendments to Clause 78*

Lords Amendments 54*, 55* and 56

- 51 Amendment 54* would provide that the policy to charge high income social tenants an increased rent would be voluntary for local authorities.
- 52 Amendment 55* would introduce a taper of ten pence (10%) on every one pound above the minimum income threshold earned by a social tenant.
- 53 Amendment 56 would provide that regulations may create exceptions for certain households of a specified description.

Lords Amendments to Clause 79*

Lords Amendments 57* and 58*

- 54 This amendment would increase the minimum income thresholds after which households would be expected to start paying an increased rent. The thresholds would be increased from £30,000 nationally, and £40,000 in London, to £40,000 and £50,000, respectively.
- 55 Amendment 58* would provide that the minimum income thresholds are to be increased by

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CPI every three years.

PART 4: REDUCING REGULATION OF SOCIAL HOUSING ETC

Lords Amendments to Schedule 4

Lords Amendments 198 and 199

- 56 Certain properties developed with public funding are subject to the statutory Right to Acquire. This amendment would maintain that position by defining ‘public funds’ without referencing the Disposal Proceeds Fund and would ensure that a tenant’s entitlement to the Right to Acquire remains unchanged when the Disposals Proceeds Fund is abolished.

Lords Amendment (New Clause) after Clause 90

Lords Amendment 59

- 57 This new clause has the same objective as clause 90, namely to reduce public sector control over private registered providers of social housing to ensure that these organisations may be properly classified as private organisations.
- 58 This clause would confer a power on the Secretary of State by regulations to make provision for the purpose of limiting or removing the ability of local authorities to exert influence over private registered providers of social housing, through the nomination of board members and acting as shareholders. These regulations would be by affirmative resolution, as provided by Amendment 186.
- 59 By way of example, the content of the regulations may include, but not be limited to, provision set out in subsection (2).

Lords Amendment to Clause 91

Lords Amendment 60

- 60 This amendment would clarify that if social housing provided as a result of financial assistance given by the Homes and Communities Agency is sold by a housing administrator out of the regulated sector, the Homes and Communities Agency could not recover that assistance from any successor in title.
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PART 4: INSOLVENCY OF REGISTERED PROVIDERS OF SOCIAL HOUSING

Lords Amendments to Clause 92

Lords Amendments 61, 62 and 63

- 61 See paragraphs 62 and 63.

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Lords Amendments to Clause 93 and (New Clauses) after Clause 93

Lords Amendments 64 to 66

- 62 Amendment 64 to clause 93 and the new clauses which would be introduced by Amendments 65 and 66, inserted after clause 93, would set out what a housing administrator's objectives are and the hierarchy between the two objectives. The first objective would be the same as a normal administration process that applies to companies. The second objective, which is expressly subordinate to the first, would be to retain the social housing within the regulated sector.
- 63 These changes would make it necessary to make a number of consequential amendments as listed.

Lords Amendments to Clause 95

Lords Amendments 67 and 68

- 64 See paragraphs 62 and 63.

Lords Amendments to Clause 96

Lords Amendments 69 to 71

- 65 See paragraphs 62 and 63.

Lords Amendment (New Clause) after Clause 97

Lords Amendment 72

- 66 Amendment 72 would insert a new clause allows a housing administrator to dispose of land free of planning obligations under section 106 of the Town and Country Planning Act 1990 in circumstances where any restrictions or requirements imposed by the planning obligation are expressed not to apply in the event that the land is disposed of by a mortgagee. This would put the housing administrator in the same position as a mortgagee seeking to enforce its security.

Lords Amendments to Schedule 5

Lords Amendments 200 to 214

- 67 Amendment 200 would set a time limit of one year on housing administration and would make the process for obtaining an extension the same as applies in an ordinary administration.
- 68 Amendments 201 to 214 are consequential. See paragraphs 62 and 63.

Lords Amendments to Clause 98

Lords Amendments 73 and 74

- 69 These amendments would mean that the courts could not allow the winding up of a housing

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association without the Regulator being notified 28 days in advance. These amendments would allow the Regulator of Social Housing to waive this 28 day notice period once they had been notified if they choose.

Lords Amendments to Clause 99

Lords Amendments 75 and 76

70 See paragraph 59.

Lords Amendments to Clause 100

Lords Amendments 77 to 79

71 These amendments would mean that the courts could not allow the making of an ordinary administration order in relation to a housing association without the Regulator being notified 28 days in advance. These amendments would allow the Regulator of Social Housing to waive this 28 day notice period once they had been notified if they choose.

Lords Amendments to Clause 101

Lords Amendments 80 to 82

72 These amendments would mean that creditors of a housing association cannot appoint an administrator if an application for a housing administrator has been made in relation to that registered provider (or a housing administration order is in force or has been made) without the Regulator being notified 28 days in advance. These amendments would allow the Regulator of Social Housing to waive this 28 day notice period once they had been notified if they choose.

Lords Amendments to Clause 102

Lords Amendments 83 and 84

73 These amendments would mean that a person cannot take a step to enforce a security over property of a registered provider without the Regulator being notified 28 days in advance. These amendments would allow the Regulator of Social Housing to waive this 28 day notice period once they had been notified if they choose.

