
Committee Stage: Monday 4 July 2022

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 Any withdrawn amendments are listed at the end of the document.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.

★ New Amendments.

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

New Amendments: 86 to 97

Alex Norris

49

Matthew Pennycook
Colleen Fletcher

Clause 23, page 19, line 35, at end insert—

“(c) the public have been consulted.”

Member's explanatory statement

This amendment would require public consultation to take place before the dissolution of a CCA.

Alex Norris

32

Matthew Pennycook
Colleen Fletcher

Clause 23, page 19, line 35, at end insert—

“(5) Where the Secretary of State makes provision under subsection (1) to dissolve a CCA's area, they must then publish a statement setting out how the relevant local government area or areas will have access to the powers they have lost in the future.”

Member's explanatory statement

This amendment would require the Secretary of State to explain how a local government area will in future have access to the powers they have lost as a result of the dissolution or abolition of a CCA.

Alex Norris

60

Matthew Pennycook
Colleen Fletcher

Clause 25, Page 20, line 32, at end insert—

“(2A) But the Secretary of State must not make regulations under section 24(1) in relation to a CCA’s area if the constituent authorities of that area have requested that powers be conferred by the Secretary of State without the establishment of a mayor.”

Member's explanatory statement

This amendment would prevent the Secretary of State providing for a CCA mayor without the consent of the constituent authorities of that CCA.

Alex Norris

33

Matthew Pennycook
Colleen Fletcher

Clause 26, page 21, line 4, after “mayor’s” insert “statutory”

Member's explanatory statement

This amendment would clarify that an appointed deputy is a statutory one rather than a sole one.

Alex Norris

34

Matthew Pennycook
Colleen Fletcher

Clause 26, page 21, line 4, at end insert—

“(1A) The mayor may appoint more than one person to be a deputy mayor, in which case references in this section to “the deputy mayor” should be read as “a deputy mayor”.

(1B) The mayor may only appoint as a deputy mayor a person who is qualified to be elected and to hold office as the mayor in accordance with paragraph 7 of Schedule 2.”

Member's explanatory statement

This amendment would allow mayors of CCAs to appoint as many qualified deputy mayors as they wished.

Alex Norris

35

Matthew Pennycook
Colleen Fletcher

Clause 26, page 21, line 23, at end insert—

- “(7A) The Secretary of State must produce and publish an annual report on the diversity of the deputies appointed under this section. This report must include—
- (a) the age of all the deputy mayors,
 - (b) the gender of all the deputy mayors, and
 - (c) the ethnicity of all the deputy mayors.”

Rachael Maskell

51

Clause 27, page 21, line 28, at end insert—

- “(1A) Where the Secretary of State makes provision under subsection (1), they must also publish a report setting out the impact this change will have on the delivery of levelling up missions.”

Member's explanatory statement

This amendment would require the Secretary of State to produce a report on the impact of changing the powers available to a mayor on the delivery of levelling up missions.

Alex Norris

36

Matthew Pennycook
Colleen Fletcher

Clause 28, page 23, line 40, at end insert—

- “(2A) Where the Secretary of State makes regulations to which this section applies they must notify all other mayoral and non-mayoral CCAs of this.”

Member's explanatory statement

This amendment would require the Secretary of State to notify all CCAs if they make regulations directly conferring general functions on a mayor.

Alex Norris

37

Matthew Pennycook
Colleen Fletcher

Schedule 3, page 206, line 34, leave out paragraphs (b) and (c)

Member's explanatory statement

This amendment would prevent the Secretary of State from conferring only partial Police and Crime Commissioner functions on the mayor.

Alex Norris

38

Matthew Pennycook
Colleen Fletcher

Schedule 3, page 207, line 23, leave out paragraph (a)

Member's explanatory statement

This amendment would allow the person who is appointed deputy mayor under section 26 to be appointed as deputy mayor for policing and crime.

Rachael Maskell

52

Clause 38, page 33, line 32, at end insert—

“(c) for and about alternative funding streams (including grants from the Secretary of State) for fire and rescue services if constraints on revenue-raising mean that there is a threat that fire and rescue safety standards may not be maintained in the area.”

Member's explanatory statement

This amendment enables the Secretary of State, in circumstances where mayoral revenue raising powers are insufficient for the provision of a safe Fire and Rescue service, to make alternative provision to fund the services, including a grant from the Secretary of State.

Alex Norris

39

Matthew Pennycook
Colleen Fletcher

Page 37, line 23, leave out Clause 41

Member's explanatory statement

This amendment would prevent the Secretary of State from adding, modifying or removing a reference to an alternative mayoral title.

Rachael Maskell

53

Clause 42, page 38, line 14, at end insert—

“(c) prepare and publish a report setting out the results of the consultation.”

Member's explanatory statement

This amendment would require the authority or authorities submitting a proposal for a new Combined County Authority to make the results of the public consultation publicly available before submission.

Rachael Maskell

54

Clause 43, page 39, line 12, at end insert—

“(3A) If a public consultation has been carried out under subsection (3), the Secretary of State must prepare and publish a report setting out the results.”

Member's explanatory statement

This amendment would require the Secretary of State to make the results of the public consultation on establishing a Combined County Authority publicly available in a report.

Alex Norris

40

Matthew Pennycook
Colleen Fletcher

Clause 43, page 39, line 23, at end insert—

“(5A) When the Secretary of State makes regulations under this section they must publish an accompanying statement stating—
(a) whether or not the CCA has access to the fullest conferred powers, and
(b) if not, the reasons why not.”

Rachael Maskell

55

Clause 44, page 40, line 9, at end insert—

“(c) prepare and publish a report setting out the results of the consultation.”

Member's explanatory statement

This amendment would require the authority or authorities submitting a proposal for changes to Combined County Authority arrangements to make the results of the public consultation publicly available before submission.

Rachael Maskell

56

Clause 45, page 41, line 13, at end insert—

“(3A) If a public consultation has been carried out under subsection (3), the Secretary of State must prepare and publish a report setting out the results.”

Member's explanatory statement

This amendment would require the Secretary of State to make the results of a public consultation on a proposal for changes to Combined County Authority arrangements publicly available in a report.

Alex Norris

41

Matthew Pennycook
Colleen Fletcher

Clause 48, page 43, line 11, leave out paragraphs (b) and (c)

Member's explanatory statement

This amendment would prevent the Secretary of State from conferring different general powers on different CCAs.

Alex Norris

42

Matthew Pennycook
Colleen Fletcher

Clause 49, page 43, line 37, at end insert—

“(4) Where the Secretary of State makes provision under subsection (1), the same powers must be offered to all other CCAs subject to the consent of the appropriate authorities under subsection (2).”

Member's explanatory statement

Where the Secretary of State has conferred a general power of competence to one CCA, this amendment would require them to offer all CCAs the same powers.

Alex Norris

43

Matthew Pennycook
Colleen Fletcher

Clause 52, page 45, line 16, leave out “may” and insert “must, within 6 months of the day on which this Act is passed,”

Member's explanatory statement

This amendment would require the Secretary of State to produce guidance on the establishment and operation of CCAs within 6 months of this Act receiving Royal Assent.

