



# House of Commons

**Tuesday 18 October 2016**

## **PUBLIC BILL COMMITTEE**

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*New Amendments handed in are marked thus ★*

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

*Amendments tabled since the last publication: 1-23, NC1-NC2*

## **NEIGHBOURHOOD PLANNING BILL**

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### **NOTE**

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Resolution of the Programming Sub-Committee.**

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### **RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE**

*The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 17 October (Standing Order 83C):*

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 18 October meet—
  - (a) at 2.00 pm on Tuesday 18 October;
  - (b) at 11.30 am and 2.00 pm on Thursday 20 October;
  - (c) at 9.25 am and 2.00 pm on Tuesday 25 October;
  - (d) at 11.30 am and 2.00 pm on Thursday 27 October;
  - (e) at 9.25 am and 2.00 pm on Tuesday 1 November;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

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 Neighbourhood Planning Bill, *continued*

## TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 18 October	Until no later than 10.30 am	British Property Federation Federation of Master Builders Home Builders Federation Country Land and Business Association
Tuesday 18 October	Until no later than 11.25 am	Local Government Association Historic England National Infrastructure Planning Association Town and Country Planning Association
Tuesday 18 October	Until no later than 2.30 pm	National Association of Local Councils Royal Institute of British Architects
Tuesday 18 October	Until no later than 3.00 pm	Locality Campaign to Protect Rural England
Tuesday 18 October	Until no later than 4.00 pm	Compulsory Purchase Association Royal Institution of Chartered Surveyors Law Society Royal Town Planning Institute
Tuesday 18 October	Until no later than 4.45 pm	Department for Communities and Local Government

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 3; Schedule 1; Clauses 4 to 7; Schedule 2; Clauses 8 to 36; new Clauses; new Schedules; remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 1 November.

*Gavin Barwell has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].*

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Gavin Barwell

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

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Neighbourhood Planning Bill, *continued*

Gavin Barwell

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

4

- ★ Clause 1, page 1, line 11, at end insert “and insofar as it is consistent with the relevant local plan.”  
***Member’s explanatory statement***  
*This amendment ensures that neighbourhood plans are not considered if they are inconsistent with local plans.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

5

- ★ Clause 1, page 1, line 11, at end insert “and insofar as it is consistent with the National Planning Policy Framework.”  
***Member’s explanatory statement***  
*This amendment ensures that neighbourhood plans are not considered if they are incompatible with the National Planning Policy Framework.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

3

- ★ Clause 1, page 1, line 22, at end insert—  
“(c) if it has been examined by an independent examiner who is registered with the Royal Town Planning Institute.”  
***Member’s explanatory statement***  
*This amendment ensures that the examination of a neighbourhood plan is conducted by an RTPI registered examiner.*
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 Neighbourhood Planning Bill, *continued*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

11

- ★ Clause 2, page 2, line 16, at the end insert—  
“(3A) To support Neighbourhood Plans, the Secretary of State should set out the weight that should be given to approved development plans at key stages in the planning process.”

***Member’s explanatory statement***

*This amendment gives weight to Neighbourhood Plans at key stages along the process and not just at the post- referendum stage.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

6

- ★ Clause 3, page 2, line 25, at end insert “after consultation with the local area involved.”

***Member’s explanatory statement***

*This amendment ensures that any changes to a neighbourhood development order or plan are first subject to consultation with the local area involved.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

7

- ★ Clause 4, page 4, line 3, at end insert “providing the subsequent area is not smaller than a parish or town council area or local authority ward.”

***Member’s explanatory statement***

*This amendment ensures that the size of a neighbourhood area is not smaller than a parish or town council area or local authority ward.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

8

- ★ Clause 4, page 4, line 11, at end insert—  
“(6E) Modifications made to a neighbourhood area must be subject to consultation with local people.”

***Member’s explanatory statement***

*This amendment ensures that neighbourhood areas are only changed after the consultation with local community and that changes are driven by what the community wants.*

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 Neighbourhood Planning Bill, *continued*

Helen Hayes

1

- ★ Clause 5, page 4, line 40, leave out “as follows” and insert “in accordance with subsections (2) to (4)”

Dr Roberta Blackman-Woods

Teresa Pearce

Jim McMahon

13

- ★ Clause 5, page 5, line 6, at end insert—  
 “(2BA) Such statements of community involvement must include a right for members of the community to be heard.”  
**Member’s explanatory statement**  
*This amendment would give local people and communities a statutory right to be heard.*

Dr Roberta Blackman-Woods

Teresa Pearce

Jim McMahon

14

- ★ Clause 5, page 5, line 6, at end insert—  
 “(2BA) Such statements of community involvement shall include measures to enable local parish councils to be set up in a streamlined and speedy manner.”  
**Member’s explanatory statement**  
*This amendment would make it easier for new parish and town councils to be formed.*

Dr Roberta Blackman-Woods

Teresa Pearce

Jim McMahon

9

- ★ Clause 5, page 5, line 9, at end insert—  
 “(c) reasonable payments made by local authorities for the purpose set out in paragraph (a) and (b) shall be recovered from the Secretary of State’s department.”  
**Member’s explanatory statement**  
*This amendment allows for the full recovery of costs of assisting with the development of a neighbourhood plan to be recovered to the local authority.*