Lords Amendment to Clause 103

Lords Amendment 85

74 See paragraphs 62 and 63.

Lords Amendment to Clause 109

Lords Amendment 86

75 This amendment would remove the ability to apply normal administration to a housing association that is a registered society.

Lords Amendment to Clause 111

Lords Amendment 87

76 This amendment would clarify the definition of "objectives" of the housing administration.

PART 4: SECURE TENANCIES ETC

Lords Amendments (New Clause) after Clause 113

Lords Amendments 88, 223, 235 and 237

77 Amendment 88 would ensure local authorities may terminate new fixed-term secure tenancies on the statutory fault grounds without the need to take action to forfeit. Amendments 223 (to Schedule 7), 235 and 237 (to Schedule 8) would enable local authorities to include provision for forfeiture where a tenancy is no longer secure.

Lords Amendments to Schedule 7

Lords Amendments 215 and 217, 218 to 221, and 224 to 233

78 Amendments 215 to 217 would amend the Law of Property Act 1925 to ensure that where a local authority grants a fixed term introductory tenancy of more than three years, the tenancy would not be required to be executed by deed. This mirrors the amendments to that Act which already appear in paragraph 1 of Schedule 7 to the Bill in relation to new fixed term secure tenancies granted after these provisions come into force.

79 These amendments would amend the maximum period for which a local authority could grant a fixed term tenancy (at the end of which it will be required to carry out a review before deciding whether to grant a further fixed term tenancy). The minimum fixed term period is 2 years but prior to these amendments the maximum period was 5 years. Amendments 218 to 220 would, for new fixed term secure tenancies granted after these provisions come into force, amend the maximum period to 10 years or longer in cases where a local authority is notified that a child under the age of 9 will be living in the property. In such cases the maximum term would start with the date on which the tenancy is granted and end with the day on which the child will reach 19. This would ensure that local authorities could grant fixed term tenancies which cover the whole period during which a child could be in full time education. Amendment 221 would require local authorities to have regard to any guidance issued by the Secretary of State when deciding what length of tenancy to grant.

80 Amendments 224 and 225 would make equivalent changes to the existing legislation concerning the granting of secure tenancies following the successful completion by a tenant of a family intervention tenancy. Likewise, amendments 227 to 229 would make equivalent amendments to the legislation concerning introductory tenancies and amendments 230 and 231 would make equivalent amendments to the legislation concerning demoted tenancies. These amendments ensure consistency across the legislative framework relating to council tenancies.

81 Amendment 226 would amend section 13 of the Landlord and Tenant Act 1985 to ensure that the implied repairing obligation on landlords set out in section 11 of that Act would apply to introductory tenancies granted for a fixed term of 7 years or longer. In relation to most types

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of tenancies section 11 only applies where the fixed term is less than 7 years or where the tenancy is periodic. Section 11 of the Landlord and Tenant Act 1985 already applies to fixed term secure tenancies of 7 years or longer (see section 13(1A)(a) of that Act), so no further consequential amendments would be required to that section in relation to new fixed term secure tenancies.

- 82 Amendments 232 and 233 would make similar consequential amendments to section 132 of the Land Registration Act 2002 to ensure that where a local authority grants a fixed term tenancy of more than 7 years it is not required to be registered at the Land Registry.

Lords Amendments (New Clause) after Clause 114

Lords Amendments 89 and 222

- 83 Amendment 89 would insert a new clause to give social landlords discretion to grant a further lifetime tenancy to existing lifetime tenants who exchange their property with a new fixed-term tenant. Amendment 222, to Schedule 7, is consequential.

Lords Amendments to Schedule 8

Lords Amendments 234 and 236

- 84 Amendments 234 and 236 would ensure that where a landlord grants additional succession rights and a 5 year fixed term arises automatically on the death of the original tenant, any outstanding possession order would continue to apply to the new tenancy.

PART 5: HOUSING, ESTATES AGENTS AND RENTCHARGES

Lords Amendments (New Clauses) before Clause 115

Lords Amendments 90 and 91

- 85 Amendments 90 and 91 would introduce new clauses relating to electrical safety standards within properties let by private landlords.
- 86 Amendment 90 would allow the Secretary of State, by regulations, to impose duties on a private landlord to ensure that electrical safety standards are met in a property under their ownership, while a tenancy is in place in that property. The amendment would specify obligations that may be required of the landlord, with regards to frequency of checks, and the expertise expected of any persons who would undertake such checks.
- 87 Amendment 91 would provide for the enforcement of any duties introduced by Amendment 90, including the use of financial penalties.

Lords Amendments to Schedule 9

Lords Amendments 238 and 239

- 88 Amendment 238 would mean that a local housing authority that imposes a financial penalty as an alternative to prosecution for certain offences under the Housing Act 2004 would need

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to apply the criminal standard of proof, of beyond reasonable doubt.