Alex Norris

61

Matthew Pennycook
Colleen Fletcher

Clause 72, page 81, line 4, at end insert—

“(aa) in section 1(b), leave out “the relevant maximum” and insert “300”;
(ab) omit subsections (1A) to (1C);.”

Member's explanatory statement

This amendment would raise the maximum level at which local authorities can set council tax on long-term empty dwellings.

Rachael Maskell

78

☆ Clause 72, page 81, line 9, leave out "1 year" and insert "6 months"

Member's explanatory statement

This amendment would reduce length of time before the Local Authority could charge the higher rate of Council Tax on long-term empty dwellings.

Alex Norris

62

Matthew Pennycook
Colleen Fletcher

Clause 73, page 81, line 28, leave out "100" and insert "300"

Member's explanatory statement

This amendment would raise the maximum level at which local authorities can set council tax on dwellings occupied periodically

Rachael Maskell

79

☆ Clause 73, page 81, line 30, after "dwelling" insert "for six months or longer per year"

Member's explanatory statement

This amendment seeks to further define how long a property must be empty for to be described as occupied periodically.

Alex Norris

63

Matthew Pennycook
Colleen Fletcher

Clause 73, page 81, line 31, at end insert—

"(c) the dwelling is available to let for less than 252 days and actually let for less than 182 days in any 12-month period"

Member's explanatory statement

This amendment would increase the threshold at which properties are liable to be charged council tax.

Rachael Maskell

80

☆ Clause 73, page 81, line 31, at end insert—

“(c) the occupier declares the dwelling is not their principal residence and there is no tenant in the property for 6 months or longer per year.”

Member's explanatory statement

This amendment seeks to provide further definition around the conditions around occupancy.

Rachael Maskell

81

☆ Clause 73, page 81, line 33, leave out “one year” and insert “six months”

Member's explanatory statement

This amendment would reduce length of time before the Local Authority could charge the higher rate of Council Tax.

Rachael Maskell

82

☆ Clause 73, page 82, line 14, at end insert—

“(10) The Secretary of State must by regulations make provision for and about offences punishable by a fine for people who submit misleading, inaccurate or incomplete information to a billing authority in relation to the occupancy of their dwelling.”

Member's explanatory statement

This amendment would provide for fines to be issued to those who fail to provide correct and accurate information regarding the occupancy of their dwellings as an anti-fraud measure.

Rachael Maskell

83

☆ Clause 73, page 82, line 28, at end insert—

“(3A) The Secretary of State must by regulations make provision to ensure that that, where a dwelling is occupied periodically as the result of a bereavement, higher council tax is not charged for at least two years.”

Member's explanatory statement

This amendment would extend the period of time people would have to make arrangements for their property following a bereavement.

Rachael Maskell

84

☆ Clause 73, page 82, line 28, at end insert—

“(3A) The Secretary of State must by regulations make provision—

- (a) to ensure that that, where a dwelling is occupied periodically as the result of dilapidation, the higher rate of council tax is not charged for at least one year from the change in ownership of the property, and
- (b) about appeals against determinations under this section."

Member's explanatory statement

This amendment would give owners of dilapidated properties up to a year after acquiring the property to refurbish before additional council tax rates are incurred.

Rachael Maskell

85

- ☆ Clause 74, page 83, line 21, at end insert "and it has considered the historical, cultural or archaeological significance of a name change"

Member's explanatory statement

This amendment requires cultural, historical and archaeological factors to be considered before making a name change

Alex Norris

70

Matthew Pennycook
Colleen Fletcher

- ☆ Clause 74, page 83, line 37, at end insert—

- "(za) the local authority has carried out the necessary consultation, the necessary publicity, and the necessary notification, before making an order to alter the name of a street, or any part of a street, in its area,
- (zb) the local authority has given due regard to the outcomes of that consultation,."

Member's explanatory statement

This amendment, together with Amendments 71 and 72, replaces a power to make regulations about referendums on street names with requirements for local authorities to consult residents and the wider community.

Alex Norris

71

Matthew Pennycook
Colleen Fletcher

- ☆ Clause 74, page 83, line 83, at end insert—

- "(6A) In subsection (6)—
 - (a) "the necessary consultation" means consulting with—
 - (i) whatever community representatives the local authority thinks it appropriate to consult,

- (ii) owners and occupiers of residential premises in the street subject to the order, and
- (iii) any businesses with premises in the affected street;
- (b) “the necessary publicity” means—
 - (i) publishing the proposed change, including but not limited to publishing the proposal on its website, and
 - (ii) publicising the proposal, including but not limited to erecting in the street to which the proposal relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to it.

(6B) In subsection (6A), “community representatives” means any individual or body appearing to the authority to represent the views of people who live in, work in or visit the restricted area.”

Member's explanatory statement

See explanatory statement for Amendment 70.

Alex Norris

72

Matthew Pennycook
Colleen Fletcher

☆ Clause 74, page 84, line 1, leave out subsections (7) and (8)

Member's explanatory statement

See explanatory statement for Amendment 70.

Matthew Pennycook

65

Alex Norris
Colleen Fletcher

Clause 75, page 85, line 14, leave out paragraph (b)

Member's explanatory statement

This amendment would prevent the Government from using the powers in this Chapter for information other than that provided or processed by a planning authority under a relevant planning enactment.

Matthew Pennycook

66

Alex Norris
Colleen Fletcher

Clause 77, page 87, line 3, at end insert—

“(4) On the day any regulations under this section are laid before Parliament the Secretary of State must publish an accompanying statement explaining the steps that the Government has taken to ensure that the regulations do not exacerbate digital exclusion.”

Member's explanatory statement

This amendment would require the Secretary of State to publish a statement explaining how the provisions in this Chapter do not exacerbate digital exclusion.

Matthew Pennycook

67

Alex Norris
Colleen Fletcher

Clause 77, page 87, line 3, at end insert—

“(4) The Secretary of State must provide sufficient additional financial resources to local planning authorities to enable them to implement the provisions in this section.”

Member's explanatory statement

See explanatory statement for NC32.

Matthew Pennycook

68

Alex Norris
Colleen Fletcher

☆ Clause 78, page 87, line 10, at end insert—

“(1A) On the day any regulations under this section are laid before Parliament the Secretary of State must publish an accompanying statement setting out—

- (a) the reasons why the planning data software in question has not been approved for use by the Secretary of State,
- (b) the steps that the Government has taken to ensure that the decision not to approve the planning data software in question does not undermine effective competition in the procurement of planning data software in England.”

Member's explanatory statement

This amendment would require the Secretary of State to publish a statement explaining why the provisions in this section were used to restrict or prevent the use of planning data software and setting out the steps taken to avoid the creation of a Government-granted monopoly in planning data software.

Matthew Pennycook

86

★ Clause 83, page 91, line 28, leave out lines 28 to 30 and insert—

“(5C) But the development plan has precedence over any national development management policy in the event of any conflict between the two.”

Member's explanatory statement

This amendment gives precedence to local development plans over national policies, reversing the current proposal in inserted subsection (5C).

Theresa Villiers

57

Bob Seely
Greg Smith
Gordon Henderson

Clause 83, page 91, line 30, leave out “national development management policy” and insert “the development plan”

Member's explanatory statement

This amendment would require any conflict between a local development plan and a national development management strategy to be resolved in favour of the local development plan.

