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Committee Stage: Tuesday 18 October 2022

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## Levelling-up and Regeneration Bill (Committee Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at committee stage.

A glossary with key terms can be found at the end of this document.

First to Twenty-fifth Sittings

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### *First and Second Sittings*

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Stuart Andrew

Agreed to

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; Ben Still, Managing Director, 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
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.

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**Stuart Andrew**

**Agreed to**

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

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**Stuart Andrew**

**Agreed to**

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

**The following Witnesses gave oral evidence:**

**Professor Dame Ottoline Leyser**, Chief Executive, UK Research and Innovation,

**Tracy Brabin**, Mayor of West Yorkshire,

**Ben Still**, Managing Director, West Yorkshire Combined Authority,

**Mairi Spowage**, Director, The Fraser of Allender Institute,

**Eamonn Boylan**, Chief Executive, Greater Manchester Combined Authority,

**Laura Shoaf**, Chief Executive, West Midlands Combined Authority,

**Joanne Roney OBE**, President, SOLACE,

**Professor Graeme Atherton**, Head of the Centre for Inequality and Levelling Up, University of West London,

**Rich Bell**, Campaign Manager, We're Right Here,

**Sacha Bedding**, Campaign Community Leader, We're Right Here,

**Dr Parth Patel**, IPPR,

**CLlr James Jamieson**, Chair, Local Government Association,

**CLlr Tim Oliver**, Chair, County Councils Network,

**CLlr Sam Chapman-Allen**, Chair, District Councils' Network,

*Third and Fourth Sittings*

**The following Witnesses gave oral evidence:**

**Andy Street CBE**, Mayor of the West Midlands,

**Nicholas Boys Smith**, Founding Director, Create Streets,

**Lizzie Glithero-West**, Chief Executive, Heritage Alliance,

**Adrian Dobson**, Executive Director of Professional Services, Royal Institute of British Architects,

**Dr Richard Benwell**, Chief Executive, Wildlife and Countryside Link,

**Carolyn McKenzie**, Chair of the Energy & Clean Growth Working Group, ADEPT,

**Paul Miner**, Head of Policy and Planning, CPRE,

**Hugh Ellis**, Policy Director, Town and Country Planning Association,

**Gavin Smart**, Chief Executive Officer, Chartered Institute of Housing,

**Kate Henderson**, Chief Executive, National Housing Federation,

*Fifth and Sixth Sittings*

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**Alex Norris**

Matthew Pennycook  
Colleen Fletcher

**Withdrawn after debate 3**

Clause 1, page 1, line 14, at end insert—

“(c) the independent body that Her Majesty’s Government proposes to use to evaluate progress in delivering those levelling-up missions (“the independent evaluating body”).”

**Member's explanatory statement**

This amendment would require the Government to commission an independent body to scrutinise their progress against levelling-up missions.

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**Alex Norris**

**Withdrawn after debate 13**

Matthew Pennycook  
Colleen Fletcher

Clause 1, page 1, line 14, at end insert—

“(c) the resources made available by Her Majesty’s Government to nations, regions, sub-regions and local areas in order to level-up.”

**Member's explanatory statement**

This amendment would place a responsibility on the Government to publish the resources made available to communities in order to level-up

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**Mrs Emma Lewell-Buck**

**Withdrawn after debate 29**

Clause 1, page 1, line 14, at end insert—

“(c) details of how Her Majesty’s Government will ensure that the levelling-up missions are aligned with the United Nations Sustainable Development Goal to end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round.”

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**Alex Norris**

**Negated on division 14**

Matthew Pennycook  
Colleen Fletcher  
Mrs Emma Lewell-Buck

Clause 1, page 1, line 14, at end insert—

“(2A) The first statement of levelling-up missions must include—

- (a) a requirement to improve pay, employment and productivity of every UK region by 2030, with the gap between the top performing and other areas closing,
- (b) a requirement to increase domestic public investment in Research and Development outside the Greater South East by at least 40% by 2030 and at least one-third over the Spending Review period,

- (c) a requirement by 2030 to improve local public transport connectivity across the UK with improved services, simpler fares and integrated ticketing,
- (d) a requirement by 2030 for there to be nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population,
- (e) a requirement by 2030 the number of primary school children achieving the expected standard in reading, writing and maths to have significantly increased so that in England 90% of children will achieve the expected standard, and the percentage of children meeting the expected standard in the worst performing areas will have increased by over a third,
- (f) a requirement that by 2030 the number of people successfully completing high-quality skills training will have significantly increased in every area of the UK,
- (g) a requirement that by 2030 the gap in Healthy Life Expectancy (HLE) between local areas where it is highest and lowest will have narrowed, and by 2035 HLE will rise by 5 years,
- (h) a requirement that by 2030, well-being will have improved in every area of the UK, with the gap between top performing and other areas closing,
- (i) a requirement that by 2030 people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing,
- (j) a requirement that by 2030, renters will have a secure path to ownership with the number of first-time buyers increasing in all areas; and for the number of non-decent rented homes to have fallen by 50%, with the biggest improvements in the lowest performing areas,
- (k) a requirement that by 2030 homicide, serious violence, and neighbourhood crime will have fallen, focused on the worst-affected areas,
- (l) a requirement that by 2030, every part of England that requests one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement, and
- (m) a requirement to build Northern Powerhouse Rail, a high-speed rail line, between Leeds and Manchester."

**Member's explanatory statement**

This amendment would require the statement of levelling-up missions to include the levelling-up missions detailed in the Levelling Up White Paper.

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**Mrs Emma Lewell-Buck**

**Not called 30**

Clause 1, page 2, line 3, at end insert—

“(3A) The mission progress methodology and metrics must include the following indicators—

- (a) prevalence of undernourishment in the population, and
- (b) prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale (FIES)."

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**Alex Norris**

**Withdrawn after debate 4**

Matthew Pennycook  
Colleen Fletcher

Clause 1, page 2, line 6, at end insert—

"(4A) A statement of levelling-up missions must be accompanied by an action plan which sets out details of how Her Majesty's Government intends to deliver these missions by the target date."

**Member's explanatory statement**

This amendment would require the Government to publish an action plan alongside a statement of levelling-up missions which sets out how they will deliver the missions.

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**Clause agreed to.**

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**Alex Norris**

**Not called 5**

Matthew Pennycook  
Colleen Fletcher

Clause 2, page 2, line 37, at end insert—

"(aa) include the independent evaluating body's assessment of the progress that has been made, in that period, by Her Majesty's Government to deliver each of the levelling-up missions."

**Member's explanatory statement**

This amendment would require annual reports on the delivery of levelling-up missions to include the evaluation that the independent evaluating body has made of the Government's progress in delivering each of the missions.

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**Alex Norris**

**Withdrawn after debate 6**

Matthew Pennycook  
Colleen Fletcher

Clause 2, page 3, leave out subsections (4) and (5)

**Member's explanatory statement**

This amendment would remove the provision allowing the Secretary of State to discontinue a levelling-up mission.

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**Clause agreed to.**

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**Alex Norris****Withdrawn after debate 7**Matthew Pennycook  
Colleen Fletcher

Clause 3, page 3, line 28, leave out "120" and insert "30"

**Member's explanatory statement**

This amendment would reduce the period of time by which a report under section 2 must be laid before each House of Parliament to 30 days.

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**Alex Norris****Not called 8**Matthew Pennycook  
Colleen Fletcher

Clause 3, page 3, line 32, leave out "120" and insert "30"

**Member's explanatory statement**

See explanatory statement to Amendment 7.

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**Clause agreed to.**

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**Alex Norris****Not selected 9**Matthew Pennycook  
Colleen Fletcher

Page 4, line 2, leave out Clause 4

**Member's explanatory statement**

This amendment would remove the provision allowing a Minister to make changes to mission progress methodology and metrics or target dates.

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**Clause agreed to on division.**

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**Alex Norris****Not called 10**Matthew Pennycook  
Colleen Fletcher



Clause 5, page 5, line 18 at end insert—

“(ca) state whether the independent evaluating body considers that pursuing the levelling-up missions in that statement is effectively contributing to the reduction of geographical disparities in the United Kingdom,”

**Member's explanatory statement**

This amendment would require the report on a review of statements of levelling-up missions to include the assessment of the independent evaluating body.

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**Alex Norris**

**Not called 12**

Matthew Pennycook  
Colleen Fletcher

Clause 5, page 5, line 31, at end insert—

“(iii) so that it includes the guidance from the independent evaluating body on this decision”

**Member's explanatory statement**

This amendment would require the Government to publish the guidance from the independent evaluating body on this decision.

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**Alex Norris**

**Withdrawn after debate 11**

Matthew Pennycook  
Colleen Fletcher

Clause 5, page 6, line 5, leave out from “which” to end of subsection (11) and insert—

“both conditions in subsection (12) have been met.

(12) The conditions are that—

- (a) the House of Commons, and
- (b) the House of Lords

has passed a Motion of the form in subsection (13).

(13) The form of the Motion is—

That this House approves the revisions to the statement of levelling-up missions made under section 5 of the Levelling-up and Regeneration Act 2022 and laid before Parliament on [date].”

**Member's explanatory statement**

This amendment would require both Houses of Parliament to approve revisions to the statement of levelling-up missions to be approved by both Houses of Parliament before they have effect.

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**Clause agreed to.**

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**Clause 6 agreed to.**

*Seventh and Eighth Sittings*

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**Alex Norris**

**Withdrawn after debate 46**

Matthew Pennycook  
Colleen Fletcher

Clause 7, page 7, line 5, at end insert—

“(3A) Condition C is that the public in the area have been consulted.”

**Member's explanatory statement**

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

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**Alex Norris**

**Withdrawn after debate 15**

Matthew Pennycook  
Colleen Fletcher

Clause 7, page 7, line 7, at end insert—

“(4A) “The Secretary of State must commission an independent evaluation of the merits of establishing CCAs as distinct from combined authorities and must lay the report of the evaluation before Parliament within 12 months of this Act coming into force.”

**Member's explanatory statement**

This amendment would require the Secretary of State to conduct an independent evaluation on the merits of the new Combined County Authorities established in Clause 7 and to report the findings to Parliament.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 16**

Matthew Pennycook  
Colleen Fletcher

Clause 8, page 7, line 24, after “about the” insert “initial”

**Member's explanatory statement**

This amendment, together with Amendment 17 would give the power to vary the constitutional arrangements of a CCA to the CCA alongside any elected Mayor.

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**Alex Norris**

**Not called 17**

Matthew Pennycook  
Colleen Fletcher

Clause 8, page 7, line 25, at end insert—

“(1A) After regulations containing those initial arrangements have been made, the responsibility for varying the constitution lies with the CCA in conjunction with any elected Mayor.”

**Member's explanatory statement**

See explanatory statement for Amendment 16.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 18**

Matthew Pennycook  
Colleen Fletcher

Clause 9, page 9, line 30, at end insert—

“(7) “The Secretary of State must publish an annual report on the non-constituent members appointed to each CCA. This report must include:

- (a) the age of all non-constituent members,
- (b) the gender of all non-constituent members, and
- (c) the ethnicity of all non-constituent members.”

**Member's explanatory statement**

This amendment would require the Secretary of State to make the age, gender and ethnicity of non-constituent members of CCAs publicly available.

