
Report Stage: Thursday 27 October 2022

Levelling-up and Regeneration Bill, As Amended (Amendment Paper)

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 Any withdrawn amendments are listed at the end of the document.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

★ New Amendments.

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

New Amendments: NC7

John Stevenson

NC1

To move the following Clause—

“Power to provide for an elected mayor

- (1) Part 1A of the Local Government Act 2000 is amended as follows.
- (2) After section 9K insert—

“9KA Power to provide for an elected mayor

- (1) The Secretary of State may by regulations provide for there to be a mayor of a local authority.
- (2) Before making regulations under subsection (1), the Secretary of State must publish a report which contains—
 - (a) an assessment of why it is in the interests of economy, efficiency, effectiveness or public safety for the regulations to be made, and
 - (b) a description of any public consultation the Secretary of State has carried out on the proposal for the regulations to be made.””

Member's explanatory statement

This new clause would allow the Secretary of State to provide for there to be a mayor of any local authority if they deem appropriate.

John Stevenson

NC2

To move the following Clause—

“Resignation requirements for MPs serving as elected mayors

- (1) The Police Reform and Social Responsibility Act 2011 is amended in accordance with subsection.
- (2) In section 67 (Disqualification of person holding office as police and crime commissioner), leave out paragraph (a).
- (3) Schedule 1 to the House of Commons Disqualification Act 1975 is amended as follows.
- (4) In Part 3 (Other Disqualifying Offices), at the appropriate place insert—

“Mayor who is to exercise the functions of police and crime commissioner”

Member's explanatory statement

This new clause would allow an MP who is elected as a mayor who is to exercise the functions of a police and crime commissioner to remain as an MP until the next parliamentary election.

John Stevenson

NC3

Mr Laurence Robertson
Karl McCartney
Ruth Edwards
Chris Grayling
Maria Caulfield

Gordon Henderson
Craig Mackinlay
Paul Maynard
Mrs Heather Wheeler
Stephen Hammond

Martin Vickers
Peter Aldous
Dr Matthew Offord
Jack Lopresti
Caroline Ansell

Simon Fell
Henry Smith
Matt Vickers
Sir Peter Bottomley

To move the following Clause—

“Solar panel requirements for new homes

- (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 provide that all new homes built in England from 1 April 2025 must have solar panels installed.”

Member's explanatory statement

This new clause would require new homes in England from 1 April 2025 to have solar panels.

Nickie Aiken

NC4

To move the following Clause—

“Housing Act 1985

In section 618 of the Housing Act 1985 (The Common Council of the City of London), omit subsections (3) and (4).”

Member's explanatory statement

This new clause would correct a disparity which applies uniquely to Members of the City of London's Common Council in relation to their ability to discuss or vote on local authority matters relating to land, for example housing, by removing a prohibition on participating on such matters.

Chris Grayling

NC5

☆ To move the following Clause—

“Ecological surveys prior to planning application

- (1) TCPA 1990 is amended as follows.
- (2) After section 57 (planning permission required for development) insert—

“57A Ecological surveys prior to planning permission

- (1) Before making an application for planning permission the applicant must undertake an ecological survey of the proposed site to establish whether the proposed development threatens the habitat of a vulnerable species.
- (2) The Secretary of State must by regulations make provision about—
 - (a) such ecological surveys and requirements to undertake them,
 - (b) the definition of “vulnerable species” for the purposes of this section, and
 - (c) the relocation of species to suitable alternative habitats.
 - (d) the relocation of species to suitable alternative habitats where clearance/ destruction of the habitat cannot be avoided or mitigated onsite.
- (3) A person who alters a potential development site—
 - (a) prior to the completion of an ecological survey under this section, and
 - (b) without due regard to potential habitats of vulnerable species on the site commits an offence.
- (4) A person who commits an offence under subsection (3) is liable on summary conviction to a fine.
- (5) The Secretary of State may by regulations make provision about offences under subsection (3).”

- (3) After section 58A (permission in principle) insert—

“58AA Duty of regard to wildlife habitats in granting permissions

In considering whether to grant planning permission or permission in principle for the development of land in England which threatens the habitat of a vulnerable species under section 57A the local planning authority or (as the case may be) the Secretary of State must have special regard to the desirability of preserving or enhancing the habitat.””