Matthew Pennycook

87

★ Clause 84, page 92, line 9, leave out subsections (2) and (3) and insert—

“(2) Before designating a policy as a national development management policy for the purposes of this Act the Secretary of State must carry out an appraisal of the sustainability of that policy.

(3) A policy may be designated as a national development management policy for the purposes of this Act only if the consultation and publicity requirements set out in clause 38ZB, and the parliamentary requirements set out in clause 38ZC, have been complied with in relation to it, and—

(a) the consideration period for the policy has expired without the House of Commons resolving during that period that the statement should not be proceeded with, or

(b) the policy has been approved by resolution of the House of Commons—
(i) after being laid before Parliament under section 38ZC, and
(ii) before the end of the consideration period.

(4) In subsection (3) “the consideration period”, in relation to a policy, means the period of 21 sitting days beginning with the first sitting day after the day on which the statement is laid before Parliament under section 38ZC, and here “sitting day” means a day on which the House of Commons sits.

(5) A policy may not be designated a national development management policy unless—

- (a) it contains explanations of the reasons for the policy, and
 - (b) in particular, includes an explanation of how the policy set out takes account of Government policy relating to the mitigation of, and adaptation to, climate change.
- (6) The Secretary of State must arrange for the publication of a national policy statement.

38ZB Consultation and publicity

- (1) This section sets out the consultation and publicity requirements referred to in sections 38ZA(3) and 38ZD(7).
- (2) The Secretary of State must carry out such consultation, and arrange for such publicity, as the Secretary of State thinks appropriate in relation to the proposal. This is subject to subsections (4) and (5).
- (3) In this section “the proposal” means—
 - (a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or
 - (b) (as the case may be) the proposed amendment (see section 38ZD).
- (4) The Secretary of State must consult such persons, and such descriptions of persons, as may be prescribed.
- (5) If the policy set out in the proposal identifies one or more locations as suitable (or potentially suitable) for a specified description of development, the Secretary of State must ensure that appropriate steps are taken to publicise the proposal.
- (6) The Secretary of State must have regard to the responses to the consultation and publicity in deciding whether to proceed with the proposal.

38ZC Parliamentary requirements

- (1) This section sets out the parliamentary requirements referred to in sections 38ZA(3) and 38ZD(7).
- (2) The Secretary of State must lay the proposal before Parliament.
- (3) In this section “the proposal” means—
 - (a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or
 - (b) (as the case may be) the proposed amendment (see section 38ZD).
- (4) Subsection (5) applies if, during the relevant period—
 - (a) either House of Parliament makes a resolution with regard to the proposal, or
 - (b) a committee of either House of Parliament makes recommendations with regard to the proposal.

- (5) The Secretary of State must lay before Parliament a statement setting out the Secretary of State's response to the resolution or recommendations.
- (6) The relevant period is the period specified by the Secretary of State in relation to the proposal.
- (7) The Secretary of State must specify the relevant period in relation to the proposal on or before the day on which the proposal is laid before Parliament under subsection (2).
- (8) After the end of the relevant period, but not before the Secretary of State complies with subsection (5) if it applies, the Secretary of State must lay the proposal before Parliament."

382D Review of national development management policies

- (1) The Secretary of State must review a national development management policy whenever the Secretary of State thinks it appropriate to do so.
- (2) A review may relate to all or part of a national development management policy.
- (3) In deciding when to review a national development management policy the Secretary of State must consider whether—
 - (a) since the time when the policy was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the statement was decided,
 - (b) the change was not anticipated at that time, and
 - (c) if the change had been anticipated at that time, any of the policy set out would have been materially different.
- (4) In deciding when to review part of a national development management policy ("the relevant part") the Secretary of State must consider whether—
 - (a) since the time when the relevant part was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the relevant part was decided,
 - (b) the change was not anticipated at that time, and
 - (c) if the change had been anticipated at that time, any of the policy set out in the relevant part would have been materially different.
- (5) After completing a review of all or part of a national development management policy the Secretary of State must do one of the following—
 - (a) amend the policy;
 - (b) withdraw the policy's designation as a national development management policy;
 - (c) leave the policy as it is.
- (6) Before amending a national development management policy the Secretary of State must carry out an appraisal of the sustainability of the policy set out in the proposed amendment.

- (7) The Secretary of State may amend a national development management policy only if the consultation and publicity requirements set out in section 38ZB, and the parliamentary requirements set out in section 38ZC, have been complied with in relation to the proposed amendment, and—
 - (a) the consideration period for the amendment has expired without the House of Commons resolving during that period that the amendment should not be proceeded with, or
 - (b) the amendment has been approved by resolution of the House of Commons—
 - (i) after being laid before Parliament under section 38ZA, and
 - (ii) before the end of the consideration period.
- (8) In subsection (7) “the consideration period”, in relation to an amendment, means the period of 21 sitting days beginning with the first sitting day after the day on which the amendment is laid before Parliament, and here “sitting day” means a day on which the House of Commons sits.
- (9) If the Secretary of State amends a national development management policy, the Secretary of State must—
 - (a) arrange for the amendment, or the policy as amended, to be published, and
 - (b) lay the amendment, or the policy as amended, before Parliament.”

Member's explanatory statement

This amendment stipulates the process for the Secretary of State to designate and review a national development management policy including minimum public consultation requirements and a process of parliamentary scrutiny based on processes set out in the Planning Act 2008 (as amended) for designating National Policy Statements.

Matthew Pennycook

93

Alex Norris
Colleen Fletcher

★ Clause 85, page 92, leave out lines 26 and 27

Member's explanatory statement

This amendment would remove an additional legal test within London's Spatial Development Strategy that could preclude the insertion of policies which contribute to the effective strategic planning of Greater London but would also apply to other urban areas or are not specific to Greater London.

Matthew Pennycook

94

Alex Norris
Colleen Fletcher

★ Clause 85, page 92, line 27, at end insert—

“(c) supporting policies within the Spatial Development Strategy that achieve objectives for the benefit of strategic planning of Greater London.”

Member's explanatory statement

This amendment would enable the Mayor of London can include policies in a Spatial Development Strategy that contribute to the effective strategic planning of Greater London.

Matthew Pennycook

95

Alex Norris
Colleen Fletcher

★ Clause 85, page 93, line 5, at end insert—

“(2DA) The determination of whether a matter is of strategic importance to more than one London borough for the purposes of subsection (2D) lies solely with the Mayor of London.”

Member's explanatory statement

This amendment is intended to remove ambiguity about whose opinion is relevant in relation to whether or not a matter is of strategic importance to more than one London borough.

Matthew Pennycook

96

Alex Norris
Colleen Fletcher

★ Clause 85, page 93, line 9, at end insert—

- “(3) The spatial development strategy must include statements dealing with the general spatial development aspects of—
- (a) such of the other strategies prepared and published, or to be prepared and published, under the enactments mentioned in section 41(1) above as involve considerations of spatial development, and
 - (b) such of the Mayor of London's other policies or proposals as involve such considerations, whether or not the strategy, policy or proposal relates to the development or use of land.”

