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Committee Stage: Thursday 20 October 2022

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## Levelling-up and Regeneration Bill (Amendment Paper)

This document lists all amendments tabled to the Levelling-up and Regeneration Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

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Rachael Maskell

NC44

To move the following Clause—

**“Mission on environmental equality**

- (1) When preparing a statement of levelling-up missions under section 1, a Minister of the Crown must include a mission on environmental equality.
- (2) The environmental equality mission must include the objective of ensuring equitable access to high quality natural spaces.”

**Member's explanatory statement**

This new clause would require the Government to include a mission on environmental equality, incorporating equitable access to nature in particular, within the levelling up programme.

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Rachael Maskell

NC45

To move the following Clause—

**“General duty to reduce health inequalities and improve well-being**

- (1) For the purposes of this section “the general health and well-being objective” is the reduction of health inequalities and the improvement of well-being in England through the exercise of functions in relation to England.
- (2) A public authority which has any functions exercisable in relation to England must prepare and publish a plan to be known as a health inequalities and well-being improvement plan.

- (3) A relevant planning authority must have regard to the general health and wellbeing objective and that plan when preparing relevant plans, policies and strategies.
- (4) A relevant planning authority when making a planning decision must aim to ensure the decision is consistent with achieving the general health and well-being objective.
- (5) In complying with this section a relevant planning authority must have special regard to the desirability of—
  - (a) delivering mixed-use walkable neighbourhoods which accord with the 20 minute neighbourhood principle; and
  - (b) creating opportunities to enable everyday physical activity, through improving existing and creating new walking, cycling and wheeling routes and networks and natural spaces.
- (6) For the purposes of subsection (5)(a), neighbourhoods which accord with the 20 minute neighbourhood principle are places where people can meet most of their daily needs including food shops, schools, health services and natural space within a 20 minute return walk of their home.
- (7) Where the relevant authority is a local authority, in complying with this section, the authority must—
  - (a) include specific objectives for access to natural spaces and ensure that those objectives are met;
  - (b) ensure that the objectives established under subsection (a) set out standards for high quality accessible natural green and blue spaces, using Natural England's Accessible Natural Greenspace Standards as a baseline, and going beyond these standards where possible; and
  - (c) implement and monitor the delivery of those objectives."

#### **Member's explanatory statement**

This new clause would create a general health and well-being objective for public authorities and require them to prepare and publish a health inequalities and well-being improvement plan. It makes further specific requirements of planning authorities.

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**Rachael Maskell**

**NC46**

To move the following Clause—

#### **"Nature restoration duty**

- (1) It is the duty of relevant Ministers to identify of and maintain a network of sites for the purposes of restoring and protecting the natural environment in local areas.
- (2) By 2030 and thereafter, the network must include at least 30% of land in England that is protected, monitored and managed as a "protected site" or other effective area-based conservation measures for the protection and restoration of biodiversity.

- (3) For the purposes of subsection (2), "protected site" means a site that satisfies the following conditions—
- (a) habitats, species and other significant features of the natural environment with biodiversity value within the site are strictly protected from direct and indirect harm;
  - (b) management and monitoring provisions are made to ensure that habitats, species and other significant features of the natural environment with biodiversity value within the site are restored to and maintained at favourable condition and are subject to continuing improvement; and
  - (c) provision is made to ensure that conditions (a) and (b) are met in perpetuity.
- (4) In carrying out duties under this section, the Secretary of State must be satisfied that—
- (a) any areas of special interest for biodiversity in England as defined in section 28 of the Wildlife and Countryside Act 1981;
  - (b) all irreplaceable habitats; and
  - (c) areas identified in Local Nature Recovery Strategies that are protected in the planning system and managed for the recovery of the natural environment
- have been identified and designated as a protected site."

**Member's explanatory statement**

This new clause would require relevant Ministers to identify and maintain a network of sites for nature to protect at least 30% of the land in England for nature by 2030. The clause defines the level of protection sites require to qualify for inclusion in the new network and requires key sites for nature to be included within it.

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Rachael Maskell

NC47

To move the following Clause—

**"Churches and church land to be registered as assets of community value**

- (1) The Assets of Community Value (England) Regulations 2012 (S.I. 2421/2012) are amended as follows.
- (2) After regulation 2 (list of assets of community value), insert—
  - "2A Parish churches and associated glebe land are land of community value and must be listed."

**Member's explanatory statement**

This new clause would require parish churches and associated glebe land to be listed as assets of community value, meaning communities would have the right to bid on them before any sale.

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Rachael Maskell

NC48

To move the following Clause—

**“Requirement to hold a referendum for large and strategic sites**

- (1) A planning application which a local planning authority has received is subject to approval by residents in a referendum in either of the following cases—
  - (a) the planning application is for a site of two hectares or over, or
  - (b) the planning application is for a site of one hundred housing units or over.
- (2) The local planning authority may not approve an application under section (1) unless the result of the referendum is to approve the application.
- (3) Where the result of the referendum is not to secure an application the applicant may resubmit an application to the local planning authority if the following conditions are met—
  - (a) they have carried out further public consultation on the plan, and
  - (b) the plan has been substantively revised as a result of this consultation.”