- 89 Amendment 239 would provide clarification for how the First Tier Tribunal should deal with an appeal against the imposition of a financial penalty, in relation to penalties imposed as an alternative to prosecution for certain offences under the Housing Act 2004.
- 90 On appeal, the Tribunal would need to consider the local housing authority's financial penalty decision afresh and in reaching its own decision could take account of matters which the local authority was not aware of when it made its decision.
- 91 The Tribunal would not simply review the authority's decision and decide whether it was reasonable but instead it would re-determine the case itself, applying the criminal standard of proof on the facts known to it.

Lords Amendments (New Clauses) after 120*

Lord Amendments 92* and 93*

- 92 Amendment 92* would give the secretary of a tenants' association a right to obtain contact information for other leaseholders in a shared block. The information would be obtained from the landlord and this would only be with the other leaseholders' consent. Requiring a landlord to supply contact information would allow contact to be made with absent leaseholders for the purpose of increasing the association's membership and thereby its chances of seeking statutory recognition. Such recognition would provide the tenants' association with additional rights over and above those enjoyed by individual leaseholders, including the right to be consulted about the appointment of managing agents and to be notified of works proposed by the landlord and to receive copies of estimates.
- 93 Amendment 93* would address an irregularity concerning the inability of courts and tribunals to restrict recovery of a landlord's costs of taking part in legal proceedings from leaseholders as administrative charges.
- 94 At present where a lease allows a landlord to recover the costs of legal proceedings through the service charge, a court or tribunal can decide to restrict the amount that can be recovered in this way, where they consider it would be just and equitable to do so in the circumstances. Courts or tribunals do not though have similar powers where recovery of the costs of proceedings as an administration charge is permitted by the lease. This amendment would enable the court or tribunal to consider, on application, whether it is reasonable for a landlord to recover all or part of their costs.

Lords Amendments (New Clauses) after 121*

Lord Amendments 94*, 95* and 96*

- 95 Amendment 94* would introduce a new clause providing the Secretary of State with the power to make regulations requiring property agents to be a member of a client money protection scheme. A client money protection scheme protects the money of landlords and tenants in the event of a property agent going into administration and against theft or misappropriation by the agent whilst it is in their custody or control. The clause would set out that the regulations may impose requirements about the nature of membership of a client money protection scheme that an agent must obtain, and shall impose requirements in relation to the certificate that a property agent must obtain, display and produce to show that they are a member of a relevant scheme.

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- 96 Amendment 95* would allow the Secretary of State to make regulations to provide for the approval or designation of client money protection schemes. The amendment would specify that the regulations could make provision about the approval or designation of schemes including conditions on which approval is granted or a designation made and conditions which approved or designated schemes and their administrators would need to comply with. The regulations could also make provision about the withdrawal of approval or revocation of a designation.
- 97 Amendment 96* would provide for the enforcement of any duties introduced by Amendment 94* to require property agents to belong to a client money protection scheme including the use of financial penalties and rights of appeal against such penalties. The regulations could confer functions on a local authority, including requiring authorities to have regard to any guidance given by the Secretary of State when carrying out their enforcement functions.
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PART 6: PLANNING IN ENGLAND

NEIGHBOURHOOD PLANNING

Lords Amendment (New Clause) after 128*

Lord Amendment 97*

- 98 This amendment would introduce a new clause into the Bill and a new section 78ZA (neighbourhood right of appeal) into the Town and Country Planning Act 1990. This would provide a right of appeal to parish councils and neighbourhood forums designated under section 61F of that Act against a grant of planning permission for development in their area which does not accord with policies in an emerging or made neighbourhood development plan (within the meaning of section 38A of the Planning and Compulsory Purchase Act 2004) that plans for housing.
- 99 "Emerging" is defined as a plan that has been examined, is being examined, or is due to be examined. The parish council or neighbourhood forum would need a two-thirds voting majority to bring an appeal.
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LOCAL PLANNING

Lords Amendments to Clause 129

Lords Amendments 98 and 99

- 100 Amendments 98 and 99 would amend clause 129 to ensure that the Secretary of State, or the Mayor in the case of a London borough, could prepare a local development scheme (which sets out the development plan documents that the authority intend to produce and the timetable for their production) for an authority that has failed to prepare one and direct the authority to bring the scheme into effect.
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PERMISSION IN PRINCIPLE

Lords Amendments to Clause 136*

Lords Amendments 100*, 101, 102, 103, 104, 105 and 106

- 101 Amendment 101 would set out that development consisting of “the winning and working of minerals” could not be granted permission in principle. This definition encompasses development that may involve fracking.
- 102 Amendment 104 would set out the specific documents capable of granting permission in principle. These would be a register maintained under section 14A of the Planning and Compulsory Purchase Act 2004 (introduced by clause 137 of this Bill), a Development Plan document within the meaning of Part 2 of that Act and a Neighbourhood development plan.
- 103 Amendment 105 contains a number of changes relating to durations of permission in principle. Firstly, it would set statutory timeframes for how long permission in principle could be granted for. These timeframes would be 5 years for permission in principle granted through a locally prepared plan or register and, 3 years when permission in principle is granted on application to a local planning authority. However, the amendment would also enable local authorities to set longer or shorter timeframes, mirroring the approach set out in section 91 of the Town and Country Planning Act 1990. In addition amendment 105 would enable local authorities to vary the start date and end date of permission in principle granted on allocation to allow permission in principle to better align with the planned delivery of sites. Amendment 105 would enable the Secretary of State to issue guidance on how the local authorities should handle the technical details consent process.
- 104 Amendment 100* would insert the words "housing-led" into new section 58A(1). This would mean that any grant of permission in principle would be for housing-led development only.
- 105 Amendment 106 would provide that any amendments proposed by the Secretary of State to the duration of permission in principle set out in section 59A(6) would be subject to the affirmative resolution procedure.