Member's explanatory statement

This amendment would retain provisions relating to the Mayor of London's Spatial Development Strategy which relate to the spatial development aspects of the other Mayoral strategies.

Matthew Pennycook

97

Alex Norris
Colleen Fletcher

- ★ Clause 85, page 93, leave out lines 13 to 19

Member's explanatory statement

This amendment would remove inserted subsection (10), which would place constraints on the Mayor of London's Spatial Development Strategy relating to national development management policies.

Matthew Pennycook

88

- ★ Schedule 7, page 228, leave out line 5

Member's explanatory statement

This amendment, along with Amendment 89 would explicitly ensure that people would have a right to be heard at an examination in public in relation to the Joint Spatial Development Plan part of the development plan.

Matthew Pennycook

89

- ★ Schedule 7, page 228, line 9, at end insert—

“(8) Any person who makes representations in relation to the strategy must (if that person so requests) be invited to appear before and be heard by the examiner.”

Member's explanatory statement

See explanatory statement for Amendment 88.

Matthew Pennycook

91

Alex Norris
Colleen Fletcher

- ★ Schedule 7, page 241, line 16, leave out “with respect to design”

Matthew Pennycook

92

Alex Norris
Colleen Fletcher

- ★ Schedule 7, page 241, line 18, after “met” insert “in support of plan-making or”

Matthew Pennycook

90

- ★ Schedule 7, page 246, line 29, leave out subsection (6).

Member's explanatory statement

This amendment would prevent the general rule for hearings for supplementary plans taking the form of written representations and would instead enable the examiner to determine the form of the examination.

Emma Hardy

2

Clause 88, page 95, line 9, after "contribute" insert "to the mitigation of flooding and"

Member's explanatory statement

This amendment would require neighbourhood development plans to be designed to secure that the development and use of land in the neighbourhood area contribute to flood mitigation.

Alex Norris

64

Matthew Pennycook
Colleen Fletcher

Clause 92, page 97, line 31, leave out "desirability" and insert "duty"

Member's explanatory statement

This amendment would clarify that the planning authority has a duty to have special regard in planning permission decisions for preserving or enhancing heritage assets or their settings.

Alex Norris

69

Matthew Pennycook
Colleen Fletcher

☆ Clause 92, page 99, line 29, at end insert—

- “(5) The Secretary of State must, within one year of the day on which this section comes into force, publish a report of a review of the efficacy of Local Heritage Lists and the resources local authorities have to produce them.
- (6) The Secretary of State must, on the day on which this section comes into force, publish the results of the 2018 review of the non-statutory guidance on Assets of Community Value.”

Stuart Andrew

Gov 74

☆ Clause 99, page 116, line 27, leave out from beginning to "for" in line 28 and insert "planning permission has been granted under section 70 or 73"

Member's explanatory statement

This amendment corrects a cross-reference.

Stuart Andrew

Gov 75

- ☆ Clause 99, page 117, line 25, for “58(1)(b)” substitute “70”

Member's explanatory statement

This amendment corrects a cross-reference.

Stuart Andrew

Gov 76

- ☆ Clause 99, page 117, line 29 at end insert—

“() In section 56 (time when development begins), in subsection (3), after “92,” insert “93G,”. ”

Member's explanatory statement

This amendment adds a consequential amendment to section 56 of the Town and Country Planning Act 1990 (which determines the time when development begins).

Stuart Andrew

Gov 73

- ☆ Clause 104, page 123, line 19, after “authority” insert “or the Secretary of State”

Member's explanatory statement

This amendment extends new section 174(2AA)(b) to cases where the Secretary of State declined to determine an application for planning permission.

Theresa Villiers

58

Bob Seely
Greg Smith
Gordon Henderson

Schedule 11, page 287, line 33, at end insert—

“(1A) A charging schedule may—

- (a) require a developer to pay their full IL liability for a development before being permitted to commence work on that development,
- (b) require infrastructure funded by IL associated with a development to be built before work on that development may commence.”

Member's explanatory statement

This amendment would enable Infrastructure Levy charging authorities to require a developer to pay their full IL liability, or for infrastructure funded by IL associated with a development to be built, before development may commence.

Theresa Villiers

59

Bob Seely
Greg Smith
Gordon Henderson

Schedule 11, page 288, line 25, at end insert—

“(4A) IL regulations must make provision for a sliding scale of charges increasing in proportion to the share of the development that is on greenfield land, for the purposes of incentivising brownfield development.”

Member's explanatory statement

This amendment would require rates of the Infrastructure Levy to be varied in line with the proportion of the development that is on greenfield land in order to promote brownfield development.

Nickie Aiken

1

Robert Jenrick
Tom Tugendhat
Sir Iain Duncan Smith
Sir Gary Streeter
Lee Anderson

Siobhan Baillie
Damian Green
Bob Blackman
Stephen Hammond
Simon Hoare
Anthony Mangnall

Andrew Bowie
Alicia Kearns
Jo Gideon
Aaron Bell
David Simmonds
Steve Brine

Mr Steve Baker
Caroline Nokes
Sir Robert Neill
Sir Bernard Jenkin
Karen Bradley
Sir Stephen Timms

Page 192, line 16, leave out Clause 187

Member's explanatory statement

This amendment would leave out clause 187, which allows the Government to use regulations to create criminal offences similar to those under the Vagrancy Act 1824, disregarding the repeal of that Act by the Police, Crime, Courts and Sentencing Act 2022.

Stuart Andrew

Gov 77

☆ Clause 192, page 195, line 7, at end insert—

“(fa) under Part 8;”

Member's explanatory statement

This amendment corrects a drafting omission by applying the negative procedure to regulations under Part 8 (unless they amend primary legislation, in which case the affirmative procedure will apply under the existing drafting of the clause).

Alex Norris

45

Matthew Pennycook
Colleen Fletcher

Clause 195, page 196, line 33, at end insert "but the Secretary of State must formally consult representatives of local government before making such regulations"

Member's explanatory statement

This amendment would delay the implementation of clause 71 until a formal consultation has taken place with local government representatives.

Judith Cummins

NC1

Alex Norris

To move the following Clause—

"Independent body to monitor levelling up missions

- (1) The Secretary of State must assign an independent body to assess the Government's progress on levelling-up missions and make recommendations for improvements to delivery of them.
- (2) The body must prepare parallel independent reports for each period to which a report under section 2 applies.
- (3) Each parallel independent report must—
 - (a) assess the progress that has been made in the relevant period in delivering each of the levelling-up missions in the current statement levelling-up missions, as it has effect at the end of the period, and
 - (b) make recommendations for what the Government should do to deliver each levelling-up mission in the following period.
- (4) The Secretary of State must lay each report under this section before Parliament on the same day as the report under section 2 which applies to the relevant period."

Member's explanatory statement

This new clause would require the Secretary of State to establish an independent body that can provide reports on the Government's progress on levelling-up missions and outline recommendations for their future delivery.

Emma Hardy

NC2

To move the following Clause—

"Minimum requirements for flood mitigation and protection

- (1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed, use the power under section 1 of the Building Act 1984 to make building regulations for the purpose in subsection (2).