**Member's explanatory statement**

This new clause would require planning applications for large and strategic sites to be subject to approval by residents in a referendum.

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Rachael Maskell

NC49

To move the following Clause—

**“Requirement to hold a referendum where planning permission has been granted**

- (1) A planning application which a local planning authority has received is subject to approval by residents in a referendum in either of the following cases—
  - (a) where outline planning permission has been granted, all applications for sites with over fifty housing units that have been in place for five years or more without the approved development being completed, or
  - (b) where full planning permission has been granted, all applications for sites with over fifty housing units that have been in place for three years or more without the approved development being completed.
- (2) The local planning authority may not approve an application under section (1) unless the result of the referendum is to approve the application.
- (3) Where the result of the referendum is not to secure an application the applicant may resubmit an application to the local planning authority if the following conditions are met—
  - (a) they have carried out further public consultation on the plan, and
  - (b) the plan has been substantively revised as a result of this consultation.”

**Member's explanatory statement**

This new clause would require that applications which have already been granted are subject to approval by referendum after a certain period of time for large sites.

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**Rachael Maskell**

**NC50**

To move the following Clause—

**“Requirement to hold a referendum: affordable housing targets**

- (1) A planning application which a local planning authority has received is subject to approval by residents in a referendum if—
  - (a) the planning application is for a site of fifty housing units or more, or
  - (b) the planning application is for a site identified for housing in an adopted or draft Local Planand the application fails to meet the local planning authority’s quota for the delivery of affordable housing.
- (2) The local planning authority may not approve an application under section (1) unless the result of the referendum is to approve the application.
- (3) Where the result of the referendum is not to secure an application the applicant may resubmit an application to the local planning authority if the following conditions are met—
  - (a) they have carried out further public consultation on the plan, and
  - (b) the plan has been substantively revised as a result of this consultation.”

**Member's explanatory statement**

This new clause would subject planning applications for less affordable housing to approval by residents in a referendum.

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**Munira Wilson**

**NC51**

Tim Farron  
Rachael Maskell

To move the following Clause—

**“Disposal of land held by public bodies**

- (1) The Local Government Act 1972 is amended in accordance with subsections (2) and (3).
- (2) In section 123 (disposal of land by principal councils), after subsection (2) insert—

“(2ZA) But the Secretary of State must give consent if the disposal is in accordance with section [*Disposal of land held by public bodies*] of the Levelling-up and Regeneration Act 2022.”

- (3) In section 127(3) (disposal of land held by parishes and communities), after “(2A)” insert “, (2ZA)”.
- (4) The National Health Service Act 2006 is amended in accordance with subsection (5).
- (5) After section 211 (acquisition, use and maintenance of property) insert—
- “211A Disposal of land held by NHS bodies**
- Any power granted by this Act to an NHS body to dispose of land is exercisable in accordance with section [*Disposal of land held by public bodies*] of the Levelling-up and Regeneration Act 2022 as if the NHS body were a local authority.”
- (6) Subject to subsection (8), a disposal of land is in accordance with this section if it is in accordance with the Local Government Act 1972 General Disposal Consent (England) 2003 published in Department for Communities and Local Government Circular 06/03, as amended by subsection (7).
- (7) Those amendments to the Local Government Act 1972 General Disposal Consent (England) 2003 are—
- (a) after paragraph 1 insert—
- “(1A) This consent also applies to any NHS body in England as if it were a local authority in accordance with section 211A of the National Health Service Act 2006;”;
- (b) in paragraph 2(b), for “£2,000,000 (two million pounds)” substitute “£3,000,000 (three million pounds) or 40% of the unrestricted market value, whichever is greater”;
- (c) for paragraph 3(1)(vii) substitute—
- “(viii) a Police and Crime Commissioner established under the Police Reform and Social Responsibility Act 2011;”;
- (d) for paragraph 3(1)(ix) substitute—
- “(ix) the Mayor’s Office for Policing and Crime;”;
- (e) for paragraph 3(1)(x) substitute—
- “(x) the London Fire Commissioner;”;
- (f) after paragraph 3(1)(xii) insert—
- “(xiii) a combined authority;
- (xiv) a mayoral combined authority;
- (xv) the Greater London Authority;
- (xvi) any successor body established by or under an Act of Parliament to any body listed in this sub-paragraph.”.
- (8) The Secretary of State may, to reflect inflation, further amend the cash value that the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal must not exceed.”

**Member's explanatory statement**

This new clause would bring an amended and updated version of the Local Government Act 1972 General Disposal Consent (England) 2003 into primary legislation, extends its application to NHS bodies and clarifies that the Consent applies to Police and Crime Commissioners, MOPAC and the London Fire Commissioner.

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**Matthew Pennycook**

NC52

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Super-affirmative procedure for major regulations made under Part 5**

- (1) If the Secretary of State proposes to make EOR regulations which fall under section 192(5), the Secretary of State must lay before Parliament a document that—
  - (a) explains the proposal, and
  - (b) sets it out in the form of draft EOR regulations.
- (2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) (“the 60-day period”), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).
- (3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period—
  - (a) any representations, and
  - (b) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations.
- (4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).
- (5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.”