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**Clause agreed to.**

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**Alex Norris**

**Negatived on division 19**

Matthew Pennycook  
Colleen Fletcher

Clause 10, page 10, line 3, at end insert—

“(5) “The Secretary of State must publish an annual report on the associate members appointed to each CCA. This report must include:

- (a) the age of all associate members,
- (b) the gender of all associate members, and

(c) the ethnicity of all associate members.”

**Member's explanatory statement**

This amendment would require the Secretary of State to make the age, gender and ethnicity of associate members of CCAs publicly available.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 20**

Matthew Pennycook  
Colleen Fletcher

Clause 11, page 10, line 37, at end insert—

“(2A) Where provisions made under subsection (2) vary between CCAs, the Secretary of State must publish the reasons for this variation.”

**Member's explanatory statement**

This amendment would require the Secretary of State to explain their reasoning for making regulations about CCA membership that differs between CCAs.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 21**

Matthew Pennycook  
Colleen Fletcher

Clause 12, page 11, line 28, at end insert—

“(8) If an appropriate person carries out a review under subsection (2), they must make the report of its findings publicly available.”

**Member's explanatory statement**

This amendment would ensure that the findings of any review of a CCA is made available publicly.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 47**

Matthew Pennycook  
Colleen Fletcher

Clause 13, page 11, line 31, at end insert—

“(1A) The CCA must prepare a CCA-wide Equality Impact Assessment and must be produced to inform the work of any such committee.”

**Member's explanatory statement**

This amendment would oblige the CCA to produce an Equality impact Assessment to inform scrutiny work.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 22**

Matthew Pennycook  
Colleen Fletcher

Schedule 1, page 198, line 18, at end insert—

“(2A) The arrangements must ensure that the Chairs of the overview and scrutiny committees of the District Councils contained within the CCA’s boundaries are members of the CCA’s overview and scrutiny committee.”

**Member's explanatory statement**

This amendment would require that the Chairs of overview and scrutiny committees of the District Councils within the CCA are represented on the CCA’s overview and scrutiny committee.

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**Schedule agreed to.**

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**Clause 14 agreed to.**

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**Alex Norris**

**Withdrawn after debate 23**

Matthew Pennycook  
Colleen Fletcher

Clause 15, page 12, line 14, leave out “not less than two-thirds” and insert “a simple majority”

**Member's explanatory statement**

This amendment would remove the need for a super-majority to change the name of a CCA.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 24**

Matthew Pennycook  
Colleen Fletcher

Clause 16, page 13, line 10, at end insert—

“(aa) affected local district councils”

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**Alex Norris**

**Not selected 25**

Matthew Pennycook  
Colleen Fletcher

Page 12, line 24, leave out Clause 16

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**Clause agreed to.**

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**Clause 17 agreed to.**

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**Alex Norris**

**Negated on division 26**

Matthew Pennycook  
Colleen Fletcher

Clause 18, page 14, line 35, at end insert—

“(1A) But notwithstanding subsection (1)(b), if a CCA prepares and submits a proposal for conferred powers under section 17(1) and the Secretary of State has already made provision for another CCA to be granted identical powers, the Secretary of State must consent to that proposal.”

**Member's explanatory statement**

This amendment would require the Secretary of State to accept an application for conferred powers from a CCA where they have already accepted an identical application from another CCA.

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**Clause agreed to.**

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**Rachael Maskell**

**Withdrawn after debate 50**

Clause 19, page 15, line 37, at end insert—

“(2A) Regulations under subsection (1) must require that all CCAs impacted by a transfer of functions under this section collaborate on all routes that cross relevant CCA boundaries, including—

- (a) any changes to routes,
- (b) any changes to fares, and
- (c) the formation of new routes.”

**Member's explanatory statement**

This amendment would require Combined County Authorities with an Integrated Transport Authority to work collaboratively on fares and routes that cross CCA boundaries with other CCAs impacted.

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**Alex Norris****Withdrawn after debate 27**

Matthew Pennycook  
Colleen Fletcher

Clause 19, page 16, line 2, at end insert—

- “(3A) The Secretary of State must prepare and publish an annual report setting out—
- (a) any differences in integrated transport authority functions conferred on CCAs,
  - (b) the reasons for those differences, and
  - (c) the extent to which economic, social and environmental well-being factors were considered in coming to decisions to confer different powers.”

**Member's explanatory statement**

This amendment would require the Secretary of State to publish an annual report explaining any differences in integrated transport authority functions conferred on CCAs.

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**Clause agreed to.**

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**Alex Norris****Not called 28**

Matthew Pennycook  
Colleen Fletcher

Clause 20, page 17, line 17, at end insert—

- “(9A) The Secretary of State must publish an annual report setting out—
- (a) any differences in highway and traffic functions conferred on CCAs,
  - (b) the reasons for those differences, and
  - (c) the extent to which economic, social and environmental well-being factors were considered in coming to decisions to confer different powers.”

**Member's explanatory statement**

This amendment would require the Secretary of State to publish an annual report explaining any differences in highway and traffic functions conferred on CCAs.

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**Clause agreed to.**

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**Clause 21 agreed to.**

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**Alex Norris**

**Not called 48**

Matthew Pennycook  
Colleen Fletcher

Clause 22, page 18, line 33, at end insert—

“(c) the public have been consulted.”

**Member's explanatory statement**

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

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**Alex Norris**

**Withdrawn after debate 31**

Matthew Pennycook  
Colleen Fletcher

Clause 22, page 19, line 15, at end insert—

“(14) Where the Secretary of State makes provision under subsection (1)(b) to remove a local government area from a CCA, they must publish a statement setting out how that local government area that 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 removal from a CCA.

*Ninth and Tenth Sitings*

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**Clause 22 agreed to.**

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**Alex Norris**

**Not called 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.

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**Alex Norris****Not called 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.

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**Clause agreed to.**

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**Clause 24 agreed to.**

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**Schedule 2 agreed to.**

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**Alex Norris****Negatived on division 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.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 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.

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**Alex Norris**

**Withdrawn after debate 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.

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**Alex Norris**

**Withdrawn after debate 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.”

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**Clause agreed to.**

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**Rachael Maskell**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Clause 29 agreed to.**

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**Clause 30 agreed to.**

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**Alex Norris**

**Negated on division 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.

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**Alex Norris****Not called 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.

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**Schedule 3 agreed to.**

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**Clause 31 agreed to.**

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**Clauses 32 to 37 agreed to.**

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**Rachael Maskell****Negated on division 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.

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**Clause agreed to.**

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**Clause 39 agreed to.**

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**Clause 40 agreed to.**

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**Alex Norris****Not selected 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.

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**Clause agreed to.**

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**Rachael Maskell****Withdrawn after debate 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.

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**Clause agreed to.**

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**Rachael Maskell****Not called 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.

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**Alex Norris****Withdrawn after debate 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.”

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**Clause agreed to.**

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**Rachael Maskell**

**Not called 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.

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**Clause agreed to.**

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**Rachael Maskell**

**Not called 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.

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**Clause agreed to.**

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**Clause 46 agreed to.**

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**Clause 47 agreed to.**

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**Alex Norris**

**Withdrawn after debate 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.

---

**Clause agreed to.**

---

**Alex Norris**

**Not called 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.

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**Clause agreed to.**

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**Clause 50 agreed to.**

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**Clause 51 agreed to.**

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**Alex Norris**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Clause 53 agreed to.**

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**Schedule 4 agreed to.**

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**Clauses 54 to 71 agreed to.**

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**Alex Norris**

**Withdrawn after debate 61**

Matthew Pennycook  
Colleen Fletcher

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

- “(za) in section 1(b), leave out “the relevant maximum” and insert “300”;
- (zb) 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**

**Not called 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.

*Eleventh Sitting*

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**Miss Sarah Dines**

**Agreed to**

That, the Order of the Committee of 21 June 2022 be varied by the omission from paragraph 1(f) of the words “and 2.00 pm”.



*Twelfth and Thirteenth Sittings*

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**Clause 72 agreed to.**

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**Alex Norris**

**Not called 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**

**Withdrawn after debate 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**

**Not called 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**

**Not called 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**

**Not called 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**

**Withdrawn after debate 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**

**Withdrawn after debate 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**

**Not called 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.

---

**Clause agreed to.**

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**Rachael Maskell****Withdrawn after debate 85**

Clause 74, page 83, line 23, 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

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**Alex Norris****Withdrawn after debate 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****Not called 71**

Matthew Pennycook  
Colleen Fletcher

Clause 74, page 83, line 40, 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.

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**Alex Norris**

**Not called 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.

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**Clause agreed to.**

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**Schedule 5 agreed to.**

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**Tim Farron**

**Withdrawn after debate 118**

Clause 75, page 85, line 9, at end insert—

- “(1A) Regulations under this Chapter may require relevant planning authorities to process data in accordance with approved data standards relating to the number and nature of—
- (a) second homes, and
  - (b) holiday let properties
- in the planning authority area.”

**Member's explanatory statement**

This amendment would enable planning data regulations to provide for the collection of data to national standards about second homes and holiday lets.

---

**Matthew Pennycook**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Clause 76 agreed to.**

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**Matthew Pennycook**

**Withdrawn after debate 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**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Matthew Pennycook**

**Withdrawn after debate 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.

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**Clause agreed to.**

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**Clauses 79 to 81 agreed to.**

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**Rachael Maskell**

**Withdrawn after debate 117**

Clause 82, page 91, line 8, at end insert—

- “(3A) After subsection (4) insert—
- “(4A) A local planning authority must review and update the development plan no less regularly than once every five years.””

**Member's explanatory statement**

This amendment would require local authorities to review and update the development plan at least every five years.

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**Clause agreed to.**

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**Matthew Pennycook**

**Withdrawn after debate 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).

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**Theresa Villiers**

**Not called 57**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown

Anthony Mangnall                      John Redwood

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**

**Withdrawn after debate 98**

Alex Norris  
Colleen Fletcher

Clause 83, page 91, line 30, at end insert—

“, subject to subsection (5D).

(5D) But any conflict must be resolved in favour of the development plan in an area if—

- (a) if, in relation to it, regulations under section 16 of the Levelling-up and Regeneration Act 2023 have been made to provide for the town and country planning function and the highways function and any functions exercisable under the Environment Act 2021 of a county council or a district council that is exercisable in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA's area,
- (b) if, in relation to it, regulations under section 17 of the Levelling-up and Regeneration Act 2023 have been made to provide for at least one function of another public body that is exercisable in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA's area,

- (c) it has a joint spatial development strategy, or
- (d) it is in Greater London.”

**Member's explanatory statement**

This amendment would place limits on the primary of national development management policies over the development plan where a Combined County Authority had been handed planning, highways, environmental powers and at least one function of another public body under a devolution deal, in areas covered by a joint spatial development strategy and in Greater London.

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**Clause agreed to.**

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**Schedule 6 agreed to.**

*Fourteenth and Fifteenth sittings*

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**Matthew Pennycook**

**Withdrawn after debate 87**

Clause 84, page 92, line 9, leave out lines 9 to 16 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.”

### **38ZD 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.

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#### **Clause agreed to.**

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**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Withdrawn after debate 93**

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.

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**Matthew Pennycook**

**Not called 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.

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**Matthew Pennycook**

**Not called 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.

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**Matthew Pennycook**

**Not called 96**

Alex Norris  
Colleen Fletcher

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

“(2F) 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.

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**Matthew Pennycook**

**Not called 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.

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**Clause agreed to.**

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**Clauses 86 and 87 agreed to.**

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**Matthew Pennycook**

**Withdrawn after debate 112**

Alex Norris  
Colleen Fletcher

Schedule 7, page 224, line 14, after "authorities" insert "or county councils"

**Member's explanatory statement**

This amendment and Amendment 113 would enable county councils to prepare joint spatial development plans.