Lords Amendments to Schedule 12

Lords Amendments 240 to 243

- 106 Amendments 240 to 242 would extend the existing revocation powers in the Bill to section 97 of the Town and Country Planning Act 1990 to enable local planning authorities to revoke or modify permission in principle granted by local plans or registers where they consider it expedient to do so. Amendment 243 would also enable the Government to set out sensible compensation arrangements in these circumstances in secondary legislation for when this occurs.

PLANNING PERMISSION

Lords Amendment (New Clause) after 139

Lord Amendment 107*

- 107 This new clause would enable the Secretary of State, by regulations, to make planning freedom schemes in England. Planning freedom schemes could only be made following a request from the local planning authority for the relevant area and only if the Secretary of State considers the scheme will lead to additional homes being built. (Before bringing

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forward proposals for a scheme the local planning authority would need to consult in their local area.)

108 Such schemes would operate for a specified period (although section seven includes the power to bring schemes to an end early, for example, where the local planning authority asks the Secretary of State to do so.).

109 Planning freedom schemes would apply in relation to a specified planning area which would be the area of a local planning authority or an area comprising two or more adjoining areas of local planning authorities. The Secretary of State could restrict the number of planning freedom schemes in force at any one time.

PLANNING OBLIGATIONS

Lords Amendments (New Clauses) after 143

Lord Amendments 108*, 109* and 110*

110 Amendment 108* would introduce a new clause which would establish a carbon emissions target, the “carbon compliance standard”, for new homes built after 1 April 2018. This would be implemented in building regulations made under the Building Act 1984, and would require those regulations to be made within one year of the Bill receiving Royal Assent.

111 The “carbon compliance standard” would define the maximum levels for carbon emissions from detached houses, attached houses and flats in terms of percentage reductions on the target emission rates set in 2006 under building regulations.

112 Amendment 109* would place a limit on the powers granted to the Secretary of State under clause 143 of this Bill, to exclude small-scale developments and development in rural areas from the scope of this power. The amendment would allow local authorities to require affordable housing contributions on sites or 10 units or fewer, and on sites in rural areas, including National Parks and Areas of Outstanding National Beauty.

113 Amendment 110* would remove an automatic right to connect to the public sewage system in respect of surface water under section 106(1) of the Water Industry Act 1991, unless a sustainable drainage system forms part of the development. It would also require drainage systems to be designed and constructed in accordance with non-statutory technical standards for sustainable drainage systems and the planning permission or development consent order granted. It would also define what sustainable drainage systems are by reference to Schedule 3 of the Flood and Water Management Act 2010.

POWERS FOR PILOTING ALTERNATIVE PROVISION OF PROCESSING SERVICES

Lords Amendments to Clause 145

Lords Amendments 111 to 119

114 Amendment 111 would clarify the purpose of clauses 145 to 148, and would state that pilots to test competition in the processing of planning applications could only run up to a period of five years from the date the regulations come into force. It would also provide that other applications connected to the development of a site (including reserved matter applications),

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which tend to attract little or no fee, would need to usually be processed by a designated person, along with planning applications.

115 Amendment 112 would require the Secretary of State to conduct a review of the competition pilots and present a summary of the findings to both Houses of Parliament by written report or by oral statement to the House the Secretary of State is member of, no more than one year after the pilots end.

116 Amendments 113, 114, and 116 to 119 would make consequential changes to enable connected applications to be processed by designated persons. See paragraph 114 for further detail on connected applications.

117 Amendment 115 would clarify beyond doubt that the decision-making function, to determine the outcome of a planning application, would remain with the local planning authority, and that no recommendation by a designated person would be binding on a local authority. It would also require the Secretary of State to consult on the draft of the first set of regulations before pilots commence.

Lords Amendments to Clause 146

Lords Amendments 120 to 123

118 Amendment 120, 121 and 123 would make consequential changes to enable connected applications to be processed by designated persons. See paragraph 114 for further detail on connected applications.

119 Amendment 122 would remove clause 146(2)(g), to clarify beyond doubt that no recommendation by a designated person would be binding on a local authority responsible for determining a planning application.

URBAN DEVELOPMENT CORPORATIONS

Lords Amendment to Clause 149

Lords Amendment 124

120 Amendment 124 would make the designation of an urban development area subject to the affirmative (though expressly de-hybridised), rather than negative, resolution statutory instrument process.

Lords Amendment to Clause 150

Lords Amendment 125

121 Amendment 125 would make the designation of an urban development corporation subject to the affirmative (though expressly de-hybridised), rather than negative, resolution statutory instrument process.