**Member's explanatory statement**

This new clause would require major EOR regulations made under Part 5 to be subject to the super-affirmative procedure.

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**Matthew Pennycook**

NC53

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Independent examination of locally-led urban development corporations**

- (1) A proposing authority must submit a proposal for designation of a locally-led urban development area in England under section 134A of the Local Government, Planning and Land Act 1980 to the Secretary of State for independent examination.
- (2) The examination must be carried out by a person appointed by the Secretary of State.
- (3) The purpose of the examination is to determine whether the proposal is in general conformity with national planning policy, the local development plan, and any other material considerations.
- (4) Any person who makes representations seeking to change a proposal for designation of a locally-led urban development area must, if they so request, be given the opportunity to appear before and be heard by the person carrying out the examination.”

**Member's explanatory statement**

This new clause would ensure that proposals to designate land as an urban development area and to establish a locally-led urban development corporation to oversee it would be subject to independent examination at which the public would have a right to be heard.

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**Matthew Pennycook**

**NC54**

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Independent examination of locally-led new town development corporations**

- (1) A proposing authority must submit a proposal for designating an area of land as the site of a proposed new town under section 1ZA of the New Towns Act 1981 to the Secretary of State for independent examination.
- (2) The examination must be carried out by a person appointed by the Secretary of State.
- (3) The purpose of the examination is to determine whether the proposal is in general conformity with national planning policy, the local development plan, and any other material considerations.
- (4) Any person who makes representations seeking to change a proposal for designating an area of land as the site of a proposed new town must, if they so request, be given the opportunity to appear before and be heard by the person carrying out the examination.”

**Member's explanatory statement**

This new clause would ensure that proposals to designate land as the site of a proposed new town and to establish a locally-led new town development corporation to oversee it would be subject to independent examination at which the public would have a right to be heard.

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**Alex Norris****NC55**Matthew Pennycook  
Colleen Fletcher

To move the following Clause—

**“Resources**

- (1) Within a period of 90 days beginning from Royal Assent the Secretary of State must publish a report detailing the new resources made available by His Majesty's Government to local authorities in order to exercise Part 8 powers.
- (2) In order to discharge the powers under Part 8, Local authorities may charge landlords for associated reasonable costs.”

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**Alex Norris****NC56**Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Annual pubs reports**

- (1) Each tier 2 local authority in England must produce an Annual Pubs Report.
- (2) A report under this section must consider the latest trends in pubs and on-licensed establishments across the authority.
- (3) The Secretary of State may by guidance suggest the contents of such reports.
- (4) Central government must provide funding to local authorities to cover the costs of this new responsibility.”

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**Alex Norris****NC57**Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Review of England's public conveniences**

- (1) The Secretary of State must, within 6 months of the day on which this Act is passed, appoint commissioners to consider the level of need for public

conveniences in England and the extent to which current provision matches that need.

- (2) The Secretary of State must publish the report of the Commissioners before the end of the period of 12 months beginning with the day of their appointment.”

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**Alex Norris**

**NC58**

Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Public convenience plans**

- (1) Each tier 2 local authority in England must produce a Public Convenience Plan for their authority.
- (2) A plan under this section must be formulated in consultation with local partners and the public.
- (3) Such a plan must consider—
  - (a) the current level of public convenience provision,
  - (b) the current level of demand for such conveniences,
  - (c) what gaps there are in provision, and
  - (d) the needs of communities with protected characteristics under the Equality Act 2010.
- (4) Central government must provide funding to local authorities to cover the costs of this new responsibility.”

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**Alex Norris**

**NC59**

Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Business rate relief scheme for business making toilets publicly available**

The Secretary of State must by regulations make provision for a scheme under which if a business liable to business rates permits non-customers to use their toilets as a public convenience, the area of the premises containing the toilets is discounted from the calculation of the premises' overall rateable value.”

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**Tim Farron**

**NC63**

Rachael Maskell

To move the following Clause—

**“Minimum carbon compliance standards for new homes**

- (1) The Secretary of State must make Building Regulations under section 1 of the Building Act 1984 providing that new homes in England must meet the full requirements of the Future Homes Standard from 1 January 2023.
- (2) A local authority in England may choose to require and enforce minimum carbon compliance standards for new homes in its area which exceed the Future Homes Standard from that date.”

**Member's explanatory statement**

This new clause would bring forward from 2025 the date for which the Government's Future Homes Standard for carbon compliance of new homes would apply. It would also give local authorities the option of imposing higher standards locally.

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Tim Farron

NC64

To move the following Clause—

**“Local authorities to be allowed to choose their own voting system**

- (1) The Secretary of State must by regulations provide that local authorities may choose the voting system used for local elections in their areas.
- (2) When determining whether to seek to introduce a new voting system a local authority must have regard to the benefits of reinvigorating local democracy in its area.
- (3) Regulations under this section must provide that local authorities may choose to elect councillors—
  - (a) by thirds, or
  - (b) on an all-out basis.
- (4) Regulations under this section must provide that local authorities may choose to elect councillors using—
  - (a) first-past-the-post;
  - (b) alternative vote;
  - (c) supplementary vote;
  - (d) single transferable vote;
  - (e) the additional member system;
  - (f) any other system that may be prescribed in the regulations.
- (5) Regulations under this section may make provision about—
  - (a) how a local authority may go about seeking to change its voting system,
  - (b) the decision-making process for such a change,
  - (c) consultation, and
  - (d) requirements relating to approval by the local electorate.”