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**Matthew Pennycook**

**Not called 113**

Alex Norris  
Colleen Fletcher

Schedule 7, page 224, line 16, after "authority" insert "or county council"

**Member's explanatory statement**

See explanatory statement for Amendment 112.

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**Matthew Pennycook**

**Not called 103**

Alex Norris  
Colleen Fletcher

Schedule 7, page 224, leave out lines 19 to 22

**Member's explanatory statement**

This amendment would leave out inserted section 15A(2)(b) and make combined authorities eligible for a joint spatial development strategy.

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**Rachael Maskell**

**Withdrawn after debate 121**

Schedule 7, page 227, line 15, at end insert—

“(e) other community organisations representing members of that community”

**Member's explanatory statement**

This amendment would extend the group of determining bodies to include community groups.

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**Matthew Pennycook**

**Withdrawn after debate 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.

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**Matthew Pennycook**

**Not called 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.

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**Matthew Pennycook**

**Not called 102**

Alex Norris  
Colleen Fletcher

Schedule 7, page 233, line 41, at end insert—

**“15AJ Duty to co-operate in absence of joint spatial development strategy**

- (1) This section applies in any area in which a joint spatial development strategy is not operative.
- (2) Each person who is—
  - (a) a local planning authority,
  - (b) a county council in England that is not a local planning authority, or

- (c) a body, or other person, that is prescribed or of a prescribed description, must co-operate with every other person who is within paragraph (a), (b) or (c) or subsection (10) in maximising the effectiveness with which activities within subsection (3) are undertaken.
- (3) In particular, the duty imposed on a person by subsection (2) requires the person—
- (a) to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (4) are undertaken, and
  - (b) to have regard to activities of a person within subsection (10) so far as they are relevant to activities within subsection (4).
- (4) The activities within this subsection are—
- (a) the preparation of a joint spatial development strategy,
  - (b) the preparation of development plan documents,
  - (c) the preparation of other local development documents,
  - (d) the preparation of marine plans under the Marine and Coastal Access Act 2009 for the English inshore region, the English offshore region or any part of either of those regions,
  - (e) activities that can reasonably be considered to prepare the way for activities within any of paragraphs (a) to (d) that are, or could be, contemplated, and
  - (f) activities that support activities within any of paragraphs (a) to (d), so far as relating to a strategic matter.
- (5) For the purposes of subsection (4), each of the following is a “strategic matter”—
- (a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
  - (b) sustainable development or use of land in a two-tier area if the development or use—
    - (i) is a county matter, or
    - (ii) has or would have a significant impact on a county matter.
- (6) In subsection (5)—
- “county matter” has the meaning given by paragraph 1 of Schedule 1 to the principal Act (ignoring sub-paragraph 1(1)(i)),
- “planning area” means—
- (a) the area of—
    - (i) a district council (including a metropolitan district council),
    - (ii) a London borough council, or
    - (iii) a county council in England for an area for which there is no district council,

- but only so far as that area is neither in a National Park nor in the Broads,
- (b) a National Park,
  - (c) the Broads,
  - (d) the English inshore region, or
  - (e) the English offshore region, and
- “two-tier area” means an area—
- (a) for which there is a county council and a district council, but
  - (b) which is not in a National Park.
- (7) The engagement required of a person by subsection (3)(a) includes, in particular—
- (a) considering whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of activities within subsection (3), and
  - (b) if the person is a local planning authority, considering whether to agree under section 28 to prepare joint local development documents.
- (8) A person subject to the duty under subsection (2) must have regard to any guidance given by the Secretary of State about how the duty is to be complied with.
- (9) A person, or description of persons, may be prescribed for the purposes of subsection (2)(c) only if the person, or persons of that description, exercise functions for the purposes of an enactment.
- (10) A person is within this subsection if the person is a body, or other person, that is prescribed or of a prescribed description.
- (11) In this section—
- “the English inshore region” and “the English offshore region” have the same meaning as in the Marine and Coastal Access Act 2009, and
  - “land” includes the waters within those regions and the bed and subsoil of those waters.”

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

This amendment would require local authorities and other public bodies to co-operate on local planning measures in the absence of an operative joint spatial development strategy on the lines of section 33A of the Planning and Compulsory Purchase Act 2004. This duty would encompass co-operation by all relevant local authorities on preparation for such a strategy.

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**Rachael Maskell**

**Withdrawn after debate 122**

Schedule 7, page 234, line 27, at end insert—

- “(j) the timescale for the deliberative democracy process as set out in section [*Deliberative democracy: local planning*].”



**Member's explanatory statement**

This amendment along with Amendments 124 and 125 and NC42 will introduce a deliberative democracy process to the local plan timetable.

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**Rachael Maskell**

**Withdrawn after debate 123**

Schedule 7, page 238, line 6, at insert—

“(4A) A local plan may provide that the local planning authority may review and change any outline planning permissions in place prior to the establishment of a local plan, including on sites where work has already commenced, to bring those permissions in line with requirements set out in the plan.”

**Member's explanatory statement**

This amendment will allow Local Planning Authorities to require Outline Planning Applications to be adjusted where they conflict with Local Plans.

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**Matthew Pennycook**

**Withdrawn after debate 99**

Alex Norris  
Colleen Fletcher

Schedule 7, page 238, leave out lines 16 and 17

**Member's explanatory statement**

This amendment removes the requirement in inserted section 15C(7)(b) that a local development plan must be consistent with national policies at the development plan formulation stage.

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**Rachael Maskell**

**Not called 124**

Schedule 7, page 238, line 31, at end insert—

“(3A) Prior to establishing a local plan, the local authority must carry out a deliberative democracy process as set out in section [*Deliberative democracy: local planning*].”

**Member's explanatory statement**

See explanatory statement for Amendment 122.

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**Rachael Maskell**

**Not called 125**

Schedule 7, page 239, line 14, at end insert—

“(ha) the deliberative democracy process as set out in section [*Deliberative democracy: local planning*].”

**Member's explanatory statement**

See explanatory statement for Amendment 122.

---

**Rachael Maskell****Withdrawn after debate 126**

Schedule 7, page 239, line 14, at end insert—

“(ha) Environmental Outcomes Reports,”

**Member's explanatory statement**

This amendment would require local planning authority to have regard to Environmental Outcomes Reports in preparing a local plan.

---

**Matthew Pennycook****Not called 100**

Alex Norris  
Colleen Fletcher

Schedule 7, page 239, line 19, at end insert—

“(but may not require a local plan to be consistent with any national demand management policy)”

**Member's explanatory statement**

This amendment would provide that regulations made under inserted section 15C could not require local plans to conform with national policies.

---

**Rachael Maskell****Withdrawn after debate 127**

Schedule 7, page 241, line 14, at end insert—

“(1A) To have effect a supplementary plan must be agreed within 5 years of the commencement of preparation of the local plan to which it relates.”

**Member's explanatory statement**

This amendment requires supplementary plans under inserted section 15CC to be agreed within 5 years of the commencement of the local plan process.

---

**Matthew Pennycook****Not called 91**

Alex Norris  
Colleen Fletcher

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

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**Matthew Pennycook**

**Not called 92**

Alex Norris  
Colleen Fletcher

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

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**Matthew Pennycook**

**Not called 90**

Schedule 7, page 246, line 29, leave out lines 29 and 30.

**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.

---

**Rachael Maskell**

**Withdrawn after debate 139**

Schedule 7, page 250, line 15, at end insert—

“(8) For a period of 6 months following a local election, a local planning authority may review a local plan that has already been adopted and submit a proposal to an examiner to change or adjust their plan.”

**Member's explanatory statement**

This amendment would allow newly elected Councils to amend local plans following an election.

---

**Rachael Maskell**

**Withdrawn after debate 140**

Schedule 7, page 252, line 24, at end insert—

“(c) consult with relevant stakeholders, including residents, via a deliberative process.”

**Member's explanatory statement**

This amendment would require the Secretary of State to consult local stakeholders on the local plan.

---

**Matthew Pennycook**

**Withdrawn after debate 109**

Alex Norris  
Colleen Fletcher

Schedule 7, page 262, line 7, at end insert—

“(1A) A local planning authority must have regard to the content of any relevant neighbourhood priorities statement in the exercise of its planning functions.”

---

**Rachael Maskell**

**Not called 141**

Schedule 7, page 262, line 7, at end insert—

“(1A) A neighbourhood priorities statement must be prepared with the input of local stakeholders and community groups.”

**Member's explanatory statement**

This amendment would ensure that community groups and stakeholders are involved with the development of a neighbourhood priorities statement.

---

**Matthew Pennycook**

**Negatived on division 101**

Alex Norris  
Colleen Fletcher

Schedule 7, page 270, line 31, at end insert—

“(4) In this part—

“mitigation of climate change” means compliance with the objectives and relevant budgetary provisions of the Climate Change Act 2008;

“adaptation to climate change” means the achievement of long-term resilience to climate-related risks, including the mitigation of the risks identified in relation to section 56 of the Climate Change Act 2008, and the achievement of the objectives of the relevant 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 amendment requires references to climate change mitigation and adaptation in the inserted sections on plan making to be interpreted in line with the Climate Change Act 2008.

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**Schedule agreed to.**

*Sixteenth and Seventeenth Sittings*

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**Tim Farron**

**Negatived on division 119**

Clause 88, page 94, line 27, at end insert—

“(aa) policies (however expressed) relating to the proportion of dwellings which may be in—

(i) use class 3A (second homes), or

(ii) use class 3B (holiday rentals)

under Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764).”

**Member's explanatory statement**

This amendment would enable neighbourhood plans to include policies relating to the proportion of dwellings which may be second homes and short-term holiday lets under use classes created by NC38.

---

**Tim Farron**

**Withdrawn after debate 120**

Clause 88, page 94, line 27, at end insert—

“(aa) policies (however expressed) limiting new housing development in a National Park or an Area of Outstanding Natural Beauty to affordable housing;”.

**Member's explanatory statement**

This amendment would enable neighbourhood development plans to restrict new housing development in National Parks and AONBs to affordable housing.

---

**Rachael Maskell**

**Withdrawn after debate 131**

Clause 88, page 94, line 27, at end insert—

“(ab) policies (however expressed) that can require that some or all housing development sites within the neighbourhood plan area are used exclusively for the delivery of affordable housing, as determined in the neighbourhood plan;”

**Member's explanatory statement**

This amendment would specifically provide for neighbourhood development plans to specify that housing development must deliver affordable housing.

---

**Rachael Maskell**

**Withdrawn after debate 132**

Clause 88, page 95, line 4, at end insert—

“(e) in areas of historical, cultural or environmental sensitivity, requirements intended to ensure that development is in keeping with the proximal environment.”

**Member's explanatory statement**

This amendment would enable neighbourhood plans to require that development in areas of historical, cultural or environmental sensitivity is in keeping with the surrounding environment.

---

**Rachael Maskell**

**Withdrawn after debate 133**

Clause 88, page 95, line 9, after “contribute” insert “to the mitigation of flooding and drought 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 and drought mitigation.

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**Emma Hardy**

**Not called 2**

Darren Jones  
 Dame Diana Johnson  
 John Penrose  
 Rachael Maskell  
 Matthew Pennycook  
 Alex Norris

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.