Helen Hayes

2

- ★ Clause 5, page 5, line 19, after subsection (3) insert—  
 “(4) Section 120 of the Localism Act 2011 (Financial assistance in relation to neighbourhood planning) is amended as follows—  
 (a) at the end of subsection (2)(a) leave out “, and” and insert “subject to the condition that such assistance is prioritised for bodies or persons in deprived communities, and”,  
 (b) after subsection (3)(b), insert—  
 “(ba) a deprived community is defined as being any area which is among the 20 per cent most deprived Lower Layer Super Output Areas according to the most recently published English Indices of Deprivation,  
 (bb) prioritised financial assistance is defined to mean that no less than 50 per cent of the total value of the financial assistance provided under this section is provided to deprived communities.””

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 Neighbourhood Planning Bill, *continued*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

10

- ★ Clause 5, page 5, line 19, at the end insert—

“(4) To support Neighbourhood Plans, all councils should have a Local Development Plan in place by December 2017.”

***Member’s explanatory statement***

*This amendment ensures that Local Plans are in place so Neighbourhood Plans can be made in line with the strategic aims of Local Plans.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

12

- ★ Clause 6, page 5, line 27, at end insert “in cases where the local authorities’ statement of community involvement was regarded as inadequate.”

***Member’s explanatory statement***

*This amendment allows the Secretary of State only to require planning authorities to review their statement of community involvement if they have failed to produce one.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

15

- ★ Clause 7, page 6, line 7, at end insert—

“(1A) Regulations made under subsection (1) must make provisions for local planning authorities to make exceptions to conditions relating to matters set out in paragraphs (a), (b) and (c) of subsection (1).”

***Member’s explanatory statement***

*This amendment would ensure that there is a local voice and judgement taking into account local circumstances and impact.*

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

18

- ★ Clause 7, page 6, line 12, leave out subsection (2)(a)

***Member’s explanatory statement***

*This amendment would ensure that “acceptable in planning terms” does not mean that conditions can be overlooked because they are unacceptable for other reasons.*

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 Neighbourhood Planning Bill, *continued*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

19

- ★ Clause 7, page 6, line 18, at end insert—

“including in terms of sustainable development and public interest.”

***Member’s explanatory statement***

*This amendment would ensure that there is a sustainable development test in conditions and that they are acceptable to local people.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

16

- ★ Clause 7, page 6, line 20, at end insert “which must include consultation with local authorities.”

***Member’s explanatory statement***

*This amendment would ensure that local authorities are consulted on the draft regulations.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

17

- ★ Clause 7, page 6, line 20, at end insert—

“(1A) Regulations made under subsection (1) must make provision for an appeal process.”

***Member’s explanatory statement***

*This amendment would ensure that provision is made for an appeals process.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

22

- ★ Clause 7, page 6, line 23, leave out subsection (5)

***Member’s explanatory statement***

*This amendment would ensure that local authorities are still able to make necessary pre-commencement conditions on developers.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

20

- ★ Clause 7, page 6, line 24, at end insert—

“where agreement cannot be reached a mediation system should be prescribed.”

***Member’s explanatory statement***

*This amendment would allow for there to be a mechanism to resolve disputes.*

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**Neighbourhood Planning Bill, *continued***

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

21

- ★ Clause 7, page 6, line 26, at end insert—

“(5A) The Secretary of State should provide guidance for appeal routes where an agreement cannot be reached on pre-commencement conditions, along with guidance on pre-completion and pre-occupation conditions.”

***Member’s explanatory statement***

*This amendment would ensure that there is clarity on appeal routes, pre-completion and pre-occupation conditions.*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

23

- ★ Page 5, line 35, leave out Clause 7

***Member’s explanatory statement***

*This amendment would remove from the Bill completely the changes to planning conditions.*

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*NEW CLAUSES*

Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

NC1

- ★ To move the following Clause—

**“Approval of draft-neighbourhood development plans by referendum**

(1) Schedule 4B of the Town and Country Planning Act is amended as follows—

(2) After paragraph (2) insert—

“(3) The outcome of such a referendum shall only be valid if the turnout is equal to or greater than 40%.”

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Dr Roberta Blackman-Woods  
Teresa Pearce  
Jim McMahon

NC2

- ★ To move the following Clause—

**“Incentives to create neighbourhood plan**

(1) Areas with an adopted neighbourhood development plan in place should benefit from a locally agreed share in the New Homes Bonus.



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**Neighbourhood Planning Bill, *continued***

- (2) Areas with an adopted neighbourhood development plan should have access to enhanced Community Infrastructure Levy payments, and all councils shall have a Community Infrastructure Levy scheme in place by 2017.”

***Member’s explanatory statement***

*This new clause would create incentives to encourage communities to produce neighbourhood development plans.*

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ORDER OF THE HOUSE [10 OCTOBER 2016]

That the following provisions shall apply to the Neighbourhood Planning Bill:

*Committal*

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

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on 1 November 2016.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Proceedings on Consideration and up to and including Third Reading*

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration 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 up to and including Third Reading.

*Other proceedings*

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