**Member's explanatory statement**

This new clause would enable local authorities to choose what voting system they use for local elections.

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**Tim Farron**

**NC65**

Rachael Maskell

To move the following Clause—

**“Review into business rates system**

- (1) The Chancellor of the Exchequer must undertake a review of the business rates system.
- (2) The review must consider the extent to which the business rates system—
  - (a) is achieving its objectives,
  - (b) is conducive to the achievement of the levelling-up and regeneration objectives of this Act.
- (3) The review must consider whether alternatives of local business taxation would be more likely to achieve the objectives in subsections (2)(a) and (b).
- (4) The review must in particular consider the effects of business rates and alternative local business taxation systems on—
  - (a) high streets, and
  - (b) rural areas.
- (5) The review must consider the merits of devolving more control over local business taxation to local authorities.
- (6) The Chancellor of the Exchequer must lay a report of the review before parliament before the end of the period of one year beginning with the day on which this Act is passed.”

**Member's explanatory statement**

This new clause would require the Secretary of State to review the business rates system.

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**Tim Farron**

**NC66**

Rachael Maskell

To move the following Clause—

**“Disability accessibility standards for railway stations**

- (1) The Secretary of State must take all reasonable steps to ensure that railway stations in England—
  - (a) provide step-free access from street to train, and
  - (b) meet in full and as soon as possible the disability access standards in the Design Standards for Accessible Railway Stations Code of Practice

published by the Department for Transport and Transport Scotland in March 2015.

- (2) Any requirements made in conjunction with that duty may not make any exemptions or concessions for small or remote stations.
- (3) In undertaking the duty in subsection (1) the Secretary of State may—
  - (a) make an application to the Office of Rail and Road under section 16A (provision, improvement and development of railway facilities) of the Railways Act 1993;
  - (b) revise the code of practice under section 71B (code of practice for protection of interests of rail users who are disabled) of the Railways Act 1993;
  - (c) amend the contractual conditions of any licenced railway operator;
  - (d) instruct Network Rail to take any action the Secretary of State considers necessary in connection to the duty.
- (4) The Secretary of State must report annually to Parliament on performance against the duty.”

**Member's explanatory statement**

This new clause places a duty on the Secretary of State to ensure that railway stations meet disability access standards.

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**Matthew Pennycook**

**NC67**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Vacant higher value local authority housing**

- (1) The Housing and Planning Act 2016 is amended as follows.
- (2) Leave out Chapter 2 of Part 4 (Vacant higher value local authority housing).”

**Member's explanatory statement**

This new clause would implement the decision set out in the 2018 social housing green paper to not require local authorities to make a payment in respect of their vacant higher value council homes as provided for by the Housing and Planning Act 2016.

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**Matthew Pennycook**

**NC68**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Review of Permitted Development Rights**

- (1) The Secretary of State must establish a review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- (2) The review should include an assessment of:
  - (a) the past effectiveness of permitted development rights in achieving housing targets;
  - (b) the quality of housing delivered under permitted development rights;
  - (c) the impacts of permitted development on heritage, conservation areas and setting;
  - (d) the estimated carbon impact of the use of permitted development rights since the expansion of permitted development to demolition;
  - (e) the relative cost to local planning authorities of processing permitted development compared to full planning consents;
  - (f) potential conflict between existing permitted development rights and the application of national development management policies;
  - (g) the impact of permitted development rights, or other policies in this Bill designed to deliver streamlined consent, on the efficacy of levelling-up missions.
- (3) The Secretary of State must publish a report of the recommendations made by this review no later than twelve months after this Act comes into force.”

**Member's explanatory statement**

This new clause would commit the government to carrying out a comprehensive review of permitted development rights within 12 months of the Bill securing Royal Assent.

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**Matthew Pennycook**

**NC69**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Local authority planning committee meetings**

- (1) The Secretary of State must by regulations make provision relating to—
  - (a) requirements to hold local authority planning committee meetings;
  - (b) the times at or by which, periods within which, or frequency with which, local authority planning committee meetings are to be held;
  - (c) the places at which local authority planning committee meetings are to be held;
  - (d) the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings;

- (e) public admission and access to local authority planning committee meetings;
  - (f) the places at which, and manner in which, documents relating to local authority planning committee meetings are to be open to inspection by, or otherwise available to, members of the public.
- (2) The provision which must be made by virtue of subsection (1)(d) includes in particular provision for persons to attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings without all of the persons, or without any of the persons, being together in the same place.”

**Member's explanatory statement**

This new clause would allow local authorities to hold planning committee meetings and reach planning decisions virtually or in a hybrid form.