Member's explanatory statement

This new clause requires ecological surveys establishing whether a proposed development threatens habitats of a vulnerable species before a planning application. It also requires planning authorities to take vulnerable species' habitats into account in planning decisions and creates an offence relating to destroying habitats prior to the ecological survey.

Munira Wilson

NC6

Tim Farron

- ☆ To move the following Clause—

“Disposal of land held by public bodies

- (1) The Local Government Act 1972 is amended in accordance with subsections (2) and (3).
- (2) In section 123 (disposal of land by principal councils), after subsection (2) insert—
- “(2ZA) But the Secretary of State must give consent if the disposal is in accordance with section [Disposal of land held by public bodies] of the Levelling-up and Regeneration Act 2022.”
- (3) In section 127(3) (disposal of land held by parishes and communities), after “(2A)” insert “, (2ZA)”.
- (4) The National Health Service Act 2006 is amended in accordance with subsection (5).
- (5) After section 211 (acquisition, use and maintenance of property) insert—

“211A Disposal of land held by NHS bodies

Any power granted by this Act to an NHS body to dispose of land is exercisable in accordance with section [Disposal of land held by public bodies] of the Levelling-up and Regeneration Act 2022 as if the NHS body were a local authority.”

- (6) Subject to subsection (8), a disposal of land is in accordance with this section if it is in accordance with the Local Government Act 1972 General Disposal Consent (England) 2003 published in Department for Communities and Local Government Circular 06/03, as amended by subsection (7).

- (7) Those amendments to the Local Government Act 1972 General Disposal Consent (England) 2003 are—
- (a) after paragraph 1 insert—
 - “(1A) This consent also applies to any NHS body in England as if it were a local authority in accordance with section 211A of the National Health Service Act 2006;”;
 - (b) in paragraph 2(b), for “£2,000,000 (two million pounds)” substitute “£3,000,000 (three million pounds) or 40% of the unrestricted market value, whichever is greater”;
 - (c) for paragraph 3(1)(vii) substitute—
 - “(viii) a Police and Crime Commissioner established under the Police Reform and Social Responsibility Act 2011;”;
 - (d) for paragraph 3(1)(ix) substitute—
 - “(ix) the Mayor’s Office for Policing and Crime;”;
 - (e) for paragraph 3(1)(x) substitute—
 - “(x) the London Fire Commissioner;”;
 - (f) after paragraph 3(1)(xii) insert—
 - “(xiii) a combined authority;
 - (xiv) a mayoral combined authority;
 - (xv) the Greater London Authority;
 - (xvi) any successor body established by or under an Act of Parliament to any body listed in this subparagraph.”
- (8) The Secretary of State may, to reflect inflation, further amend the cash value that the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal must not exceed.”

Member's explanatory statement

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

_____ Dame Caroline Dinenage

NC7

★ To move the following Clause—

“Council tax: properties of multiple occupancy

- (1) The Local Government Finance Act 1992 is amended as follows.
- (2) In section 3 (meaning of “dwelling”), after subsection (4A), insert—
 - “(4B) Subject to subsection (6) below, the following property is not a dwelling—

- (1) a room or bedroom subject to a tenancy agreement that does not contain bathroom and cooking facilities within its physical curtilage;
- (2) a room or bedroom subject to a tenancy agreement which includes bathroom facilities but does not include cooking facilities within its physical curtilage;
- (3) any rooms or bedrooms within a licensed House of Multiple Occupancy; and
- (4) any room which is not in law a self-contained unit regardless of any clause, term or condition of any contract, license of agreement conferring a right to occupy that room.””

Member's explanatory statement

This new clause is intended to prevent the imposition of Council Tax individually on tenants of a room in a house with shared facilities, or in a licensed House of Multiple Occupancy.

Nickie Aiken

1

Page 196, line 16, leave out Clause 190

Order of the House

[8 June 2022, as amended 22 September 2022]

That the following provisions shall apply to the Levelling-up and Regeneration Bill:

Committal

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

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 20 October 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

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