- (2) That purpose is to set minimum standards for new build public and private properties in England for—
 - (a) property flood resilience,
 - (b) flood mitigation, and
 - (c) waste management in connection with flooding.”

Member's explanatory statement

This new clause would require the Government to set minimum standards for flood resilience, flood mitigation and flood waste management in building regulations.

Emma Hardy

NC3

To move the following Clause—

“Duty to make flooding data available

- (1) The Secretary of State and local authorities in England must take all reasonable steps to make data about flood prevention and risk publicly available.
- (2) The duty under subsection (1) extends to seeking to facilitate use of the data by—
 - (a) insurers for the purpose of accurately assessing risk, and
 - (b) individual property owners for the purpose of assessing the need for property flood resilience measures.”

Member's explanatory statement

This new clause would place a duty on the Government and local authorities to make data about flood prevention and risk available for the purpose of assisting insurers and property owners.

Emma Hardy

NC4

To move the following Clause—

“Flood prevention and mitigation certification and accreditation schemes

- (1) The Secretary of State must by regulations establish—
 - (a) a certification scheme for improvements to domestic and commercial properties in England made in full or in part for flood prevention or flood mitigation purposes, and
 - (b) an accreditation scheme for installers of such improvements.
- (2) The scheme under subsection (1)(a) must—
 - (a) set minimum standards for the improvements, including that they are made by a person accredited under subsection (1)(b), and
 - (b) provide for the issuance of certificates stating that improvements to properties have met those standards.
- (3) The scheme under subsection (1)(a) may make provision for the certification of improvements that were made before the establishment of the scheme provided those improvements meet the minimum standards in subsection (2)(a).

- (4) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) A draft statutory instrument containing regulations under this section must be laid before Parliament before the end of the period of six months beginning with the day on which this Act comes into force."

Member's explanatory statement

This new clause would require the Government to establish a certification scheme for improvements to domestic and commercial properties in England made for flood prevention or flood mitigation purposes and an accreditation scheme for installers of such improvements.

Emma Hardy

NC5

To move the following Clause—

"Insurance premiums

- (1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies to take into account the matters in subsection (2) when calculating insurance premiums relating to residential and commercial properties.
- (2) Those matters are—
 - (a) that certified improvements have been made to a property under section [*flood prevention and mitigation certification and accreditation schemes*], or
 - (b) that measures that were in full or in part for the purposes of flood prevention or mitigation have been taken in relation to the property that were requirements of the local planning authority for planning permission purposes."

Member's explanatory statement

This new clause would require the Financial Conduct Authority to make rules requiring insurance companies to take into account flood prevention or mitigation improvements that are either certified or planning permission requirements in setting insurance premiums.

Emma Hardy

NC6

To move the following Clause—

"Flood Reinsurance scheme eligibility

- (1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed—
 - (a) establish a new Flood Reinsurance scheme under section 64 of the Water Act 2014 which is in accordance with subsection (2), and
 - (b) lay before Parliament a draft statutory instrument containing regulations under that section to designate that scheme.

- (2) A new Flood Reinsurance scheme is in accordance with this section if it extends eligibility to—
 - (a) premises built on or after 1 January 2009 which have property flood resilience measures that meet the standard under section [*minimum requirements for flood mitigation and protection*](2)(a), and
 - (b) buildings insurance for small and medium-sized enterprise premises.
- (3) The Secretary of State may by regulations require public bodies to share business rates information with the scheme established under subsection (1)(a) for purposes connected with the scheme.
- (4) The Water Act 2014 is amended in accordance with subsections (5) to (9).
- (5) In section 64 (the Flood Reinsurance scheme), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.
- (6) In section 67 (scheme administration), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.
- (7) After section 69 (disclosure of HMRC council tax information) insert—

“69A Disclosure of business rates information

- (1) The Secretary of State may by regulations require public bodies to disclose information relating to business rates to any person who requires that information for either of the following descriptions of purposes—
 - (a) purposes connected with such scheme as may be established and designated in accordance with section 64 (in any case arising before any scheme is so designated);
 - (b) purposes connected with the FR Scheme (in any case arising after the designation of a scheme in accordance with section 64).
- (2) A person to whom information is disclosed under regulations made under subsection (1)(a) or (b)—
 - (a) may use the information only for the purposes mentioned in subsection (1)(a) or (b), as the case may be;
 - (b) may not further disclose the information except in accordance with those regulations.”
- (8) In section 82(5) (interpretation)—
 - (a) for “69” substitute “69A”;
 - (b) after “household premises” insert “small and medium-sized enterprise premises”.
- (9) In section 84(6) (regulations and orders), after paragraph (e) insert—

“(ea) regulations under section 69A (disclosure of business rates information),”.

Member's explanatory statement

This new clause would require the Government to extend the FloodRe scheme to premises built since 2009 that have property flood resilience measures that meet minimum standards and buildings insurance for small and medium-sized enterprise premises.

Emma Hardy

NC7

To move the following Clause—

“FloodRe Build Back Better scheme participation

- (1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies to participate in the FloodRe Build Back Better scheme to reimburse flood victims for costs of domestic flood resilience and prevention measures.
- (2) In making those rules the Financial Conduct Authority must have regard to its operation objectives to—
 - (a) protect consumers, and
 - (b) promote competition.”

Member's explanatory statement

This new clause would require the Financial Conduct Authority to make rules requiring insurance companies to participate in the currently voluntary Build Back Better scheme, which was launched by FloodRe in April 2022.

Mrs Emma Lewell-Buck

NC8

Sarah Champion
Mick Whitley
Simon Hoare
Tim Farron

To move the following Clause—

“Industrial support reporting

- (1) The Secretary of State must prepare annual reports on—
 - (a) the rates of the matters in subsection (2), and
 - (b) the extent to which the fiscal and regulatory framework supports growth in those matters in areas with rates of poverty, unemployment or economic inactivity above the national average.
- (2) The matters are—
 - (a) new factory openings,
 - (b) investment in new factory equipment,
 - (c) the introduction of tailored skills-acquisition programmes, and
 - (d) the creation of manufacturing jobs.
- (3) The first such report must be laid before Parliament before the end of 2022.
- (4) A further such report must be laid before Parliament in each subsequent calendar year.”

Dr Ben Spencer

NC9

Greg Smith

To move the following Clause—

“Declaration of previous breaches on planning applications

- (1) The Secretary of State may by regulations require planning applicants to declare previous breaches of planning control to local planning authorities in England a manner that may be prescribed.
- (2) The regulations may include provision—
 - (a) creating offences punishable with a fine in respect of failures to comply with the regulations;
 - (b) about such offences.
- (3) In this section, “breach of planning control” has the same meaning as in section 171A of the Town and Country Planning Act 1990.
- (4) The Secretary of State may not make regulations under this section unless a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, each House of Parliament.”

Member's explanatory statement

This new clause would enable the Government to make regulations requiring planning applicants to declare previous breaches of planning control to local planning authorities.