Lords Amendments (New Clauses) after Clause 150*

Lords Amendments 126* and 127*

122 Amendment 126* would simplify the process for establishing New Town Development Corporations and Areas in England. It would introduce a requirement on the Secretary of State to consult on the draft of the first set of regulations before pilots commence. These Explanatory Notes relate to the Lords Amendments to the Housing and Planning Bill as brought from the House of Lords on 28 April 2016 (Bill 170)

State to consult interested parties prior to making an Order designating a New Town Development Area and a New Town Development Corporation. It would also provide that the Order is subject to approval through the affirmative (though expressly de-hybridised), resolution procedure in both Houses of Parliament. Schedule 1 to the New Towns Act, which sets out some detailed process requirements, would not apply in respect of land in England.

123 Amendment 127* would require New Town Development Corporations to contribute to achieving sustainable development and good design in pursuing their objectives of securing the laying out and development of the new town.

PART 7: COMPULSORY PURCHASE ETC

Lords Amendment to Clause 161

Lords Amendment 128

124 Amendment 128 would omit subsection (4), which contains an unnecessary consequential amendment to the Acquisition of Land Act 1981.

Lords Amendment (New Clause) after Clause 164

Lords Amendment 129

125 Amendment 129 would confirm that no general vesting declaration could be executed if a notice to treat has already been served in respect of the same land and has not been withdrawn.

Lords Amendments to Clause 165

Lords Amendments 130 and 131

126 Amendment 131 would introduce a revised version of new section 11A of the Compulsory Purchase Act 1965. Amendment 130 is a consequential amendment.

127 New section 11A would apply where an acquiring authority became aware of an owner, lessee or occupier “to whom they ought to have given a notice to treat” under section 5(1) of the Compulsory Purchase Act 1965. Section 11A(2) would preserve any notice of entry already served, but would suspend it until a notice to treat and notice of entry has been served on the newly-discovered person.

128 Section 11A(3) and (4) would provide that if the acquiring authority missed the person because they were given misleading information when carrying out inquiries, or the newly identified person is not in occupation, then the specified period in the new notice of entry would need to be at least 14 days and not end before the period specified in any previous notice of entry.

Lords Amendments to Clause 166

Lords Amendments 132 to 137

- 129 Amendments 132 to 134, 136 and 137 would amend new section 11B of the Compulsory Purchase Act 1965. The amendments would change the description of the person who can serve a counter-notice to “an occupier with an interest” in land (rather than “a person who is in possession” of land). The date of entry is of particular interest to the occupier who may have to pay rent and insurance on the land to be acquired and any new premises (secured in anticipation of the entry date) where possession is not taken on the expected date.
- 130 Amendment 135 would set out circumstances where a counter-notice requiring possession to be taken would have no effect: either because the notice to treat has been withdrawn or ceased to have effect; or where the acquiring authority are prohibited from taking possession by other provisions of the Compulsory Purchase Act 1965. In the latter case, the claimant could serve a further counter-notice once the prohibition ceases.

Lords Amendments to Clause 168

Lords Amendments 138 to 145

- 131 Amendments 138 to 145 would make changes corresponding to those in Amendments 130 to 137 to the New Towns Act 1981 in clause 168.

Lords Amendments to Clause 171

Lords Amendments 146 to 148

- 132 Amendments 146 to 148 would enable the Welsh Ministers to make regulations imposing further requirements about the form and content of a compensation claim in respect of a compulsory acquisition of land in Wales.

Lords Amendment (New Clause) after Clause 164

Lords Amendment 149

- 133 Amendment 149 would amend section 31 of the Land Compensation Act 1961 to make clear that an acquiring authority would also be liable to pay compensation for withdrawal of a notice to treat to a successor in title of the original claimant (where the successor acquired the relevant interest before the withdrawal of the notice).

Lords Amendments to Clause 172

Lords Amendments 150 to 153

- 134 Amendment 150 would amend section 52ZC of the Land Compensation Act 1973 so that an acquiring authority would have 28 days to require further information when they receive a request to make an advance payment of compensation to a mortgagee. This would replicate existing timing provisions in clause 172(2) of the Bill in respect of an advance payment of compensation to a claimant.
- 135 Amendments 151 to 153 would enable the Welsh Ministers to make regulations imposing further requirements about the form and content of an advance payment request in respect of

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a compulsory acquisition of land in Wales.

Lords Amendments to Clause 173

Lords Amendments 154 to 158

136 Amendments 154 to 158 would change the earliest date on which an advance payment to a claimant or mortgagee would need to be made from the date of the notice to treat to the date of the notice of entry (except for entry under the Lands Clauses Consolidation Act 1845 which does not provide for notices to treat and notices of entry). The payment would need to be made on the day the notice is given (or the day the general vesting declaration is executed where this method is used) or, if later, before the end of the period of two months beginning with the day on which the authority received the request for the payment or any further information required under section 52(2A)(b) or 52ZC(2) of the Land Compensation Act 1973.