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**Matthew Pennycook**

**NC70**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Chief Planning Officers**

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) After section 1 insert—

**“1A Planning authorities: chief planning officer**

- (1) Each planning authority must have a chief planning officer.
- (2) The role of an authority’s chief planning officer is to advise the authority about the carrying out of—
  - (a) the functions conferred on them by virtue of the planning Acts, and
  - (b) any function conferred on them by any other enactment, insofar as the function relate to development.
- (3) The Secretary of State must issue guidance to planning authorities concerning the role of an authority’s chief planning officer.
- (4) A planning authority may not appoint a person as their chief planning officer unless satisfied that the person has appropriate qualifications and experience for the role.
- (5) In deciding what constitutes appropriate qualifications and experience for the role of chief planning officer, a planning authority must have regard to any guidance on the matter issued by the Secretary of State.””

**Member's explanatory statement**

This new clause would place a duty on local planning authorities to appoint a Chief Planning Officer to perform planning functions and requires them to appoint sufficiently qualified persons to perform them with regard to guidance from the Secretary of State.

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**Matthew Pennycook**

NC71

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Comprehensive resources and skills strategy for the planning sector**

- (1) The Secretary of State must, within 12 months of this Bill securing Royal Assent, publish a comprehensive resources and skills strategy for the planning sector.
- (2) The strategy published under subsection (1) must—
  - (a) include an assessment of the effectiveness of local planning authorities and statutory consultees in delivering upon their existing duties and functions,
  - (b) include an assessment of the additional resource required for local planning authorities and statutory consultees to carry out new responsibilities and duties established by this Act,
  - (c) set out a funding strategy for a minimum five-year period that meets the assessed resource need under paragraph (2)(b),
  - (d) include an assessment of the skills and capability of the planning sector and statutory consultees to carry out new responsibilities and duties established by the Act, and
  - (e) explain how the Secretary of State intends to address the skills and capability needs of the planning sector as set out under paragraph (2)(d).”

**Member's explanatory statement**

This new clause would commit the Secretary of State to publishing a comprehensive resources and skills strategy for the planning sector within 12 months of the Bill securing Royal Assent and would specify what such a strategy should include.

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**Matthew Pennycook**

NC72

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Local consent for onshore wind projects in England**

- (1) The Secretary of State shall within six months of this Bill securing Royal Assent remove from the National Planning Policy Framework the current restrictions

on the circumstances in which proposed wind energy developments involving one or more turbines should be considered acceptable.”

**Member's explanatory statement**

This new clause would commit the Secretary of State to revising the National Planning Policy Framework within 12 months of the Bill securing Royal Assent to remove the onerous restrictions it currently places on the development of onshore wind projects by deleting footnote 54.

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**Matthew Pennycook**

**NC73**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Duty with regard to climate change**

- (1) The Secretary of State must have special regard to achieving the mitigation of and adaptation to climate change when preparing—
  - (a) national policy or advice relating to the development or use of land,
  - (b) a development management policy pursuant to section 38ZA of the PCPA 2004.
- (2) The Secretary of State must aim to ensure consistency with achieving the mitigation of and adaptation to climate change when exercising a relevant function under a planning enactment.
- (3) A relevant planning authority when—
  - (a) exercising a planning function must have special regard to, and aim to ensure consistency with, achieving the mitigation of and adaptation to climate change, and
  - (b) making a planning decision must aim to ensure the decision is consistent with achieving the mitigation of and adaptation to climate change.
- (4) For the purposes of subsection (3), a relevant planning authority is as set out in section 81 (a) and (b) and (d) to (j).
- (5) For the purposes of subsection (2) a relevant function is a function that relates to the development or use of land.
- (6) For the purposes of subsection (3) a planning function is the preparation of—
  - (a) a spatial development strategy;
  - (b) a local plan;
  - (c) a minerals and waste plan;
  - (d) a supplementary plan; or
  - (e) any other policy or plan that will be used to inform a planning decision.
- (7) For the purposes of subsections (3) and (6) a planning decision is a decision relating to—

- (a) the development or use of land arising from an application for planning permission;
  - (b) the making of a development order; or
  - (c) an authorisation pursuant to a development order.
- (8) In relation to neighbourhood planning, a qualifying body preparing a draft neighbourhood plan or development order must have special regard to achieving the mitigation of and adaptation to climate change.
- (9) For the purposes of this section, achieving the mitigation of climate change shall include the achievement of—
  - (a) the target for 2050 set out in section 1 of the Climate Change Act 2008, and
  - (b) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.
- (10) For the purposes of this section, achieving adaptation to climate change shall include the achievement of long-term resilience to climate-related risks, including—
  - (a) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
  - (b) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.”

#### **Member's explanatory statement**

This new clause would place an overarching duty on the Secretary of State, local planning authorities and those involved in neighbourhood plan-making to achieve the mitigation and adaptation of climate change when preparing plans and policies or exercising their functions in planning decision-making.

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**Alex Norris**

**NC74**

Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

#### **“Community Right to Buy**

- (1) The Localism Act 2011 is amended as follows.
- (2) In section 95(6), leave out “six months” and insert “twelve months”.
- (3) In section 98(1), leave out “potential bidder” and insert “buyer of first refusal.””