Dr Ben Spencer

NC10

Greg Smith

To move the following Clause—

“Application to High Court for injunction: major or repeat breaches of planning control

- (1) A local planning authority in England may apply to the High Court for an injunction relating to a breach of planning control which is subject to enforcement proceedings, or appeal, or is otherwise unresolved.
- (2) An injunction under this section may make requirements of a person or company that is—
 - (a) in breach of planning control,
 - (b) associated with the person or company that is in breach of planning control, or
 - (c) operating from the site to which the breach of planning control relates.
- (3) An injunction under this section may—
 - (a) restrict a person or company from making further applications to a local planning authority relating to any site;

- (b) restrict the use of a site subject to a planning application or to which a breach of planning control relates;
 - (c) require a person or company to return a site to its state before a breach of planning control occurred;
 - (d) make further provision as the Court sees fit to prevent major or repeat breaches of planning control.
- (4) The Secretary of State may by regulations define a “major breach” and “repeat breach” of planning control for the purposes of this section.
- (5) In this section, “breach of planning control” has the same meaning as in section 171A of the Town and Country Planning Act 1990.
- (6) The Secretary of State may issue guidance to local planning authorities in connection with their functions under this section.
- (7) A local planning authority must have regard to guidance issued under this section.”

Member's explanatory statement

This new clause would allow local authorities to apply to the High Court for an injunction against a person or company associated with an unresolved breach of planning control.

Dr Ben Spencer

NC11

Greg Smith

To move the following Clause—

“Review of planning offences

- (1) The Secretary of State must undertake a review of—
 - (a) the adequacy of measures in this Act in reducing major or repeat breaches of planning control, and
 - (b) whether new criminal offences, or increased penalties for existing offences, are required to satisfactorily achieve that objective.
- (2) A report of the review must be laid before Parliament before the end of the period of one year beginning on the day that this Act is passed.”

Member's explanatory statement

The new clause would require the Government to report on a review of whether further new criminal offences or increased penalties are required to reduce major or repeat breaches of planning control.

Greg Smith

NC12

Sir Roger Gale

To move the following Clause—

“Duty to have regard to impacts on UK agriculture, agricultural land and domestic food production

- (1) A relevant authority must, when making policy, have regard to any potential impacts of that policy on the resilience of UK agriculture, agricultural land and domestic food production, and seeking to minimise any adverse such impacts so far as is reasonably practicable.
- (2) In this section, a “relevant authority” means—
 - (a) a Minister of the Crown;
 - (b) a relevant planning authority (under the meaning in section 81).
- (3) In order to comply with the duty under this section, the relevant authority must have regard to—
 - (a) any impacts the proposal may have on agricultural production in the UK;
 - (b) any impacts the proposal may have on the area of land available for agricultural production in the UK, including in particular the area of grade 1 and 2 land available for production;
 - (c) any impacts on the genetic diversity of domestic livestock populations;
 - (d) the impact on farming in areas of natural constraints including land above the moorland line;
 - (e) the ability of agricultural producers in the UK to operate competitive businesses;
 - (f) any impacts on food security; and
 - (g) any other factor which appears relevant to the relevant authority.
- (4) Nothing in subsection (1) requires a relevant authority to do anything (or refrain from doing anything) if doing it (or refraining from doing it) would be in any other way disproportionate to the impact on UK agriculture, agricultural land and domestic food production.
- (5) This section does not apply to policy so far as relating to—
 - (a) the armed forces, defence or national security, or
 - (b) taxation, spending or the allocation of resources within government;
 - (c) Wales;
 - (d) Scotland; or
 - (e) Northern Ireland.”

Member's explanatory statement

This new clause requires Ministers of the Crown and planning authorities (with a broad definition) to take account of the impact their policies are likely to have on the resilience of the agricultural sector, agricultural land and domestic food production.

To move the following Clause—

“Statements about Bills which may impact on UK agriculture, agricultural land or domestic food production

- (1) This section applies where a Minister of the Crown in charge of a Bill in either House of Parliament is of the view that the Bill as introduced into that House contains provision which, if enacted, could have an impact on UK agriculture, agricultural land or domestic food production.
- (2) The Minister must, before Second Reading of the Bill in the House in question, make a statement under subsection (3) or (4).
- (3) A statement under this subsection is a statement to the effect that in the Minister’s view the Bill will not have an adverse impact on UK agriculture, agricultural land or domestic food production.
- (4) A statement under this subsection is a statement to the effect that—
 - (a) the Minister is unable to make a statement under subsection (3), but
 - (b) Her Majesty’s Government nevertheless wishes the House to proceed with the Bill.
- (5) A statement under this section must be in writing and be published in such manner as the Minister considers appropriate.”

Member's explanatory statement

This new clause requires a Minister of the Crown to make a statement when a Bill is introduced which is likely to have an impact on UK agriculture, agricultural land or domestic food production.

Theresa Villiers

NC14

Bob Seely
Greg Smith
Gordon Henderson
Angela Richardson

To move the following Clause—

“Prohibition of mandatory targets and abolition of five-year land supply rule

- (1) Any housebuilding target for local planning authorities in—
 - (a) the National Planning Policy Framework (NPPF),
 - (b) regulations made under any enactment, or
 - (c) any planning policy documentmay only be advisory and not mandatory.
- (2) Accordingly, such targets should not be taken into account in determining planning applications.

- (3) The NPPF must not impose an obligation on local planning authorities to ensure that sufficient housing development sites are available over five years or any other given period.”

Member's explanatory statement

This new clause requires a revised NPPF within six months to provide that housing targets are advisory not mandatory and that the five-year housing land supply rule will no longer apply.

Theresa Villiers

NC15

Bob Seely
Greg Smith
Gordon Henderson
Angela Richardson

To move the following Clause—

“Requirements of the National Planning Policy Framework

- (1) The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsections (2) to (6).
- (2) The NPPF must not contain a presumption in favour of sustainable development including where there are no relevant development plan policies, or such policies are out-of-date.
- (3) The NPPF must provide for the right for persons to object to individual planning applications.
- (4) The NPPF must provide that the Planning Inspectorate may only recommend that local plans not be adopted if—
 - (a) the consequences of that local plan would be detrimental to the objectives of such plans, and
 - (b) that local plan is markedly and verifiably atypical in comparison to other such plans.
- (5) The NPPF must permit local planning authorities to impose bans on greenfield development in their areas, other than in exceptional circumstances, where—
 - (a) greenfield areas make a marked contribution to the local economy through leisure or tourism, and
 - (b) where sufficient brownfield land is likely to be available to meet housing needs identified in neighbourhood and local plans.
- (6) The NPPF must include specific measures designed to support the creation of additional retirement homes, sheltered accommodation for the elderly and facilities for care homes.
- (7) This section comes into force at the end of the period of six months beginning on the day on which this Act is passed.”

Member's explanatory statement

This new clause requires a revised NPPF within six months to provide that, among other things, there should be no presumption of sustainable development.

Theresa Villiers

NC16

Bob Seely
Greg Smith

To move the following Clause—

“Character test: determination of applications

- (1) Section 70 of the Town and Country Planning Act 1990 (determination of applications: general considerations) is amended as follows.
- (2) After subsection (2)(b) insert—

“(ba) the applicant’s character as developer, including their previous compliance with planning rules and conditions, their record of engagement with planning authorities and delivery of developments, and accounting for whether they have made multiple, repetitive applications, and”.