Lords Amendments to Clause 174

Lords Amendments 159 and 160

137 Amendment 159 is consequential upon amendment 154. It would insert a reference to an advance payment required by new subsection (1B) of section 52 of the Land Compensation Act 1973.

138 Amendment 160 is consequential upon amendment 155. It would insert a reference to new subsection (4ZA) of section 52 of that Act.

Lords Amendments to Clause 175 and (New Clause) after Clause 175

Lords Amendments 161 to 164

139 Amendment 161 would provide that where an advance payment has been made, but the claimant's property has been acquired by another person – whether by sale or inheritance – the advance payment would be set off against the final claim. This would be a very small adjustment to the existing law.

140 Amendment 162 would insert new section 52AZA into the Land Compensation Act 1973 to expand on the procedure to be followed if any part of an advance payment must be repaid. It would replace subsection (5) of section 52 of that Act (omitted by amendment 161) and cater for the situation that could arise under the new payment regime whereby the notice to treat ceases to have effect or is withdrawn after the advance payment is made.

141 Amendments 163 and 164 would make similar provision for repayment where the advance payment has been made to a mortgagee.

Lords Amendments (New Clause) after 176 and to Schedule 17

Lords Amendments 244, 248 and 165

142 Amendments 244 and 248 would disapply the new provisions in Schedules 17 and 18 where a material detriment claim arises from a blight notice because the blight provisions in the Town and Country Planning Act 1990 already allow for disputes over the division of land to be

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referred to the Upper Tribunal.

143 Amendment 165 would amend the Town and Country Planning Act 1990 to preserve the current procedure relating to blight notices.

Lords Amendments to Schedule 17

Lords Amendments 245 to 247 and 249 to 262

144 Amendments 245 to 247 would set out that when an owner serves a counter-notice asserting material detriment only the notice of entry served on him ceases to have effect. The counter-notice would not cause all the notices of entry served in respect of the land to cease to have effect.

145 Amendments 249 and 250 would clarify that when the acquiring authority accept the counter-notice, or the Upper Tribunal rules in the claimant's favour, the authority would take the whole of the relevant owner's interest in the land, not all the interests in the additional land.

146 Amendment 251 is consequential to paragraph 7 of Schedule 18 to the Bill and would insert a reference to new subsection (5B) – inserted by paragraph 7 – into section 5A(6) of the Land Compensation Act 1961. This would ensure that the calculation of interest on compensation in relation to land acquired under a general vesting declaration would operate in the same way as it does in relation to land acquired following a notice to treat.

147 Amendments 252 to 262 relate to where material detriment is caused by an acquisition of a new right. They would change the application of new Schedule 2A (contained within paragraph 7 of Schedule 17 to the Bill) from instances where a notice to treat is served in respect of a right over "part only" of a house, building or factory to where it is served in respect of a right over the "whole or part".

Lords Amendments to Schedule 17 and Schedule 18

Lords Amendments 263 to 282

148 Amendments 263 to 269 and 280 to 282 would rename the new Schedule 1 to the Compulsory Purchase (Vesting Declarations) Act 1981 to be substituted by paragraph 5 of Schedule 18 to the Bill as "Schedule A1". The principal amendments are 268 and 269: the rest are consequential.

149 Amendment 271 is consequential to clause 164, which increases the notice period for a general vesting declaration from 28 days to three months.

150 Amendments 272 to 279 would change the terminology when the Upper Tribunal determines that additional land is to be taken which will now be referred to as the "specified land". The amendments would clarify that where the Tribunal determines that the authority should take part of the "additional land", the general vesting declaration is to have effect as if it included the owner's interest in that part rather than the whole of the "additional land".

Lords Amendments to Clause 179

Lords Amendments 166, 168, 169, 171 and 173

151 Amendments 166, 168, 169 and 171 would ensure that the powers in clause 179 are only available where the development by a specified authority or a successor in title is related to

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the purpose for which the land was vested in, acquired or appropriated by the specified authority.

152 Amendment 173 would extend the protection in place for statutory undertakers from having their rights overridden to the National Trust.

Lords Amendments to Clauses 179, 180 and 181

Lords Amendments 167, 170, 172, 174 to 176 and 178

153 Amendments 167, 170, 172, 174 to 176, and 178 would clarify the transitional provisions that apply to those authorities who already have the power to override easements.

154 Amendments 167 and 170 would replace the reference to “a specified authority” in clause 179(3)(c) and (6)(c) with a reference to “the qualifying authority in relation to the land”. Amendment 178 would define a “qualifying authority” and amendments 174 to 176 are consequential amendments to clause 180.

155 Amendment 172 would replicate the provision in clause 179(7) for land currently owned by a qualifying authority.

Lords Amendment to Clause 180

Lords Amendment 177

156 Amendment 177 would clarify the terminology for the determination of compensation disputes.

Lords Amendment to Clause 181

Lords Amendment 179

157 Amendment 179 would insert into the definition of “specified authority” a body established by an Act or Measure of the National Assembly for Wales.

PART 8: PUBLIC AUTHORITY LAND

Lords Amendments to Clause 184

Lords Amendment 180

158 Amendment 180 would insert an express reference to a Minister of the Crown into the definition of “relevant public authority” in clause 184(4).