---

**Matthew Pennycook**

**Withdrawn after debate 110**

Alex Norris  
 Colleen Fletcher

Clause 88, page 95, line 17, at end insert—

“(5) After subsection (4) insert—

“(4A) A neighbourhood development plan which is in effect on the day on which section 88 of the Levelling-up and Regeneration Act 2023 comes into force may remain in effect contrary to the provisions of that section no longer than until the end of the period of five years beginning on the day on which that section comes into force.””

---

**Clause agreed to.**

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**Clause 89 agreed to.**

---

**Matthew Pennycook**

**Withdrawn after debate 104**

Alex Norris  
 Colleen Fletcher

Clause 90, page 96, line 15, leave out “public”

**Member's explanatory statement**

This amendment, together with Amendments 105 to 108, would enable plan making authorities to require a prescribed private body to assist the authority in relation to the preparation or revision of a relevant plan by the authority.

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**Matthew Pennycook****Not called 105**

Alex Norris  
Colleen Fletcher

Clause 90, page 96, line 18, leave out "public"

**Member's explanatory statement**

See explanatory statement to Amendment 104

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**Matthew Pennycook****Not called 106**

Alex Norris  
Colleen Fletcher

Clause 90, page 96, line 23, leave out "public"

**Member's explanatory statement**

See explanatory statement to Amendment 104

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**Rachael Maskell****Withdrawn after debate 135**

Clause 90, page 96, line 30, at end insert—

“(3A) Where regulations under this section make requirements of a local authority that is failing to deliver a local plan in a timely way, the plan-making authority must consult the local community on the contents of the relevant plan.”

**Member's explanatory statement**

This amendment would require, in the event of a local authority failing to deliver a local plan in a timely way, those taking over the process to consult with the community.

---

**Matthew Pennycook****Not called 107**

Alex Norris  
Colleen Fletcher

Clause 90, page 97, line 4, leave out "public"

**Member's explanatory statement**

See explanatory statement to Amendment 104

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**Matthew Pennycook**

**Not called 108**

Alex Norris  
Colleen Fletcher

Clause 90, page 97, line 5, leave out “and certain of whose functions are of a public nature”

**Member's explanatory statement**

See explanatory statement to Amendment 104

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**Rachael Maskell**

**Withdrawn after debate 134**

Clause 90, page 97, line 8, after “activities” insert “undertaken not more than 5 years from completion of the plan”

**Member's explanatory statement**

This amendment seeks to ensure that material used in plans would not be older than 5 years old to still have relevance to the planning process.

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**Clause agreed to.**

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**Clause 91 agreed to.**

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**Schedule 8 agreed to.**

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**Alex Norris**

**Withdrawn after debate 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.

---

**Rachael Maskell**

**Withdrawn after debate 128**

Clause 92, page 97, line 31, after “enhancing” insert “the significance of”

**Member's explanatory statement**

This amendment adds to the description of the purpose of sensitive management of heritage assets.



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**Rachael Maskell**

**Withdrawn after debate 136**

Clause 92, page 98, line 34, at end insert—

“a site of significant social history relevant to the heritage of a place

some asset or setting which has significant impact on the social history of a place”

**Member's explanatory statement**

This amendment is designed to protect areas where significant social history of a place was established.

---

**Tim Farron**

**Not called 138**

Clause 92, page 98, line 34, at end insert—

“a National Park

the natural beauty, wildlife and cultural heritage, and the opportunities for the understanding and enjoyment of the special qualities of the area by the public, under section 5 of the National Parks and Access to the Countryside Act 1949

an Area of Outstanding Natural Beauty

conserving and enhancing the natural beauty of the area, under section 82 of the Countryside and Rights of Way Act 2000”

**Member's explanatory statement**

This amendment would protect as heritage assets National Parks and Areas of Outstanding Natural Beauty.

---

**Alex Norris**

**Withdrawn after debate 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.”

---

**Clause agreed to.**

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**Clauses 93 to 96 agreed to.**

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**Matthew Pennycook**

**Not selected 111**

Alex Norris  
Colleen Fletcher

Page 105, line 22, leave out Clause 97

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**Clause agreed to on division.**

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**Schedule 9 agreed to.**

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**Matthew Pennycook**

**Withdrawn after debate 114**

Alex Norris  
Colleen Fletcher

Clause 98, page 114, line 21, leave out lines 21 to 28

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**Matthew Pennycook**

**Not called 115**

Alex Norris  
Colleen Fletcher

Clause 98, page 115, line 20, at end insert—

“(12A) In relation to an application for planning permission that is made to, or is to be determined by, the Mayor of London, a reference in this section to the local planning authority is to be read as a reference to the Mayor of London.”

---

**Clause agreed to.**

*Eighteenth and Nineteenth Sitings*

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**Marcus Jones**

**Agreed to 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.

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**Marcus Jones**

**Agreed to Gov 75**

Clause 99, page 117, line 25, leave out "58(1)(b)" and insert "70"

**Member's explanatory statement**

This amendment corrects a cross-reference.

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**Marcus Jones**

**Agreed to 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).

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**Clause, as amended, agreed to.**

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**Mrs Emma Lewell-Buck**

**Withdrawn after debate 170**

Clause 100, page 118, line 31, at end insert—

"(3A) But notwithstanding subsection (3) the completion notice deadline may be less than 12 months after the completion notice was served if the local planning authority are of the opinion that—

- (a) development has not taken place on the site for prolonged period,
- (b) there is no reasonable prospect of development being completed within a reasonable period, and
- (c) it is in the public interest to issue an urgent completion notice.

(3B) A completion notice may include requirements concerning the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of the completion period, and the carrying out of any works required for the reinstatement of land at the end of that period."

**Member's explanatory statement**

This amendment would enable the issuance of completion notices withdrawing planning permission with a deadline of less than 12 months when certain conditions are met, and enable completion notices to require that building works be removed from a site or a site be reinstated to its previous condition.

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**Clause agreed to.**

\_\_\_\_\_

**Clauses 101 and 102 agreed to.**

\_\_\_\_\_

**Matthew Pennycook**

**Withdrawn after debate 116**

Alex Norris  
Colleen Fletcher

Clause 103, page 122, line 36, 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**

This amendment, along with New Clause 36, 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 5 of Part 3.

\_\_\_\_\_

**Clause agreed to.**

\_\_\_\_\_

**Marcus Jones**

**Agreed to 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.

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**Clause, as amended, agreed to.**

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**Clauses 105 and 106 agreed to.**

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**Rachael Maskell**

**Withdrawn after debate 137**

Clause 107, page 125, line 35, at end insert—

“(1A) But regulations under this section may not provide for relief from a planning condition relating to the development of a type or volume of affordable housing in a development.”

**Member's explanatory statement**

This amendment would exclude planning conditions relating to the delivery of agreed on-site affordable housing in developments from the power to provide relief from the enforcement of planning conditions.

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**Clause agreed to.**

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**Clauses 108 to 112 agreed to.**

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**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Negated on division 142**

Clause 113, page 131, line 38, leave out "a charge" and insert "an optional charge"

**Member's explanatory statement**

This amendment would ensure that application of the Infrastructure Levy would be optional rather than mandatory.

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**Clause agreed to.**

---

**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Withdrawn after debate 148**

Schedule 11, page 282, line 29, leave out "and in achieving any purpose specified under section 204N(5)"

**Member's explanatory statement**

This amendment and Amendment 149 would prevent the Secretary of State directing the proceeds of the infrastructure levy towards purposes other than supporting the development of an area by funding the provision, improvement, replacement, operation or maintenance of infrastructure.

---

**Marcus Jones**

**Agreed to Gov 196**

Schedule 11, page 282, line 30, after "section 204N(5)" insert ", 204O(3) or 204P(3)"

**Member's explanatory statement**

This amendment provides that the Secretary of State's duty to aim to ensure that the overall purpose of the Infrastructure Levy is to ensure that certain costs are funded by owners or developers of land

also covers costs incurred in achieving any purpose specified under section 204O(3) or 204P(3) of the Planning Act 2008 (as inserted by paragraph 1 of Schedule 11 to the Bill).

---

**Matthew Pennycook**

**Negatived on division 150**

Alex Norris  
Colleen Fletcher

Schedule 11, page 282, line 32, at end insert—

“(2A) The intention of IL is to enable local authorities to raise money from developments to fund infrastructure to support the development of their areas while allowing planning obligations under section 106 of the Town and Country Planning Act 1990 to continue to be used to provide affordable housing and ensure that development is acceptable in planning terms.”

---

**Matthew Pennycook**

**Withdrawn after debate 153**

Alex Norris  
Colleen Fletcher

Schedule 11, page 283, leave out lines 22 and 23

**Member's explanatory statement**

This amendment would amend the definition of “affordable housing” to ensure that the infrastructure levy could only be spent on social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008.

---

**Matthew Pennycook**

**Not called 143**

Alex Norris  
Colleen Fletcher

Schedule 11, page 283, leave out lines 27 and 28 and insert—

“(1) A charging authority in England may, if it determines that IL would be more effective than the community infrastructure levy for delivering infrastructure in its area and would not prevent it meeting the level of affordable housing need identified in its local development plan, in accordance with IL regulations, charge IL in respect of development in its area.”

**Member's explanatory statement**

This amendment to inserted section 204B, which is connected to Amendment 142, would ensure that application of the Infrastructure Levy would be optional rather than mandatory

---

**Matthew Pennycook**

**Withdrawn after debate 157**

Alex Norris  
Colleen Fletcher

Schedule 11, page 283, line 28, at end insert—

- “(1A) But a charging authority may not charge IL on development in its area comprising—
- (a) over 150 residential units, or
  - (b) over 10,000 sq m of floorspace
- and instead Part 11 of the Planning Act 2008 (Community Infrastructure Levy) applies to such developments.”

**Member's explanatory statement**

This amendment would specify a threshold for large sites in relation to which the role of section 106 TCPA 1990 agreements would be retained, meaning that the community infrastructure levy would continue to be used to support such development.

---

**Matthew Pennycook**

**Not called 154**

Alex Norris  
Colleen Fletcher

Schedule 11, page 285, line 35, at end insert—

- “(9) IL regulations must provide for exemption from liability to pay IL in respect of a development which exclusively contains affordable housing.”

**Member's explanatory statement**

This amendment would provide for an exemption from liability to pay IL in respect of a development which contains 100 per cent affordable housing.

---

**Matthew Pennycook**

**Withdrawn after debate 158**

Alex Norris  
Colleen Fletcher

Schedule 11, page 286, line 38, leave out “IL” and insert—

“that part of the IL not applied to the provision of affordable housing”

**Member's explanatory statement**

This amendment would mean that charities in England and Wales were not exempt from contributing to the provision of affordable housing on any given development.

---

**Matthew Pennycook**

**Not called 159**

Alex Norris  
Colleen Fletcher

Schedule 11, page 287, leave out lines 5 to 14

**Member's explanatory statement**

This amendment and Amendment 160 would ensure that charitable exemptions were limited to development undertaken by charities in England and Wales.

---

**Matthew Pennycook**

**Not called 160**

Alex Norris  
Colleen Fletcher

Schedule 11, page 287, line 26, leave out from “2011” to end of line 28

**Member's explanatory statement**

See explanatory statement for Amendment 159.