Member's explanatory statement

This new clause would amend section 70 of the Town and Country Planning Act 1990 to require the local planning authority to have regard to an applicant’s character and prior record of engagement and delivery in dealing with an application for planning permission.

Theresa Villiers

NC17

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Community right of appeal

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) After section 78 (right to appeal against planning decisions and failure to take such decisions) insert—

“78ZA Community right of appeal

- (1) The Secretary of State must by regulations make provision—
 - (a) enabling communities to appeal against a decision to grant planning permission or permission in principle for a development, and
 - (b) about such appeals.
- (2) The regulations may require a certain number or proportion of residents of a local area to record objection against a decision for such an appeal to proceed.

- (3) The regulations may, in particular, make provision the upholding of such appeals and the revocation of permission if—
 - (a) the development is inconsistent with a relevant neighbourhood plan, or
 - (b) due process has not been followed in relation to the planning application.
- (4) The first regulations under this section must be laid before Parliament before the end of the period of six months beginning on the day on which this section comes into force."

Member's explanatory statement

This new clause would introduce a community right of appeal against the granting of planning permission.

Theresa Villiers

NC18

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

"Start of development for planning purposes

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) In section 56(4) (time when development begun) leave out paragraphs (aa) to (c)
- (3) In section 92(2)(b) (outline planning permission) for "two years" substitute "one year".

Member's explanatory statement

This new clause would amend the Town and Country Planning Act 1990 to remove provisions which define demolition, trench digging or laying underground pipes or foundations as the start of development, and to change the statutory limit for starting development after outline planning permission from two years to one.

Theresa Villiers

NC19

Bob Seely

To move the following Clause—

"Planning permission required for change of use to second home or tourist rental

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

- (2) In section 55 (meaning of “development” and “new development”), after subsection (3)(a) insert—

“(aa) the use as a second home or tourist rental market property of any building previously used as a primary residence involves a material change in the use of the building;”

Member's explanatory statement

This new clause would mean planning permission would be required to convert a primary residence to a second home or holiday let.

Theresa Villiers

NC20

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Revocation and modification of planning permission for unbuilt development by Secretary of State

- (1) Section 100 of the Town and Country Planning Act 1990 (revocation and modification of planning permission or permission in principle by the Secretary of State) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) In this section, “expedient” includes circumstances in which—
- (a) a development for which planning permission has been granted is unbuilt and appears likely to remain unbuilt, and
 - (b) in the opinion of the Secretary of State it is in the public interest to revoke or modify that planning permission.”

Member's explanatory statement

This new clause is intended to clarify the powers of the Secretary of State to intervene where planning permissions remain unbuilt.

Theresa Villiers

NC21

Bob Seely
Greg Smith
Gordon Henderson
Angela Richardson

To move the following Clause—

“Council tax to be payable on undeveloped sites for which planning permission granted

- (1) The Local Government Finance Act 1992 is amended in accordance with subsections (2) and (3).

- (2) In section 3 (meaning of “dwelling” for Council Tax purposes), after subsection (3) insert—
 - “(3A) A hereditament which—
 - (a) is all or part of a new or proposed new building the terms of planning permission for which required the building to already be completed, and
 - (b) which otherwise would be a dwelling for the purposes of this Part is a dwelling for the purposes of this Part.”
- (3) In section (4) (dwellings chargeable to council tax), at the end insert—

“(5) But a dwelling under section 3(3A) may not be an exempt dwelling.”
- (4) Schedule 4A of the Local Government Finance Act 1988 (non-domestic rating: new building (completion days)) is amended in accordance with subsections (5) to (7).
- (5) In paragraph 1(1), after “months” insert—

“or the terms of planning permission require the building to be completed within three months,”
- (6) At the end of paragraph 2(2) insert—

“or, if it is sooner, the day on which the terms of planning permission required the building to be completed.”
- (7) After paragraph 4(1) insert—

“(1A) But a person may not appeal under sub-paragraph (1) if the terms of planning permission required the building to be completed on or before the completion day.””

Member's explanatory statement

This new clause would make uncompleted dwellings subject to Council Tax from the day that planning permission required them to be completed.

Theresa Villiers

NC22

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Abolition of planning enforcement time limits in protected landscapes

- (1) Section 171B of the Town and Country Planning Act 1990 (enforcement time limits) is amended as follows.
- (2) At the end of the section insert—
 - “(5) But there is no restriction on when enforcement action may be taken in relation to a breach of planning control in—
 - (a) an Area of Outstanding Natural Beauty,

- (b) a National Park,
- (c) a Site of Special Scientific Interest, or
- (d) any other protected landscape as may be prescribed by the Secretary of State in regulations.””

Member's explanatory statement

This new clause would abolish the time limits for planning control enforcement action (principally four years from the breach) in protected landscapes.

Theresa Villiers

NC23

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Report on measures to incentivise brownfield development over greenfield development

- (1) The Secretary of State must, within 60 days of the day on which this Act is passed, establish a review of the merits of measures to financially incentivise brownfield development over greenfield development.
- (2) The review must, in particular, consider the impact of—
 - (a) introducing a greenfield plot tax to provide dedicated funding streams for brownfield development,
 - (b) setting a uniform zero-rating of VAT for development on brownfield sites,
 - (c) applying standard VAT to development on greenfield sites,
 - (d) applying variable measures to ensure that increases in land values attributable to the granting of planning permission for development are used in support of communities local to those developments, and
 - (e) allowing a high degree of variation in the Infrastructure Levy to enable communities to value the loss of greenfield land depending on local circumstances.
- (3) The Secretary of State must lay a report on the findings of this review before Parliament no later than one year after this Act comes into force.”

Member's explanatory statement

This new clause would require the Secretary of State to review the merits of measures that would financially incentivise brownfield development over greenfield development and to report the findings to Parliament.

Theresa Villiers

NC24

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Report on measures to improve the efficiency of the housing market

- (1) The Secretary of State must, within 60 days of the day on which this Act is passed, establish a review of the merits of measures to improve the efficiency of the housing market.
- (2) The review must, in particular, consider the impact of—
 - (a) a stamp duty exemption to encourage elderly homeowners to downsize,
 - (b) an additional stamp duty surcharge on purchases by person not resident in the UK,
 - (c) a stamp duty surcharge on second home purchases,
 - (d) a reduction in the highest rates of stamp duty, and
 - (e) measures to promote an active market in long-term fixed rate mortgages to encourage lending to first time buyers.
- (3) The Secretary of State must lay a report on the findings of this review before Parliament no later than one year after this Act comes into force.”

Member's explanatory statement

This new clause would require the Secretary of State to review the merits of measures to improve the efficiency of the housing market and to report the findings to Parliament.

Theresa Villiers

NC25

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Report on promoting development in already developed areas

- (1) The Secretary of State must prepare a report on possible measures to promote development in areas that are already developed.
- (2) The report must consider measures to promote—
 - (a) the purchasing by housing associations of properties that—
 - (i) have been unoccupied for an extended period (with reference to the vacancy condition in section 152), or
 - (ii) are currently unfit for human habitation (with reference to requirements of the Homes (Fitness for Human Habitation) Act 2018;
 - (b) novel means of providing increased affordable housing that is sustainable and accords with surrounding areas.
- (3) The report must be laid before Parliament before the end of the period of six months beginning on the day on which this Act is passed.”