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**Alex Norris**

NC75

Matthew Pennycook  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Homes England Statutory Objects**

- (1) Section 2 of the Housing and Regeneration Act 2008 is amended as follows.
- (2) After subsection (1)(d), insert—
  - “(e) to ensure that spending decisions by Homes England are designed to deliver Levelling-up,
  - (f) to reduce regional inequality by delivering homes and stimulate related economic activity,
  - (g) to report to Parliament annually assessing the progress that has been made in reducing regional inequalities.””

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**Mrs Emma Lewell-Buck**

NC76

Rachael Maskell

To move the following Clause—

**“Standards Board for England**

- (1) There is to be a body corporate known as the Standards Board for England (“the Standards Board”).
- (2) The Standards Board is to consist of not less than three members appointed by the Secretary of State.
- (3) In exercising its functions the Standards Board must have regard to the need to promote and maintain high standards of conduct by members and co-opted members of local authorities in England.
- (4) The Secretary of State must by regulations make further provision about the Standards Board.
- (5) Regulations under this section must provide for—
  - (a) a code of conduct of behaviour for members and co-opted members of local authorities in England,
  - (b) the making of complaints to the Standards Board a member or co-opted member has failed to comply with that code of conduct,
  - (c) the independent handling of such complaints in the first instance by the Standards Board,
  - (d) the functions of ethical standards officers,
  - (e) investigations and reports by such officers,
  - (f) the role of monitoring officers of local authorities in such complaints,

- (g) the referral of cases to the adjudication panel for England for determination,
  - (h) about independent determination by the adjudication panel its issuing of sanctions,
  - (i) appeal by the complainant to the Local Government and Social Care Ombudsman,
  - (j) appeal by the member or co-opted member subject to the complaint to the Local Government and Social Care Ombudsman, and
  - (k) the governance of the Standards Board.
- (6) In making regulations under this section the Secretary of State must have regard to the content of Chapter II (investigations etc: England) of Part III (conduct of local government members and employees) of the Local Government Act 2000, prior to the repeal of that Chapter.
- (7) The Standards Board—
- (a) must appoint employees known as ethical standards officers,
  - (b) may issue guidance to local authorities in England on matters relating to the conduct of members and co-opted members of such authorities,
  - (c) may issue guidance to local authorities in England in relation to the qualifications or experience which monitoring officers should possess, and
  - (d) may arrange for any such guidance to be made public.”

#### **Member's explanatory statement**

This new clause seeks to reinstate the Standards Board for England, which was abolished by the Localism Act 2011, but with the removal of referral to standards committees and the addition of appeal to the Local Government Ombudsman.

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**Mrs Emma Lewell-Buck**

**NC78**

Rachael Maskell

To move the following Clause—

#### **“Responsibility of executive councillors to answer questions**

- (1) Chapter 2 of the Local Government Act 2000 (executive arrangements) is amended as follows.
- (2) After section 9DA (functions of an executive: further provision) insert—

#### **“(9DB) Responsibility to answer questions**

A councillor who is a member of an executive must take all reasonable steps to give a timely answer any question about the executive, its functions or the local authority (including about standards of conduct) from any councillor of the local authority that is asked—

- (a) in writing, or
- (b) orally in a council meeting.””

**Member's explanatory statement**

This new clause would establish a legal requirement for executive councillors to answer written questions from fellow councillors and oral questions in council meetings.

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**Mrs Emma Lewell-Buck**

**NC79**

To move the following Clause—

**“No role for councillors in recruitment or duties of monitoring officers**

- (1) The Local Government and Housing Act 1989 is amended as follows.
- (2) In section 5 (designation and reports of monitoring officer), after subsection (1) insert—
  - “(1ZA) No elected councillor of a relevant authority in England may have any role in—
    - (a) the recruitment or selection of the officer designated monitoring officer under subsection (1), or
    - (b) the performing by the monitoring officer of the functions imposed by this section and, where relevant, section 5A.””

**Member's explanatory statement**

This new clause would prohibit the involvement of elected councillors in the recruitment or duties of officers appointed to monitor lawbreaking, maladministration, failure and injustice within a local authority or its executive.

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**Rachael Maskell**

**NC80**

Mike Amesbury  
Wera Hobhouse  
Dan Carden  
Mrs Emma Lewell-Buck  
Tony Lloyd

Caroline Lucas  
Daisy Cooper

Tim Farron

Yasmin Qureshi

To move the following Clause—

**“Licensing scheme: holiday lets**

- (1) The Secretary of State must make regulations to require each relevant local authority in England to introduce a local licensing scheme for holiday lets.
- (2) Any local licensing scheme introduced pursuant to regulations made under subsection (1)(a) must require any owner of a holiday let to—
  - (a) obtain any fire, gas and electricity safety certificates as specified by the scheme;
  - (b) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations;