Lords Amendment to Clause 185

Lords Amendment 181

159 Lords Amendment 181 would amend clause 185 to provide that regulations made under new subsection (B1)(b) of section 98 of the Local Government Planning and Land Act 1980 (inserted by clause 185), would be subject to the affirmative resolution procedure.

PART 9: GENERAL

Lords Amendments to Clause 190*

Lords Amendments 182, 183, 184*, 185 to 187, 188*, 189*, 190, 191 and 192

160 Amendments 182 and 190 would make a technical amendment to clause 190. Amendment 182 would remove text which would be replaced by Amendment 190 later in the clause to improve clarity.

161 Several of these amendments would provide that regulations under sections of this Bill are subject to the affirmative resolution procedure in Parliament. This includes:

- 183 and "banning order offences" (clause 13);
- 184* and determinations and regulations relating to vacant higher value housing (clause 67);
- 185 and the first set of regulations made under clause 78 on High Income Social Tenants;
- 186 and Amendment 59 (reducing local authority influence over private registered providers);
- 187 and Amendment 90 (Electrical safety standards for properties let by private landlords);
- 188* and Amendments 94*, 95* and 96* (client money protection);
- 189* and Amendment 107* (planning freedoms); and
- 192 and planning competition (clause 145(2), (3), (4) or (6A)(b), clause 147 or clause 148).

162 Amendment 191 would provide that the hybridity procedures of the House of Lords would not apply to regulations made under three particular sections of the Bill:

- Amendment 191 and clause 67(8) (higher value assets);
- Amendment 107* (planning freedoms); and
- Clause 145 (planning competition pilots).

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Lords Amendments to Clause 192*

Lords Amendments 193, 194, 195* and 196

163 Amendments 193 and 194 would enable the power to make regulations in Clause 137 on registers of land to come into force on the day of Royal Assent rather than 2 months after that date to allow the implementing regulations to be made sooner after the day on which the Act is passed. The implementing of regulations would not come into force until at least 2 months after Royal Assent.

164 Amendment 195* would enable amendment 92* (Tenants' associations: power to request information about tenants) to come into force two months after Royal Assent.

165 Amendment 196 would allow the Secretary of State to commence clause 161 (confirmation by Inspectors) and clause 163 with Schedule 15 (notice of general vesting declaration procedure) separately in England and Wales.

Financial Effects of Lords Amendments

Lords Amendment 1*

166 Lords Amendment 1*, which introduces a 20 year taper for a starter home where a declining proportion of the discount would be required to be repaid on resale, may have public expenditure implications if the repayments are made to a public body. However, the amendment does not specify who would be the beneficiary of the repayment, and the scale of repayment will be contingent on how many starter homes are built, the value of the original discount, and when they are resold. If the repayment was to a public body, the average starter home was sold at 20% less than the current average price paid by first time buyers and sold after 10 years, the public body would receive a payment of around £22,000 per starter home.

Lords Amendments 37* and 184*

167 Amendments 37* and 184* will significantly delay implementation of the vacant higher value local authority housing provisions. This will reduce the amount of money which could be raised in this financial year through the sale of higher value local authority housing and, therefore, reduce the amount of funding available to fund right to buy discounts for housing association tenants and the building of new homes.

Lords Amendments 38 to 43 and 50 to 53

168 Amendments 38 to 43 and 50 to 53 change the term “high value” to “higher value” throughout the Chapter. This enables the definition of “higher value” housing to be set in a way that is not tied to the wider housing market. For example it could be set as a proportion of a local authority’s housing stock. The definition of “higher value” is a key factor in determining how much each local authority will be required to pay Government under this Chapter. Without the amendments all housing stock of some local housing authorities could have been defined as high value against a threshold set at national or regional housing market levels, and so be due for sale under this Chapter. The definition of “higher value” will be set out in regulations subject to the affirmative procedure, however this amendment enables it to be set in a way which does not disproportionately impact on some local housing authorities and spreads the impacts more widely.

Lords Amendment 47*

169 Amendment 47* would require Government to enter into an agreement with a local authority under clause 67 (reduction of payment by agreement) where the authority can show a need in its area for the type of social housing it proposes to build. In such cases the Secretary of State would be compelled to enter into an agreement with an authority even if the authority had a poor track record in building new homes and/or could not demonstrate that the proposals represented value for money. The amendment further requires that in such cases the amount which the authority is allowed to retain must be sufficient to enable the local authority to fund the costs of a replacement dwelling of the same type (i.e. the same tenure, and same rent) as the old dwelling identified for sale under the determination. This would result in a “like for like” replacement of housing that is taken into account under the determination. Government does not believe all new housing funded by receipts needs to be of the same type as that sold, but thinks that there should be flexibility to build additional homes that meet housing need. In many cases this will not be of the same type as the higher value housing that is sold. The same type of housing would require higher Government subsidy than other types of housing that could meet the same need – for example affordable rent – and therefore the amendment will significantly reduce the amount of funding available to fund right to buy discounts for housing association tenants and significantly reduce the

number of new homes built as a result of implementation of the chapter.