Theresa Villiers

NC26

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Review of compulsory purchase powers

- (1) The Secretary of State must undertake a review of whether the powers of compulsory purchase available to—
 - (a) local authorities , and
 - (b) the Secretary of Stateare adequate to meet the objectives of this Act.
- (2) In undertaking the review the Secretary of State must, in particular, consider—
 - (a) whether existing statutory time limits for compulsory purchase action are appropriate,
 - (b) other means of accelerating compulsory purchase action with particular reference to properties to which subsection (3) applies, and
 - (c) the adequacy of compulsory purchase powers in relation to properties to which subsection (3) applies.
- (3) This subsection applies to—
 - (a) properties that have been unoccupied for a prolonged period (with reference to the vacancy condition in section 152), and
 - (b) buildings of local public importance such as hotels and high street properties.”

Member's explanatory statement

This new clause would require the Government to review powers of compulsory purchase and whether they are adequate to meet its levelling-up and regeneration objectives.

Theresa Villiers

NC27

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Deliberate damage to trees linked to development

- (1) Section 210 of the Town and Country Planning Act 1990 (penalties for non-compliance with tree preservation order) is amended as follows.
- (2) After subsection (4) insert—
 - “(4AA) Subsection (4AB) applies if—
 - (a) the court is considering for the purposes of sentencing the seriousness of an offence under this section, and

- (b) the offence was committed for purposes connected to planning or development.
- (4AB) The court—
 - (a) must treat the fact mentioned in subsection (1)(b) as an aggravating factor (that is to say, a factor that increases the seriousness of the offence), and
 - (b) must state in open court that the offence is so aggravated.””

Member's explanatory statement

This new clause would make damage to trees or woodland in contravention of a tree preservation order an aggravated offence if it was committed for purposes connected to development or planning.

Theresa Villiers

NC28

Bob Seely
 Greg Smith
 Matthew Pennycook
 Gordon Henderson

To move the following Clause—

“Local planning authorities to be allowed to meet virtually

- (1) This section applies to any meeting of a planning committee of a local authority in England.
- (2) A reference in any enactment to a meeting local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
- (3) For the purposes of any such enactment, a member of a local authority (a “member in remote attendance”) attends the meeting at any time if all of the conditions in subsection (4) are satisfied.
- (4) Those conditions are that the member in remote attendance is able at that time—
 - (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
 - (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
 - (c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (5) In this section any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.
- (6) The provision made in this section applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the authority governing the meeting and any such prohibition or restriction has no effect.

- (7) A local authority may make other standing orders and any other rules of the authority governing the meeting about remote attendance at meetings of that authority, which may include provision for—
- (a) voting;
 - (b) member and public access to documents; and
 - (c) remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.
- (8) In this section, “planning committee” means any committee or sub-committee to which a local authority has arranged for the discharge of planning functions under section 101 of the Local Government Act 1972.”

Member's explanatory statement

This new clause would enable planning committees to meet virtually. It is based on the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, made under s78 of the Coronavirus Act 2020.

Theresa Villiers

NC29

Bob Seely
Greg Smith
Gordon Henderson

To move the following Clause—

“Local authorities to be able to raise planning fees to cover costs including planners

- (1) Section 303 of the Town and Country Planning Act 1990 (fees for planning applications etc.) is amended as follows.
- (2) After subsection (5) insert—
- “(5A) Regulations made by the Secretary of State under this section may provide for local planning authorities to vary fees or charges under this section payable to the local planning authority to cover the reasonable costs of their exercise of planning functions.
- (5B) In subsection (5A), “reasonable costs” includes the employment of qualified planners.””

Member's explanatory statement

This new clause would enable the Government to allow local planning authorities to vary planning fees and charges to cover their costs relating to planning, which could include the employment of qualified planners.

Theresa Villiers

NC30

Bob Seely
Greg Smith

To move the following Clause—

“Housing powers of the Mayor of London

- (1) Article 7 of the Town and Country Planning (Mayor of London) Order 2008 (direction that the Mayor is to be the local planning authority) is hereby revoked.
- (2) Section 333D of the Great London Authority Act 1999 (duties of the Authority and local authorities) is amended as follows.
- (3) At the end of subsection (2) (general conformity with the London housing strategy), insert—

“, but any housebuilding target in the London housing strategy is advisory not mandatory and should not be taken into account in determining planning applications.””

Member's explanatory statement

This new clause would remove the Mayor of London's power to direct a London borough that the Mayor will be the local planning authority for a development, and clarify that any housebuilding target in the Mayor's housing strategy is advisory only.

Anne Marie Morris

NC31

To move the following Clause—

“Planning permission required for change of use to tourist rental

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) In section 55 (meaning of “development” and “new development”), after subsection (3)(a) insert—

“(aa) the use as a tourist rental market property of any building previously used as a primary residence involves a material change in the use of the building;”.”

Member's explanatory statement

This new clause would mean planning permission would be required to convert a primary residence to a holiday let.

Matthew Pennycook

NC32

Alex Norris
Colleen Fletcher

To move the following Clause—

“Duty to provide sufficient resources to local planning authorities for new burdens: planning data

- (1) The Secretary of State must provide commensurate additional financial resources to local planning authorities to enable them to implement the provisions in Chapter 1 of Part 3.
- (2) Where local planning authorities have made investments in planning data software that is incompatible with the changes in that Chapter, the Secretary of State must provide compensation for this additional cost.”

Member's explanatory statement

This new clause, along with Amendment 67, would require the Secretary of State to provide sufficient additional resources to local planning authorities to enable them to implement the changes required by Chapter 1 of Part 3.

Anne Marie Morris

NC33

☆ To move the following Clause—

“Registration of tourist rental properties

- (1) Section 17 of the Development of Tourism Act 1969 (registration of tourist accommodation) is amended as follows.
- (2) After subsection (1) (registration of hotels, etc.) insert—

“(1A) Her Majesty must by Order in Council make provision for the registration by the Tourist Boards in England of tourist rental properties at which sleeping accommodation is provided by way of trade or business.””

Member's explanatory statement

This new clause would establish a registration system for tourist rental properties.

Rachael Maskell

NC34

☆ To move the following Clause—

“Local government capital investments: economic appraisal

- (1) This section applies to local government capital investments of a value of £2 million or more.
- (2) Before making an investment to which this section applies, a local authority must—
 - (a) commission an economic appraisal of the investment, and
 - (b) publish the findings of that appraisal.”

Member's explanatory statement

This new clause would require local authorities to commission, and publish the findings of any capital investment of the value of £2 million or more.

Order of the House

[8 June 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 Tuesday 20 September 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]

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 and 2.00 pm 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 9.25 am and 2.00 pm on Tuesday 13 September;
 - (m) at 11.30 am and 2.00 pm on Thursday 15 September;
 - (n) at 9.25 am and 2.00 pm on Tuesday 20 September;
- (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

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| 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 |
| 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 Tuesday 20 September.

Withdrawn Amendments

The following amendments were withdrawn on 30 June 2022: 44