- (c) secure a licence for the holiday let from the local authority prior to trading;
  - (d) obtain a licence and renew this licence —
    - (i) every three years,
    - (ii) when the property changes ownership, or
    - (iii) when there is a change in the person holding day to day responsibility for the property; and
  - (e) not let out a property without a valid licence.
- (3) A local authority introducing a licensing scheme must—
- (a) outline—
    - (i) the terms and conditions of the licence,
    - (ii) the application process for securing the licence, and
    - (iii) the licence renewal process;
  - (b) determine an annual licence fee for each licensed property;
  - (c) inspect any property prior to issuing a licence;
  - (d) require the owner of a short term holiday let to —
    - (i) apply for and hold a licence to operate for each property they let prior to trading,
    - (ii) pay a licence application fee and annual charge for the licence,
    - (iii) renew the licence as required by the local authority under their licensing scheme,
    - (iv) pay any fines associated with breaches of a licence as laid out in the local licensing scheme,
    - (v) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations, and
    - (vi) provide up to date property details including details of who will hold responsibility for the day to day management of the property;
  - (e) maintain an up to date list of all licensed short term holiday let properties within the local authority area to include—
    - (i) the address of the property,
    - (ii) whether this is a shared property occupied by the owner or a separate let,
    - (iii) how many people are eligible to stay at the property, and
    - (iv) how many days of the year that the property will be advertised for letting and be let;
  - (f) inspect the property following a report from the public of an issue of concern relating to the property or to any other property owned by the same person;
  - (g) monitor compliance with the licensing scheme;
  - (h) publish an annual report on the number and location of licences including the number and location of licences in each ward and their impact on local residential housing supply and details of any breaches reported and fines issued; and

- (i) provide residents adjacent to the short term holiday let contact details of their enforcement officer should they experience any issue at the property.
- (4) A licensing scheme must allow the local authority to—
- (a) set out details of any area where the granting or renewal of licences will be banned, suspended or limited;
  - (b) set limits and or thresholds on the level of the licencing permitted in any area;
  - (c) require property owners to renew their licences every three years, or when a property changes in ownership;
  - (d) issue fines or remove a licence of a property if—
    - (i) fire, health and safety conditions are breached,
    - (ii) criminal activity occurs at the property, or
    - (iii) excess noise and nuisance or anti-social behaviour rules as set out in the licensing conditions are repeatedly breached, or
    - (iv) the registered owner or the person listed as holding responsibility for the property has had licences on other properties removed;and
  - (e) issue penalties or licensing bans on those renting properties without a licence.
- (5) In this section—
- an “area” may be—
    - (a) a polling district;
    - (b) a ward; or
    - (c) the whole local authority area;
  - “holiday let” means—
    - (a) a dwelling-house let for the purpose of conferring on the tenant the right to occupy the dwelling-house for a holiday, or
    - (b) any part of a dwelling-house let for the purpose of conferring on the tenant to occupy that part of the house for a holiday;
  - “relevant local authority” means—
    - (a) a district council in England;
    - (b) a county council in England for an area for which there is no district council;
    - (c) a London borough council;
    - (d) the Common Council of the City of London.”

**Member's explanatory statement**

This new clause provides for the introduction of a licensing scheme for holiday lets.

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Rachael Maskell

NC81

To move the following Clause—

**“Cycling, walking and rights of way plans: incorporation in development plans**

- (1) A local planning authority must ensure that the development plan incorporates, so far as relevant to the use or development of land in the local planning authority’s area, the policies and proposals set out in—
  - (a) any local cycling and walking infrastructure plan or plans prepared by a local transport authority;
  - (b) any rights of way improvement plan.
- (2) In dealing with an application for planning permission or permission in principle the local planning authority shall also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any rights of way improvement plan which have not been included as part of the development plan, so far as material to the application.
- (3) In this section—
  - (a) “local planning authority” has the same meaning as in section 15LF of PCPA 2004;
  - (b) “local transport authority” has the same meaning as in section 108 of the Transport Act 2000;
  - (c) “local highway authority” has the same meaning as in the Highways Act 1980;
  - (d) a “rights of way improvement plan” is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.”

**Member's explanatory statement**

This new clause would require development plans to incorporate policies and proposals for cycling and walking infrastructure plans and rights of way improvement plans. Local planning authorities would be required to have regard to any such policies and proposals where they have not been incorporated in a development plan.

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Matthew Pennycook

NC82

Rachael Maskell

To move the following Clause—

**“Onshore wind planning applications**

- (1) The Planning Act 2008 is amended in accordance with subsection (2).
- (2) In section 15 (generating stations), leave out subsection (2)(aa).
- (3) Before Chapter 2 of Part 3 of this Act comes into force, the Secretary of State must publish a statement of the Government’s plan to revise national planning guidance to support local planning authorities to grant onshore wind applications below 50MW.

- (4) For the purposes of subsection (3), “national planning guidance” includes—
  - (a) the National Planning Policy Framework and any subordinate, subsequent or successor guidance for local planning authorities;
  - (b) the Planning Practice Guidance on Renewable and Low Carbon Energy;
  - (c) the National Planning Policy Statement for Renewable Energy Infrastructure.
- (5) No later than one month after this Act comes into force, the Secretary of State must publish a report setting out the Government’s plan to encourage and support community energy projects.
- (6) The Secretary of State must lay a copy of the report in subsection (5) before both Houses of Parliament.”