Lords Amendments 54

170 Amendment 54* would have the effect of making the High Income Social Tenants policy voluntary for local authorities. This will mean that only additional rents paid by the high income social tenants of those authorities who adopt the policy, will be provided to the Government as income.

Lords Amendment 59

171 This amendment, along with amendments 60 and existing clause 90, would seek to ensure a reclassification of private registered providers of social housing to the private sector. This decision would remove £65 billion of sector borrowing from the public accounts.

Lords Amendments 90 and 91

172 New enabling powers which would be brought forward by Amendments 90 and 91 (electrical safety standards) may have financial effects, and these will be assessed as proposals are developed for use of the powers.

Lords Amendment 97*

173 New section 78ZA of the 1990 Act which would be introduced by Lords Amendment 97* is likely to have significant financial effects. The precise effect will depend on the number of times appeals are made. Currently there are more than 300 areas where a neighbourhood development plan proposal is sufficiently advanced to enable the parish council or neighbourhood forum to vote to exercise the new right of appeal, of which around 140 plans have been 'made'. Around 1,700 areas in total have started the neighbourhood planning process. The estimated costs for parties involved in appeals under the current appeals system vary per appeal from £1100-£12,600 to the Planning Inspectorate, £900-£3,500 to local planning authorities and £2,200-£11,500 to developers, depending on whether the appeal is dealt with by written representations, a hearing, or an inquiry [1].

[1] Costs to parties of participating in an appeal (2010/11 estimates, inflated to current prices using HMT GDP Deflators)

ANNEX A - OPPOSED BY GOVERNMENT

Amendment Number	Tabled by	Clause
1*	Lord Best Lord Beecham	2
9*	Lord Kerslake Lord Kennedy of Southwark Baroness Bakewell	4
10*	Lord Kerslake Lord Kennedy of Southwark	4
37*	Lord Lisvane Lord Kerslake Lord Beecham	67
47*	Lord Kerslake	72
54*	Lord Kennedy of Southwark Lord Kerslake Baroness Bakewell of Hardington Mandeville	78
55*	Lord Best Lord Beecham Lord Kerslake Baroness Bakewell of Hardington Mandeville	78
57*	Lord Kerslake Lord Kennedy of Southwark	79
58*	Lord Beecham Lord Kennedy of Southwark	79

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Amendment Number	Tabled by	Clause
97*	Baroness Parminter Lord Kennedy of Southwark Lord Taylor of Goss Moor	After 128
100*	Lord Beecham Lord Kennedy of Southwark	136
108*	Baroness Parminter Lord Krebs Baroness Young of Old Scone Lord Stunell	After 143
109*	Baroness Royall of Blaisdon Lord Best Bishop of St Albans Baroness Parminter	After 143
110*	Baroness Parminter Lord Krebs Baroness Young of Old Scone	After 143
184*	Lord Lisvane Lord Kerslake Lord Beecham	190

ANNEX B - SUPPORTED BY GOVERNMENT

Amendment Number	Tabled by	Clause
26*	Baroness Greender Lord Kennedy of Southwark	55
27*	Baroness Greender Lord Kennedy of Southwark	55
28*	Baroness Greender Lord Kennedy of Southwark	55
29*	Baroness Greender Lord Kennedy of Southwark	55
30*	Baroness Greender Lord Kennedy of Southwark	55
31*	Baroness Greender Lord Kennedy of Southwark	55
32*	Baroness Greender Lord Kennedy of Southwark	59
33*	Baroness Greender Lord Kennedy of Southwark	59
34*	Baroness Greender Lord Kennedy of Southwark	59
35*	Baroness Greender Lord Kennedy of Southwark	59

These Explanatory Notes relate to the Lords Amendments to the Housing and Planning Bill as brought from the House of Lords on 28 April 2016 (Bill 170)

Amendment Number	Tabled by	Clause
36*	Baroness Grender Lord Kennedy of Southwark	60
92*	Lord Young of Cookham	After 120
93*	Lord Young of Cookham	After 120
94*	Baroness Hayter of Kentish Town Lord Palmer of Childs Hill	After 121
95*	Baroness Hayter of Kentish Town Lord Palmer of Childs Hill	After 121
96*	Baroness Hayter of Kentish Town Lord Palmer of Childs Hill	After 121
107*	Lord Lucas Lord Kerslake	After 139
126*	Lord Taylor of Goss Moor Lord Best	After 150
127*	Lord Taylor of Goss Moor Lord Best	After 150
188*	Baroness Hayter of Kentish Town Lord Palmer of Childs Hill	190
189*	Lord Lucas Lord Kerslake	190
195*	Lord Young of Cookham	192

These Explanatory Notes relate to the Lords Amendments to the Housing and Planning Bill as brought from the House of Lords on 28 April 2016 (Bill 170)

HOUSING AND PLANNING BILL

EXPLANATORY NOTES ON LORDS AMENDMENTS

These Explanatory Notes relate to the Lords Amendments to the Housing and Planning Bill as brought from the House of Lords on 28 April 2016.

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