---

**Rachael Maskell**

**Withdrawn after debate 167**

Schedule 11, page 287, line 28, at end insert—

**“204FA Social enterprises and community interest companies**

- (1) IL regulations must provide for an exemption from liability to pay IL in respect of a development where—
  - (a) the person who would otherwise be liable to pay IL in respect of the development is a social enterprise or a community interest company, and
  - (b) the building or structure in respect of which IL liability would otherwise arise is to be used wholly or mainly for the purposes of social enterprise or the community interest.
- (2) IL regulations may—
  - (a) provide for an exemption from liability to pay IL where the person who would otherwise be liable to pay IL in respect of the development is a social enterprise or a community interest company;
  - (b) require charging authorities to make arrangements for an exemption from, or reduction in, liability to pay IL where the person who would otherwise be liable to pay IL in respect of the development is a social enterprise or a community interest company.
- (3) Regulations under subsection (1) or (2) may provide that an exemption or reduction does not apply if specified conditions are satisfied.”

**Member's explanatory statement**

This amendment makes equivalent provisions about the Infrastructure Levy for social enterprise or community interest companies as it does for charities under inserted section 204F.



---

**Theresa Villiers**

**Withdrawn after debate 58**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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.

*Twentieth and Twenty-first Sittings*

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**Matthew Pennycook**

**Withdrawn after debate 155**

Alex Norris  
Colleen Fletcher

Schedule 11, page 287, leave out lines 34 to 42 and insert—

“(2) A charging authority, in setting rates or other criteria, must ensure that—

- (a) the level of affordable housing which is funded by developers and provided in the authority's area, and
  - (b) the level of the funding provided by the developers,
- is maintained at a level which, over a specified period, enables it to meet the level of affordable housing need identified in the local development plan.”

**Member's explanatory statement**

This amendment would require Infrastructure Levy rates to be set at such a level as to meet the level of affordable housing need specified in a local development plan.

---

**Matthew Pennycook**

**Negated on division 162**

Alex Norris  
Colleen Fletcher

Schedule 11, page 288, line 11, after “development” insert “of the area”

**Member's explanatory statement**

This amendment seeks to ensure consistency with inserted section 204A(2) on page 282 and ensure that consideration of viability relates to the area as a whole.

---

**Rachael Maskell**

**Withdrawn after debate 168**

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, unless any development on greenfield land is offset by the re-greening of an agreed area of brownfield land in a densely developed or populated area.”

**Member's explanatory statement**

This amendment is offered as an alternative proposition to Amendment 59, adding safeguards intended to prevent extremely dense development in urban centres with an undersupply of open space.

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**Theresa Villiers**

**Withdrawn after debate 59**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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.

---

**Matthew Pennycook**

**Withdrawn after debate 145**

Alex Norris  
Colleen Fletcher

Schedule 11, page 289, line 18, leave out “or require”

**Member's explanatory statement**

This amendment and Amendment 146, would give charging authorities discretion over the basis on which infrastructure levy rates are calculated.

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**Matthew Pennycook**

**Withdrawn after debate 146**

Alex Norris  
Colleen Fletcher

Schedule 11, page 289, line 30, leave out “or require”

**Member's explanatory statement**

See explanatory statement for Amendment 145.

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**Matthew Pennycook**

**Withdrawn after debate 163**

Alex Norris  
Colleen Fletcher

Schedule 11, page 289, line 33, leave out “or require”

**Member's explanatory statement**

This amendment and Amendment 164 would prevent the Secretary of State imposing a nil rate, differential rates, reductions, or a minimum threshold below which IL is not charged and ensure that rates are set by the charging authority.

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**Matthew Pennycook**

**Withdrawn after debate 164**

Alex Norris  
Colleen Fletcher

Schedule 11, page 289, line 36, leave out “or require”

**Member's explanatory statement**

See explanatory statement for Amendment 163.

---

**Rachael Maskell**

**Withdrawn after debate 169**

Schedule 11, page 294, leave out lines 15 to 28 and insert—

- “(a) roads and other transport facilities, including routes for good quality active travel including cycling, walking and micro-mobility, parking facilities and street infrastructure including benches,
- (b) flood defences,
- (c) schools and other educational facilities including nurseries, play areas and family friendly areas,
- (d) medical facilities including dentists, diagnostic hubs, general practices and other community spaces to address mental health and promote wellbeing,
- (e) sporting and recreational facilities including youth centres and skate parks,

- (f) open spaces,
- (g) affordable houses,
- (h) facilities and equipment for emergency and rescue services,
- (i) facilities and spaces which—
  - (i) preserve or improve the natural environment, or
  - (ii) enable or facilitate enjoyment of the natural environment,
  - (iii) provide outdoor space for communities including allotments and forest schools,
  - (iv) provide flood and drought mitigation,
- (j) space for energy generation
- (k) space for business incubation
- (l) community buildings for social, cultural, religious purposes,
- (m) community facilities including post offices, cafes, libraries, support and advice centres
- (n) day centres for the elderly or disabled people, including for the purposes of state-provided day or residential care.”

**Member's explanatory statement**

This amendment broadens the scope of inserted section 204N(5), which defines “infrastructure” for the purposes of the Infrastructure Levy.

---

**Stella Creasy**

**Not called 171**

Schedule 11, page 294, line 17, at end insert—

“including facilities providing childcare to children under eleven,”

**Member's explanatory statement**

This amendment would add childcare facilities to the list of “infrastructure” in this schedule and therefore include it in the list of facilities which IL regulations may or must require charging authorities to use the Infrastructure Levy to fund, improve, replace or maintain.

---

**Matthew Pennycook**

**Withdrawn after debate 151**

Alex Norris  
Colleen Fletcher

Schedule 11, page 294, leave out line 21

**Member's explanatory statement**

This amendment would remove affordable housing from the application of the infrastructure levy to with the intention that it would continue to be funded under current system of s106 TCPA 1990 obligations.

---

**Matthew Pennycook**

**Withdrawn after debate 152**

Alex Norris  
Colleen Fletcher

Schedule 11, page 294, line 31, at end insert “, other than to add affordable housing”

**Member's explanatory statement**

This amendment would prevent affordable housing being added to the list of matters included within the meaning of “infrastructure” at a future date by regulations.

---

**Matthew Pennycook**

**Withdrawn after debate 149**

Alex Norris  
Colleen Fletcher

Schedule 11, page 294, line 35, after “purposes” insert “which support the development of the area and”

**Member's explanatory statement**

See explanatory statement for Amendment 148.

---

**Matthew Pennycook**

**Withdrawn after debate 156**

Alex Norris  
Colleen Fletcher

Schedule 11, page 298, line 13, at end insert—

“(aa) set out how the charging authority intends to use IL to meet the level of affordable housing need identified in the local development plan, and”

**Member's explanatory statement**

This amendment would require a charging authority to detail the way in which it intends to use the infrastructure levy to meet its identified housing need in preparing and publishing an infrastructure delivery strategy for its area.

---

**Matthew Pennycook**

**Withdrawn after debate 161**

Alex Norris  
Colleen Fletcher

Schedule 11, page 299, line 35, at end insert—

“(2A) IL regulations must specify that payment of IL must take place within a reasonable period of implementation of a development or phase of development or in accordance with any instalment policy adopted by the charging authority.”

**Member's explanatory statement**

This amendment would seek to ensure that infrastructure levy payments were made following implementation of development (or following the implementation of phases or instalments where permitted by the charging authority).

---

**Matthew Pennycook**

**Withdrawn after debate 165**

Alex Norris  
Colleen Fletcher

Schedule 11, page 306, leave out from line 38 to line 2 on page 307

**Member's explanatory statement**

This amendment would limit the circumstances under which the Secretary of State could direct a charging authority to review its charging schedule.

---

**Matthew Pennycook**

**Withdrawn after debate 166**

Alex Norris  
Colleen Fletcher

Schedule 11, page 308, leave out line 25

**Member's explanatory statement**

This amendment would prevent IL regulations making unspecified provision about how powers under section 106 of TCPA 1990 (planning obligations) are used.

---

**Matthew Pennycook**

**Withdrawn after debate 147**

Alex Norris  
Colleen Fletcher

Schedule 11, page 308, leave out from line 40 to line 13 on page 309 and insert—

“may be given under subsection (4) for authorities that have adopted an IL charging schedule, only if it is necessary for—

- (a) delivering the overall purpose of IL mentioned in section 204A(2), or
  - (b) avoiding charging a specific development more than once for the same infrastructure project through both IL and the following powers—
    - (i) Part 11 (Community Infrastructure Levy) (including any power conferred by CIL regulations under that Part),
    - (ii) Section 106 of TCPA 1990 (planning obligations), and
    - (iii) Section 278 of the Highways Act 1980 (execution of works)
- unless this is essential to rendering the development acceptable in planning terms.”

---

**Member's explanatory statement**

This amendment would avoid restrictions being placed on the use of the community infrastructure levy, section 106 obligations, and section 278 agreements at the Secretary of State's discretion unless necessary to avoid double charging for the same infrastructure provision.

---

**Schedule agreed to.**

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**Clause 114 agreed to.**

---

**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Not called 144**

Page 132, line 13, leave out Clause 115

**Member's explanatory statement**

This amendment, which is consequential on Amendment 142, would ensure that charging authorities in England can continue to apply the community infrastructure levy if they wish to do so.

---

**Clause agreed to.**

---

**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Withdrawn after debate 173**

Clause 116, page 133, leave out lines 13 to 20 and insert—

- “(a) protection of the natural environment, cultural heritage and the landscape from the effects of human activity;
- (b) maintenance, restoration or enhancement of the natural environment, cultural heritage or the landscape;
- (c) protection of people and their long-term health, safety and wellbeing from the effects of human activity on the natural environment, cultural heritage and the landscape;
- (d) protection of the climate from the effects of human activity;
- (e) monitoring, assessing, considering, advising or reporting on anything in paragraphs (a) to (d).”

**Member's explanatory statement**

This amendment would broaden the definition of environmental protection to allow the Secretary of State to specify outcomes relating to climate change obligations and public health objectives.

---

**Matthew Pennycook**

**Withdrawn after debate 174**

Alex Norris  
Colleen Fletcher

Clause 116, page 133, line 29, leave out subsection (5) and insert—

- “(5) Before making any EOR regulations which contain provision about what the specified environmental outcomes are to be, the Secretary of State must ensure they are in accordance with—
- (a) the current environmental improvement plan (within the meaning of Part 1 of the Environment Act 2021),
  - (b) biodiversity targets including those required under sections 1 and 3 of the Environment Act 2021,
  - (c) the duty to conserve biodiversity as required under section 40 of the Natural Environment and Rural Communities Act 2006,
  - (d) local nature recovery strategies as required under section 104 of the Environment Act 2021, and
  - (e) lowering the net UK carbon account as required under section 1 of the Climate Change Act 2008.”

**Member's explanatory statement**

This amendment would ensure that when using EOR regulations to specify environmental outcomes the Secretary of State would have to ensure they are in accordance with the current environmental improvement plan and additional criteria.

---

**Clause agreed to.**

---

**Matthew Pennycook**

**Withdrawn after debate 175**

Alex Norris  
Colleen Fletcher

Clause 117, page 134, line 26, at end insert “relative to the current status of the environment as assessed in a prepared baseline study”

**Member's explanatory statement**

This amendment would ensure that the preparation of a baseline study which sets the context for assessing the environmental effects of a proposed project remains a core requirement of producing an EOR.

---

**Clause agreed to.**

---

**Clauses 118 and 119 agreed to.**



---

**Matthew Pennycook**

**Negatived on division 176**

Alex Norris  
Colleen Fletcher

Clause 120, page 137, line 21, leave out subsection (1) and insert—

“(1) The Secretary of State may only make EOR regulations if doing so will result in no diminution of environmental protection as provided for by environmental law at the time this Act is passed.”