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Debbie Abrahams

NC83

Rachael Maskell

To move the following Clause—

**“Review of public health and poverty effects of Act**

- (1) The Secretary of State must review the public health and poverty effects of the provisions of this Act and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (2) The review must consider—
  - (a) the effects of the provisions of this Act on the levels of relative and absolute poverty across the UK including devolved nations and regions,
  - (b) the effects of the provisions of this Act on socioeconomic inequalities and on population groups with protected characteristics as defined by the 2010 Equality Act across the UK, including by devolved nations and regions,
  - (c) the effects of the provisions of this Act on life expectancy and healthy life expectancy across the UK, including by devolved nations and regions, and
  - (d) the implications for the public finances of the public health effects of the provisions of this Act.”

**Member's explanatory statement**

This new clause would require the Government to report on the public health and poverty effects of the provisions of the Act.

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## Order of the House

[8 June 2022, as amended 22 September 2022]

That the following provisions shall apply to the Levelling-up and Regeneration 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 Thursday 20 October 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

**Consideration and Third Reading**

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

**Other proceedings**

7. Any other proceedings on the Bill may be programmed.

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## Order of the Committee

[21 June 2022, as amended 7 July 2022 and 13 October 2022]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 21 June) meet—
  - (a) at 2.00 pm on Tuesday 21 June;
  - (b) at 11.30 am and 2.00 pm on Thursday 23 June;
  - (c) at 9.25 am and 2.00 pm on Tuesday 28 June;
  - (d) at 11.30 am and 2.00 pm on Thursday 30 June;
  - (e) at 9.25 am and 2.00 pm on Tuesday 5 July;
  - (f) at 11.30 am on Thursday 7 July;
  - (g) at 9.25 am and 2.00 pm on Tuesday 12 July;
  - (h) at 11.30 am and 2.00 pm on Thursday 14 July;

- (i) at 9.25 am and 2.00 pm on Tuesday 19 July;
  - (j) at 9.25 am and 2.00 pm on Tuesday 6 September;
  - (k) at 11.30 am and 2.00 pm on Thursday 8 September;
  - (l) at 11.30 am and 2.00 pm on Thursday 13 October;
  - (m) at 9.25 am and 2.00 pm on Tuesday 18 October;
  - (n) at 11.30 am and 2.00 pm on Thursday 20 October;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 21 June	Until no later than 10.10 am	Professor Dame Ottoline Leyser, UK Research & Innovation
Tuesday 21 June	Until no later than 10.50 am	Tracy Brabin, Mayor of West Yorkshire; West Yorkshire Combined Authority
Tuesday 21 June	Until no later than 11.25 am	Professor Mairi Spowage, University of Strathclyde
Tuesday 21 June	Until no later than 2.40 pm	Greater Manchester Combined Authority; West Midlands Combined Authority; Solace
Tuesday 21 June	Until no later than 3.20 pm	Professor Graeme Atherton, University of West London; We're Right Here; Institute for Public Policy Research
Tuesday 21 June	Until no later than 4.00 pm	Local Government Association; County Councils Network; District Councils Network
Thursday 23 June	Until no later than 12.15 pm	Royal Town Planning Institute; Royal Institution of Chartered Surveyors; Savills
Thursday 23 June	Until no later than 1.00 pm	National Association of Local Councils; Neighbourhood Planners London
Thursday 23 June	Until no later than 2.30 pm	Andy Street, Mayor of the West Midlands
Thursday 23 June	Until no later than 3.10 pm	Create Streets; Heritage Alliance; Royal Institute of British Architects
Thursday 23 June	Until no later than 3.55 pm	Wildlife and Countryside Link; ADEPT; CPRE
Thursday 23 June	Until no later than 4.15 pm	Town and Country Planning Association

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Thursday 23 June	Until no later than 4.45 pm	Chartered Institute of Housing; National Housing Federation
Thursday 23 June	Until no later than 5.15 pm	Onward; Centre for Policy Studies

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 13; Schedule 1; Clauses 14 to 24; Schedule 2; Clauses 25 to 30; Schedule 3; Clauses 31 to 53; Schedule 4; Clauses 54 to 74; Schedule 5; Clauses 75 to 83; Schedule 6; Clauses 84 to 87; Schedule 7; Clauses 88 to 91; Schedule 8; Clauses 92 to 97; Schedule 9; Clauses 98 to 100; Schedule 10; Clauses 101 to 113; Schedule 11; Clauses 114 to 133; Schedule 12; Clauses 134 to 137; Schedule 13; Clauses 138 to 144; Schedule 14; Clauses 145 to 160; Schedule 15; Clauses 161 to 164; Schedule 16; Clauses 165 to 184; Schedule 17; Clauses 185 to 196; 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 Thursday 20 October.
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## Withdrawn Amendments

The following amendments were withdrawn on 30 June 2022: 44

The following amendments were withdrawn on 13 July 2022: 129

The following amendments were withdrawn on 12 October 2022: NC9, NC10 and NC11

The following amendments were withdrawn on 19 October 2022: NC77