**Member's explanatory statement.**

This amendment would ensure that the new system of environmental assessment would not reduce existing environmental protections in any way rather than merely maintaining overall existing levels of environmental protection.

---

**Matthew Pennycook**

**Not called 177**

Alex Norris  
Colleen Fletcher

Clause 120, page 137, line 26, leave out from “Kingdom” to end of line 28

**Member's explanatory statement**

This amendment would ensure that for the purposes of making EOR regulations international obligations are not limited to those that regulate the process for environmental impact assessment.

---

**Clause agreed to.**

---

**Matthew Pennycook**

**Withdrawn after debate 178**

Alex Norris  
Colleen Fletcher

Clause 121, page 138, line 3, leave out “after consulting” and insert “with the consent of”

**Member's explanatory statement**

This amendment, along with Amendments 179 and 180 would ensure that EOR regulations which contain provision within devolved competence can only be made with the consent of the relevant devolved administration.

---

**Matthew Pennycook**

**Not called 179**

Alex Norris  
Colleen Fletcher

Clause 121, page 138, line 16, leave out “after consulting” and insert “with the consent of”

**Member's explanatory statement**

See explanatory statement to Amendment 178.

---

**Matthew Pennycook****Not called 180**

Alex Norris  
Colleen Fletcher

Clause 121, page 138, line 34, leave out "after consulting" and insert "with the consent of"

**Member's explanatory statement**

See explanatory statement to Amendment 178.

---

**Clause agreed to.**

---

**Clauses 122 to 126 agreed to.**

---

**Matthew Pennycook****Negatived on division 181**

Alex Norris  
Colleen Fletcher

Clause 127, page 141, line 32, leave out "in particular" and insert "not"

**Member's explanatory statement**

This amendment would ensure that any specified environmental outcomes arising from EOR regulations made would augment not substitute those arising from existing environmental assessment legislation and the Habitats Regulations.

---

**Matthew Pennycook****Not called 182**

Alex Norris  
Colleen Fletcher

Clause 127, page 142, leave out lines 12 and 13

**Member's explanatory statement**

This amendment would ensure that EOR regulations cannot be used to amend, repeal or revoke existing environmental assessment legislation

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**Clause agreed to.**

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**Clauses 128 to 130 agreed to.**

*Twenty-second and Twenty-third Sittings*

**Agreed to**

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**Lee Rowley**

That the Order of the Committee of 21 June 2022, as varied on 7 July 2022, be further varied as follows—

1. in paragraph (1), for sub-paragraphs (l) to (n) substitute—  
“(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. in paragraph (4), for “Tuesday 20 September” substitute “Thursday 20 October”.

---

**Clauses 131 to 133 agreed to.**

---

**Schedule 12 agreed to.**

---

**Clauses 134 to 137 agreed to.**

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**Schedule 13 agreed to.**

---

**Matthew Pennycook**

Alex Norris  
Colleen Fletcher

**Withdrawn after debate 183**

Clause 138, page 157, line 26, at end insert—

- “(4) In the case of a locally-led urban development corporation, the board must include no less than three community members who represent a local qualifying body.
- (5) In this section, “local qualifying body” means a parish or town council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan or such other bodies that reflect the cultural, social or environmental priorities of the locality to be designated as a locally-led urban development area.”

**Member's explanatory statement**

This amendment would ensure that local communities within the locality to be designated as a locally-led urban development area are represented on the board of a locally-led urban development corporation.

---

**Matthew Pennycook****Not called 184**Alex Norris  
Colleen Fletcher

Clause 138, page 157, line 39, at end insert—

- “(2ZC) In the case of a locally-led development corporation, the board must include no less than three community members who represent a local qualifying body.
- (2ZD) In this section, “local qualifying body” means a parish or town council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan or such other bodies that reflect the cultural, social or environmental priorities of the locality to be designed as the site of a proposed new town.”

**Member's explanatory statement**

This amendment would ensure that local communities within the locality to be designated as the site of a proposed new town are represented on the board of a locally-led development corporation.

---

**Clause agreed to.**

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**Clauses 139 to 144 agreed to.**

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**Schedule 14 agreed to.**

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**Clauses 145 to 149 agreed to.**

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**Alex Norris****Withdrawn after debate 185**Matthew Pennycook  
Colleen Fletcher

Clause 150, page 171, line 4, at end insert—

- “(2A) Designations under subsections (1) and (2) can only be made following consultation with the local community.”

**Member's explanatory statement**

This amendment would require designation of a high street or town centre to be consulted upon.

---

**Alex Norris****Not called 186**

Matthew Pennycook  
Colleen Fletcher

Clause 150, page 171, line 4, at end insert—

“(2A) The local community may make application for designations under subsections (1) and (2) to be made.”

**Member's explanatory statement**

This amendment would allow the local community to apply for a street or area to be designated as a high street or town centre.

---

**Clause agreed to.**

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**Clause 151 agreed to.**

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**Alex Norris****Negated on division 187**

Matthew Pennycook  
Colleen Fletcher

Clause 152, page 172, line 21, leave out subsections (5) and (6)

**Member's explanatory statement**

This amendment would remove the Henry VIII power for the Secretary of State to alter the circumstances of vacancy.

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**Clause agreed to.**

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**Alex Norris****Not selected 188**

Matthew Pennycook  
Colleen Fletcher

Page 172, line 28, leave out Clause 153

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**Clause agreed to.**

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**Alex Norris**

**Withdrawn after debate 189**

Matthew Pennycook  
Colleen Fletcher

Clause 154, page 173, line 5, leave out "ten weeks" and insert "28 days"

**Member's explanatory statement**

This amendment would reduce the period after which an initial letting notice would expire to 28 days.

---

**Clause agreed to.**

---

**Alex Norris**

**Withdrawn after debate 190**

Matthew Pennycook  
Colleen Fletcher

Clause 155, page 173, line 14, at end insert—

“(c) transfer the premises to a related entity.”

**Member's explanatory statement**

This amendment would prevent the landlord from transferring the premises between related entities while the initial letting notice is in force.

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**Clause agreed to.**

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**Clause 156 agreed to.**

---

**Alex Norris**

**Withdrawn after debate 191**

Matthew Pennycook  
Colleen Fletcher

Clause 157, page 174, line 25, leave out "eight weeks" and insert "two weeks"

**Member's explanatory statement**

This amendment would reduce the period of time before a final letting notice can be issued to two weeks.

---

**Clause agreed to.**

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**Clauses 158 and 159 agreed to.**

---

**Alex Norris**

**Not called 192**

Matthew Pennycook  
Colleen Fletcher

Clause 160, page 176, line 25, leave out subsection (5)

**Member's explanatory statement**

This amendment would remove the Henry VIII power that allows the Secretary of State to add or remove grounds of appeal.

---

**Clause agreed to.**

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**Schedule 15 agreed to.**

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**Clause 161 agreed to.**

---

**Alex Norris**

**Withdrawn after debate 193**

Matthew Pennycook  
Colleen Fletcher

Clause 162, page 177, line 36, at end insert "These regulations must be laid before Parliament before the end of a period of 90 days beginning with Royal Assent."

**Member's explanatory statement**

This amendment would require the Secretary of State to lay any regulations under this section before Parliament within a period of 90 days.

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**Clause agreed to.**

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**Clauses 163 and 164 agreed to.**

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**Schedule 16 agreed to.**

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**Clauses 165 to 174 agreed to.**

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**Alex Norris**

**Withdrawn after debate 194**

Matthew Pennycook  
Colleen Fletcher

Clause 175, page 185, line 16, at end insert—

“(1A) Compensation for damage under subsection (1) does not include damage that reasonably occurred gaining access to the site or premises where a landlord fails to grant such access.”

**Member's explanatory statement**

This amendment would exempt from compensation damage that is caused when the authority, or their agent, needs to force access to a site following the failure to allow such access by the landlord.

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**Clause agreed to.**

\_\_\_\_\_

**Clause 176 agreed to.**

\_\_\_\_\_

**Alex Norris**

**Not called 195**

Matthew Pennycook  
Colleen Fletcher

Clause 177, page 186, line 9, at end insert—

“(2A) “the local community” means persons resident in the vicinity of premises.”

**Member's explanatory statement**

This amendment defines the local community.

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**Clause agreed to.**

\_\_\_\_\_

**Clauses 178 to 183 agreed to.**

Twenty-fourth and Twenty-fifth Sitings

\_\_\_\_\_

**Clause 184 agreed to.**



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**Alex Norris**

**Withdrawn after debate 199**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 321, line 27, at end insert—

“(A1) In section 1 of the 2020 Act (Pavement licences), in subsection (5)(b) at end insert “but includes any part of a vehicular highway which is adjacent to a highway to which part 7A applies.”.”

**Member's explanatory statement**

This amendment would enable the pavement licence to include part of the carriageway, where the carriageway were adjacent to, for example, an eligible pavement. This would enable a licensing authority to grant licences which occupy part of the highway shared between space for pedestrians and vehicles.

---

**Alex Norris**

**Withdrawn after debate 204**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 7, at end insert “, together with any profit share, the maintenance fee and the cleansing fee”

**Member's explanatory statement**

This amendment and Amendment 205 would enable the local authority to share in the additional profit accruing from a licence enabling the licensed business to trade on the highway, and to recharge to the licensee the cost of maintaining and cleansing the licensed part of the highway.

---

**Alex Norris**

**Not called 205**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 10, at end insert—

“(1C) In subsection (1A)—

- (a) “the profit share” is such sum as the person who applies for a pavement licence, as part of an entity employing more than 250 people, and the local authority may agree represents one half of the additional profits arising from the grant of the licence during its term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement;
- (b) “the maintenance fee” is such sum as the person who applies for a pavement licence and the local authority may agree represents the cost of maintaining that part of the highway comprised in the licence during its term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement;

- (c) “the cleansing fee” is such sum as the person who applies for a pavement licence and the local authority may agree represents the cost of sweeping and cleansing that part of the highway comprised in the licence during its term, or such sum as the local authority may reasonably determine to represent that amount in default of agreement.”

**Member's explanatory statement**

See explanatory statement to Amendment 204.

---

**Alex Norris**

**Withdrawn after debate 200**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 19, at end insert—

- “(2B) In subsection (7), for “it is sent to” substitute “a receipt for the application is sent to the person who applies for a pavement licence by”.”

**Member's explanatory statement**

This amendment would cause the public consultation period to begin from the date on which the local authority sends a receipt to the applicant.

---

**Alex Norris**

**Not called 201**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 30, leave out “14” and insert “28”

**Member's explanatory statement**

This amendment would amend section 2 of the 2020 Act so that the consultation period for licence applications would be 28 days, rather than 14.

---

**Alex Norris**

**Withdrawn after debate 203**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 31, leave out paragraph 7 and insert—

- “7 (1) Section 3 of the 2020 Act (determination) is amended as follows.
- (2) After subsection (8) insert—
- “(8A) A local authority, in deciding whether to grant a pavement licence under subsection (3), shall have regard to the desirability of maintaining the free flow of pedestrians and other road users along the highway, and the avoidance of inconvenience to such persons.”.”

**Member's explanatory statement**

This amendment would confer discretion on a local authority to have regard to the needs of road users in deciding whether to grant a pavement licence.

---

**Alex Norris****Withdrawn after debate 202**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 322, line 32, leave out "14" and insert "28"

**Member's explanatory statement**

This amendment would allow a local authority 28 days to determine the application, instead of 14.

---

**Alex Norris****Withdrawn after debate 206**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 323, line 5, at end insert—

- "(8A) (1) Section 5 of the 2020 Act (conditions), is amended as follows.
- (2) After subsection (7) insert—
- "(7A) The conditions to which a licence granted by a local authority may be subject include—
- (a) a condition that any furniture which may be placed on the highway under the licence must be removed from the highway at times when the premises are not open to the public;
- (b) a condition that, where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must ensure that smoking or vaping does not affect others."
- (3) After subsection (8) insert—
- "(9) But regulations under subsection (8) must not prevent a local authority imposing a condition, nor affect a condition imposed by a local authority for the purposes of subsection (7A)(b)."

**Member's explanatory statement**

This amendment would allow a local authority to require that furniture is removed from the highway when it is not in use, as well as imposing a condition to require the licensee to prevent smoke-drift affecting those in the vicinity.

---

**Alex Norris**

**Withdrawn after debate 207**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 324, line 19, at end insert—

“(4A) If the person leaves or puts removable furniture on the relevant highway in contravention of the notice, the local authority may issue a fixed penalty notice of £500 to the person in accordance with guidance issued by the Secretary of State.

(4B) Subsection (4A) applies whether or not the local authority has taken the action specified in subsection (4).”

**Member's explanatory statement**

This amendment would enable local authorities to issue £500 fixed penalty notices to persons who leave or put removable furniture on a street in contravention of a notice.

---

**Alex Norris**

**Not called 208**

Matthew Pennycook  
Colleen Fletcher

Schedule 17, page 324, line 19, at end insert—

“(4A) It is an offence to leave or put removable furniture on the highway in contravention of a notice issued under subsection (3).

(4B) A person guilty of an offence under subsection (4A) is liable on summary conviction to a fine.

(4C) A person may be prosecuted for an offence under subsection (4A) notwithstanding whether or not the local authority has taken action against the person under subsection (4).”

**Member's explanatory statement**

This amendment would make it an offence to contravene a local authority notice requiring a person to remove furniture or to refrain from putting it on the highway.

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**Schedule agreed to.**

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**Rachael Maskell**

**Withdrawn after debate 130**

Clause 185, page 190, line 2, leave out “an historic environment record” and insert “or have access to an historic environment record and adequate specialist advisory capacity”

**Member's explanatory statement**

This amendment is intended to ensure that all current models for service provision of HERs are covered by the provisions of Clause 185 and that HERs have access to specialist archaeologists and conservation officers.

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**Clause agreed to.**

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**Clause 186 agreed to.**

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**Stella Creasy**

**Not selected 172**

Clause 187, page 192, line 27, at end insert—

- “(3) The Secretary of State may by regulations make provision about providing access to public services for individuals engaging in conduct which was, or is similar to conduct which was, an offence under—
- (a) section 3 of the Vagrancy Act 1824 (offences relating to begging), or
  - (b) section 4 of that Act (persons committing certain offences deemed to be rogues and vagabonds),
- prior to the repeal of that Act by the Police, Crime and Sentencing Act 2022.
- (4) Within six months of the day on which this Act receives Royal Assent, the Secretary of State must make regulations under subsection (3) making provision for individuals with no fixed address to access dental healthcare services provided by an NHS provider.”

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**Nickie Aiken**

**Not selected 1**

Robert Jenrick  
 Sir Iain Duncan Smith  
 Sir Gary Streeter  
 Lee Anderson  
 Siobhan Baillie

Andrew Bowie  
 Caroline Nokes  
 Sir Robert Neill  
 Sir Bernard Jenkin  
 Karen Bradley  
 Sir Stephen Timms  
 John Penrose  
 Daisy Cooper  
 Sarah Green  
 Layla Moran  
 Munira Wilson  
 Rachael Maskell

Damian Green  
 Bob Blackman  
 Stephen Hammond  
 Simon Hoare  
 Anthony Mangnall  
 Darren Jones  
 Ed Davey  
 Mr Alistair Carmichael  
 Wera Hobhouse  
 Sarah Olney  
 Richard Foord

Alicia Kearns  
 Jo Gideon  
 Aaron Bell  
 David Simmonds  
 Steve Brine  
 Dame Diana Johnson  
 Tim Farron  
 Wendy Chamberlain  
 Christine Jardine  
 Jamie Stone  
 Helen Morgan

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.

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**Clause agreed to.**

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**Clauses 188 to 191 agreed to.**

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**Dehenna Davison**

**Agreed to 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).

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**Clause, as amended, agreed to.**

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**Clauses 193 to 194 agreed to.**

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**Alex Norris**

**Not called 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.

---

**Lee Rowley**

**Agreed to Gov 197**

Clause 195, page 197, line 1, after “sections 107” insert “, (*Power to shorten deadline for examination of development consent order applications*)”

**Member's explanatory statement**

This amendment provides that the clause inserted by NC60 will come into force two months after the Bill is given Royal Assent.

---

Lee Rowley

Agreed to Gov 198

Clause 195, page 197, line 1, after "sections 107" insert ", (*Additional powers in relation to non-material changes to development consent orders*)"

**Member's explanatory statement**

This amendment provides that the clause in NC61 will come into force two months after the Bill is given Royal Assent

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**Clause, as amended, agreed to.**

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Lee Rowley

Added Gov NC60

To move the following Clause—

**"Power to shorten deadline for examination of development consent order applications**

- (1) Section 98 of the Planning Act 2008 (timetable for examining, and reporting on, application for development consent order) is amended as follows.
- (2) After subsection (4) insert—
  - "(4A) The Secretary of State may set a date for a deadline under subsection (1) that is earlier than the date for the time being set."
- (3) In subsection (6), after "subsection (4)" insert "or (4A)".

**Member's explanatory statement**

This new clause allows the Secretary of State to set a shorter deadline for the examination of applications for development consent orders and makes related provision. The new clause will be inserted after clause 110.

---

Lee Rowley

Added Gov NC61

To move the following Clause—

**"Additional powers in relation to non-material changes to development consent orders**

In paragraph 2 of Schedule 6 to the Planning Act 2008 (non-material changes), after sub-paragraph (1) insert—

"(1A) The Secretary of State may by regulations make provision about—

- (a) the decision-making process in relation to the exercise of the power conferred by sub-paragraph (1);
- (b) the making of the decision as to whether to exercise that power;
- (c) the effect of a decision to exercise that power.

This is subject to sub-paragraph (2).

- (1B) The power to make regulations under sub-paragraph (1A) includes power to allow a person to exercise a discretion.””

#### Member's explanatory statement

This new clause gives the Secretary of State the power to make provision about the decision-making process for non-material changes to development consent orders (for example, by setting time limits for making decisions). The new clause will be inserted after clause 110.

Dehenna Davison

Added Gov NC62

To move the following Clause—

#### “Prospects of planning permission for alternative development

- (1) The Land Compensation Act 1961 is amended as follows.
- (2) In section 14 (taking account of actual or prospective planning permission in valuing land)—
  - (a) in subsection (2), for paragraph (b) substitute—
    - “(b) of the prospect of planning permission being granted on or after that date for development, whether on the relevant land or other land, other than development for which planning permission is in force at the relevant valuation date.”;
  - (b) for subsections (3) and (4) substitute—
    - “(2A) If a description of development is certified under section 17 as appropriate alternative development in relation to the relevant land (or any part of it), it is to be taken as certain for the purposes of subsection (2)(b) that—
      - (a) planning permission for development of that description would be (or would have been) granted on the relevant valuation date, and
      - (b) the permission would be (or would have been) granted in accordance with any indication given under section 17(5B).
    - (2B) In relation to any other development, the prospects of planning permission are to be assessed for the purposes of subsection (2)(b)—
      - (a) on the assumptions set out in subsection (5), and
      - (b) otherwise, in the circumstances known to the market at the relevant valuation date.”;



- (c) in subsection (5), in the words before paragraph (a), for “subsections (2)(b) and (4)(b)” substitute “subsection (2B)(a) (and in section 17(1B)(a))”;
  - (d) in subsection (9), in the words before paragraph (a), for the words from “to” to “15(1)(b)” substitute “in subsection (2) to planning permission that is in force”.
- (3) In section 17 (certification of appropriate alternative development)—
- (a) in subsection (1), for the words from “containing” to the end substitute “stating that a certain description of development is appropriate alternative development in relation to the acquisition”;
  - (b) after subsection (1) insert—
    - “(1A) Development is “appropriate alternative development” for this purpose if it is development—
      - (a) on the land in which the interest referred to in subsection (1) subsists (whether alone or together with other land),
      - (b) for which planning permission is not in force at the relevant planning date, and
      - (c) in respect of which the following test is met.
    - (1B) The test is whether, had an application for planning permission for the development been determined on the relevant planning date, the local planning authority would have been more likely than not to grant the permission—
      - (a) on the assumptions set out in section 14(5),
      - (b) on the assumption that it would act lawfully, and
      - (c) otherwise, in the circumstances known to the market at the relevant planning date.
    - (1C) For the purposes of subsections (1A) and (1B), the “relevant planning date” is—
      - (a) the relevant valuation date, or
      - (b) if earlier, the date on which the application under this section is determined.”;
  - (c) in subsection (3), for paragraphs (a) and (b) substitute—
    - “(ba) must set out the applicant’s reasons for considering that the description of development given in the application is appropriate alternative development, and”;
  - (d) for subsections (5) to (8) substitute—
    - “(5A) The local planning authority may issue a certificate under this section in respect of—
      - (a) the description of development given in the application for the certificate, or
      - (b) a description of development less extensive than, but otherwise falling within, the description given in the application.

- (5B) A certificate under this section must give a general indication of—
- (a) any conditions to which planning permission for the development would have been subject, and
  - (b) any pre-condition for granting the permission (for example, entry into an obligation) that would have had to be met.
- (5C) The test to be applied for the purposes of subsection (5B) is whether the local planning authority would have been more likely than not to impose such conditions, or insist on such a pre-condition, on the assumptions, and otherwise in the circumstances, referred to in subsection (1B).”;
- (e) in subsection (10)—
- (i) for “there must be taken into account any expenses reasonably” substitute “no account is to be taken of any expenses”;
  - (ii) omit the words from “where” to “favour”.
- (4) In section 18 (appeals to Upper Tribunal)—
- (a) in subsection (2)—
    - (i) after paragraph (a) (but before the “and” at the end) insert—
 

“(aa) must consider those matters as if, in subsections (1B) and (5C), the references to the local planning authority were references to a reasonable planning authority,”;
    - (ii) in paragraph (b), after sub-paragraph (ii) insert—
 

“(iia) cancel it, or”;
  - (b) after subsection (2) insert—
 

“(2A) Where the local planning authority have rejected an application for a certificate under section 17, the person who applied for the certificate may appeal to the Upper Tribunal against the rejection.

(2B) On an appeal under subsection (2A)—

    - (a) paragraphs (a) and (aa) of subsection (2) apply as on an appeal under subsection (1), and,
    - (b) the Upper Tribunal must—
      - (i) confirm the rejection, or
      - (ii) issue a certificate,
 as the Upper Tribunal may consider appropriate.”;
  - (c) in subsection (3), for the words from “the preceding” to the end substitute “subsection (2A) applies as if the local planning authority have rejected the application”;
  - (d) after subsection (3) insert—
 

“(4) The references in sections 14(2A) and 17(5A) and (5B) to a certificate under section 17 include a certificate issued, or as varied, by the Upper Tribunal under this section.”

- (5) In section 19 (applications by surveyors)—
- (a) in subsection (3), for “paragraphs (a) and (b)” substitute “paragraph (ba)”;
  - (b) after that subsection insert—
    - “(4) In the application of section 18 by virtue of subsection (1)—
      - (a) subsection (1)(a) of that section is to be read as if it included the surveyor, and
      - (b) subsection (2A) of that section is to be read as if the reference to the person who applied for the certificate included the person entitled to the interest.”
- (6) In section 20(a) (power to prescribe time limit for issuing certificate under section 17), for the words from “time” to the end substitute “period within which an application under that section is to be determined”.
- (7) In section 22 (interpretation of Part 3), after subsection (2) insert—
- “(2A) The completion of the acquisition or purchase referred to in the applicable paragraph of subsection (2) does not affect the continued application of that subsection.””

#### Member's explanatory statement

This new clause (to be inserted after clause 149) changes how prospects of planning permission are taken into account when assessing land value for purposes of compulsory purchase compensation. Planning permission will be taken for granted only if the planning authority certifies that it would have granted it, and such certificates will be reduced in scope.

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Judith Cummins

Negatived on division NC1

Alex Norris  
Darren Jones  
Dame Diana Johnson  
John Penrose  
Mr David Davis

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**

**Not called NC2**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

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**

**Not called NC3**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

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**

**Not called NC4**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

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.

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**Emma Hardy**

**Not called NC5**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

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**

**Not called NC6**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

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.

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**Emma Hardy**

Rachael Maskell  
Matthew Pennycook  
Alex Norris

**Not called 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**

Sarah Champion  
Mick Whitley  
Simon Hoare  
Tim Farron  
David Linden

Dame Diana Johnson  
Dr Rupa Huq  
Stella Creasy  
Kim Leadbeater  
Kim Johnson  
Mike Amesbury

Rebecca Long Bailey  
Peter Dowd  
Valerie Vaz  
John McDonnell  
Mr Kevan Jones  
Rachael Maskell

**Withdrawn after debate NC8**

Charlotte Nichols  
Rosie Duffield  
Yasmin Qureshi  
Jonathan Edwards  
Steve McCabe  
Ian Lavery

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 2023.



- (4) A further such report must be laid before Parliament in each subsequent calendar year.”

**Member's explanatory statement**

This new clause would require the Secretary of State to report annually to Parliament on the rates of, and the extent to which the fiscal and regulatory framework supports, new factory openings, investment in new factory equipment, introduction of tailored skills-acquisition programmes and creation of manufacturing jobs in areas with rates of poverty, unemployment or economic inactivity above the national average.

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**Greg Smith**

**Withdrawn after debate 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.

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**Greg Smith**

**Not called NC13**

Sir Roger Gale

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) His 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.

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**Theresa Villiers**

**Withdrawn after debate NC14**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 Angela Richardson  
 Anne Marie Morris

James Gray  
 John Redwood

Sir Geoffrey Clifton-Brown

Anthony Mangnall

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 document
 may 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.

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**Theresa Villiers**

**Not called NC15**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 Angela Richardson  
 James Gray

Sir Geoffrey Clifton-Brown

Anthony Mangnall

John Redwood

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.

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Theresa Villiers

Withdrawn after debate NC16

Bob Seely  
 Greg Smith  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall  
 Rachael Maskell

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.

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**Theresa Villiers**

**Withdrawn after debate NC17**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown

Anthony Mangnall

John Redwood

Rachael Maskell

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.

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**Theresa Villiers**

**Withdrawn after debate NC18**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall

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.

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**Theresa Villiers**

**Not selected NC19**

Bob Seely  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall

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**

**Not called NC20**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall

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.

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**Theresa Villiers**

**Not called NC21**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 Angela Richardson  
 James Gray  
 Sir Geoffrey Clifton-Brown      Anthony Mangnall

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

Withdrawn after debate NC22

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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**

**Withdrawn after debate NC23**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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.

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**Theresa Villiers**

**Withdrawn after debate NC24**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall

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**

**Withdrawn after debate NC25**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown  
 Anthony Mangnall

Rachael Maskell

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."

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**Theresa Villiers**

**Not called NC26**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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**

**Withdrawn after debate NC27**

Bob Seely  
 Greg Smith  
 Gordon Henderson  
 James Gray  
 Sir Geoffrey Clifton-Brown

Anthony Mangnall                      Rachael Maskell

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.

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**Theresa Villiers**

**Withdrawn after debate NC28**

Bob Seely  
 Greg Smith  
 Matthew Pennycook  
 Gordon Henderson  
 James Gray

Sir Geoffrey Clifton-Brown      Anthony Mangnall                      Rachael Maskell

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.

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**Theresa Villiers**

**Withdrawn after debate NC29**

Bob Seely  
Greg Smith  
Gordon Henderson  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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.

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**Theresa Villiers**

**Withdrawn after debate NC30**

Bob Seely  
Greg Smith  
James Gray  
Sir Geoffrey Clifton-Brown  
Anthony Mangnall

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.

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**Anne Marie Morris**

**Not selected NC31**

Anthony Mangnall  
Selaine Saxby

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.

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**Matthew Pennycook**

**Not called 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.

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**Anne Marie Morris**

**Not selected NC33**

Anthony Mangnall  
Selaine Saxby

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) His 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.

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**Rachael Maskell**

**Withdrawn after debate 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.

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**Matthew Pennycook**

**Not called NC35**

Alex Norris  
Colleen Fletcher



To move the following Clause—

**“Report about uptake of neighbourhood development plans**

- (1) Section 38A of PCPA 2004 (Meaning of “neighbourhood development plan”) is amended as follows.
- (2) After subsection (11C) insert—
  - “(11D) The Secretary of State must prepare and publish an annual report on the uptake of neighbourhood development plans. The report must, in particular, set out—
    - (a) the uptake of neighbourhood development plans in less affluent neighbourhoods,
    - (b) the uptake of neighbourhood development plans in urban neighbourhoods, and
    - (c) the steps that Government are taking to increase this uptake.”

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**Matthew Pennycook**

**Not called NC36**

Alex Norris  
Colleen Fletcher

To move the following Clause—

**“Duty to provide sufficient resources to local planning authorities for new burdens: enforcement of planning controls**

The Secretary of State must provide commensurate additional financial resources to local planning authorities to enable them to implement the provisions in Chapter 5 of Part 3.”

**Member's explanatory statement**

See explanatory statement for Amendment 116.

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**Matthew Pennycook**

**Not called NC37**

Alex Norris  
Colleen Fletcher  
Rachael Maskell

To move the following Clause—

**“Prohibition on development for prescribed persons**

- (1) The Secretary of State may by regulations prohibit a person of a prescribed description from carrying out development of land in England (or a prescribed description of such development).
- (2) The descriptions of persons which may be prescribed include in particular persons who—

- (a) have been found to be in breach of planning control on a development undertaken by them, and
  - (b) that breach has not been rectified.
- (3) A prohibition under the regulations applies despite planning permission (or any prescribed description of planning permission) having been granted."

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Tim Farron

Negatived on division NC38

To move the following Clause—

**"New use classes for second homes and holiday lets**

- (1) Part 1 of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.
- (2) In paragraph 3 (dwellinghouses)—
  - (a) for "whether or not as a sole or" substitute "as a", and
  - (b) after "residence" insert "other than a use within Class 3B)".
- (3) After paragraph 3 insert—

**"3A Class C3A Second homes**

Use, following a change of ownership, as a dwellinghouse as a secondary or supplementary residence by—

- (a) a single person or by people to be regarded as forming a single household;
- (b) not more than six residents living together as a single household where care is provided for residents; or
- (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

Interpretation of Class C3A

For the purposes of Class C3A "single household" is to be construed in accordance with section 258 of the Housing Act 2004.

**Class C3B Holiday rentals**

Use, following a change of ownership, as a dwellinghouse as a holiday rental property."

**Member's explanatory statement**

This new clause would create new class uses for second homes and short-term holiday lets.

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Tim Farron

Not called NC39

To move the following Clause—

**“Planning permission required for use of dwelling as second home**

- (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 of a dwelling as a second home following a change in ownership involves a material change in the use of the building (whether or not it was previously used as a second home);”.

**Member's explanatory statement**

This new clause would mean planning permission would be required for a dwelling to be used as a second home following a change of ownership.

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Tim Farron

Not called NC40

To move the following Clause—

**“Local authorities to be permitted to require that new housing in National Parks and AONB is affordable**

- (1) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area that is within—
  - (a) a National Park, or
  - (b) an Area of Outstanding Natural Beautyis affordable.
- (2) A local planning authority may define “affordable” for the purposes of subsection (1).”

**Member's explanatory statement**

This new clause would enable local authorities to mandate that new housing under their jurisdiction and within a National Park or an Area of Outstanding Natural Beauty is affordable, and to define “affordable” for that purpose.

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Tim Farron

Negated on division NC41

To move the following Clause—

**“Local authorities to be permitted to require that new housing is affordable**

- (1) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area is affordable.
- (2) A local planning authority may define “affordable” for the purposes of subsection (1).”

**Member's explanatory statement**

This new clause would enable local authorities to mandate that new housing under their jurisdiction is affordable, and to define "affordable" for that purpose.

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Rachael Maskell

Not called NC42

To move the following Clause—

**"Deliberative democracy: local planning**

- (1) Before the preparation of any development or outline plan the local planning authority must undertake a process of deliberative democracy which involving the community to set—
  - (a) the balance of economic, environmental, infrastructure and special plans,
  - (b) the type of housing to be delivered,
  - (c) the infrastructure that is required to be hosted,
  - (d) the type of economic space, and
  - (e) environmental considerations, including making sites sustainable.
- (2) A process of deliberative democracy under this section must—
  - (a) invite all residents of the local authority area to apply to be a representative in the deliberative democracy process,
  - (b) include measures to try to ensure that there will be a diverse representation of that community in the process, and
  - (c) provide for a forum of representatives that—
    - (i) will determine its terms of reference, number of meetings and agenda at its first meeting, and
    - (ii) will produce a report from the deliberative democracy process.
- (3) A report under subsection (2)(c)(ii) may determine the scope of development on a site."

**Member's explanatory statement**

This new clause would introduce a deliberative democracy forum comprised of members of the public prior to the formation of a new development plan or outline plan.

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Rachael Maskell

Withdrawn after debate NC43

To move the following Clause—

**"Review of permitted development rights**

- (1) The Secretary of State must, within 12 months of the day on which this Act is passed, publish a review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596).
- (2) The review must 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 consent;
- (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 Act designed to deliver streamlined consent, on the efficacy of levelling-up missions.

(3) The review should make recommendations.”

Adjourned until Thursday at 11.30 am

## Glossary

**Added:** New Clause agreed without a vote and added to the Bill.

**Agreed to:** agreed without a vote.

**Agreed to on division:** agreed following a vote.

**Negated:** rejected without a vote.

**Negated on division:** rejected following a vote.

**Not called:** debated in a group of amendments, but not put to a decision.

**Not moved:** not debated or put to a decision.

**Question proposed:** debate underway but not concluded.

**Withdrawn after debate:** moved and debated but then withdrawn, so not put to a decision.

**Not selected:** not chosen for debate by the Chair.