
Report Stage: Tuesday 15 November 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 Any withdrawn amendments are listed at the end of the document.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.

New Amendments: 6 and 7 and NC21 to NC39

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
 Dr Dan Poulter
 Sir Geoffrey Clifton-Brown

Martin Vickers
 Peter Aldous
 Dr Matthew Offord
 Jack Lopresti
 Caroline Ansell
 Mark Pawsey

Simon Fell
 Henry Smith
 Matt Vickers
 Sir Peter Bottomley
 Chris Loder
 Andrew Selous

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,
 - (c) the mitigation hierarchy being duly followed, and
 - (d) the relocation of species to suitable alternative habitats where clearance or 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 Dinéage

NC7

Margaret Ferrier
 Sir Greg Knight
 Richard Graham
 Sarah Champion
 Caroline Nokes

Tracey Crouch
 Mrs Flick Drummond
 Julian Knight
 Dr Dan Poulter

Sir Desmond Swayne
 Sir Roger Gale
 Royston Smith
 Rob Roberts

Justin Tomlinson
 Gordon Henderson
 Stephen Hammond

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—
 - (a) a room or bedroom subject to a tenancy agreement that does not contain bathroom and cooking facilities within its physical curtilage;
 - (b) a room or bedroom subject to a tenancy agreement which includes bathroom facilities but does not include cooking facilities within its physical curtilage;
 - (c) any rooms or bedrooms within a licensed House of Multiple Occupancy; and
 - (d) 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.

Sir Gary Streeter

NC8

To move the following Clause—

“National Parks purposes

- (1) Section 5 of the National Parks and Access to the Countryside Act 1949 is amended in so far as it applies to England as follows.
- (2) For section 5(1) substitute—
 - “(1) The provisions of this Part of this Act shall have effect for the purpose—
 - (a) of restoring, conserving and enhancing the—
 - (i) biodiversity and the natural environment;
 - (ii) natural beauty; and
 - (iii) cultural heritageof the areas specified in the next following subsection; and
 - (b) of providing equal opportunities for all parts of society to improve their connection to biodiversity and the natural environment, natural beauty and cultural heritage of those areas and the enjoyment of their special qualities.”
- (3) For section 5(2) substitute—
 - “(2) The said areas are those extensive tracts of country in England which it appears to Natural England that by reason of—

- (a) their biodiversity and natural environment, natural beauty and cultural heritage; and
 - (b) the opportunities they afford for providing equal opportunities for all parts of society to improve their connection to biodiversity and the natural environment, natural beauty and cultural heritage of those areas and the enjoyment of their special qualities, having regard both to their character and to their position in relation to centres of population,
- it is especially desirable that the necessary measures shall be taken for the purposes mentioned in the last foregoing subsection.”
- (4) Omit section 5(2A).
 - (5) After subsection (3) insert—
 - “(4) In subsection (1) above—
 - “biodiversity” has the meaning given to the term “biological diversity” by Article 2 of the United Nations Environmental Programme Convention on Biological Diversity of 1992;
 - “natural environment” has the meaning given by section 44 of the Environment Act 2021;
 - “natural beauty” has the meaning given by section 114(2) of this Act;
 - “cultural heritage” means any building, structure, other feature of the natural or built environment or site, which is of historic, architectural, archaeological or artistic interest.”
 - (6) The amendments made by subsections (1) to (5) above are without prejudice to the continuing validity of any designation of an area as a National Park under subsection (3) of that section.”

Member's explanatory statement

This new clause will amend the statutory purposes of National Parks to make it clearer that National Parks should actively recover nature and improve people's connection with nature, as recommended by the Glover Review. Part (3) amends the criteria for designating new National Parks in line with the updated purposes.

Sir Gary Streeter

NC9

To move the following Clause—

“Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated

- (1) Section 11A (Duty of certain bodies and persons to have regard to the purposes for which National Parks are designed) of the National Parks and Access to the Countryside Act 1949 is amended in so far as it applies to England as follows.
- (2) After subsection (1) insert—
 - “(1A) A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section 5 of this Act, shall

seek to promote climate change mitigation and adaptation, in particular through policies and projects that restore, conserve and enhance biodiversity and the natural environment while also reducing, or increasing the removal of, greenhouse gas emissions or supporting climate adaptation.”

(3) For subsection (2) substitute—

“(2) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority must further the purposes specified in subsection (1) of section 5 of this Act and, if it appears that there is a conflict between paragraphs (a) and (b) of that subsection, shall attach greater weight to the purpose of restoring, conserving and enhancing the natural environment and biodiversity, natural beauty and cultural heritage of the area comprised in the National Park.””

Member's explanatory statement

This new clause implements two recommendations from the Glover Review, to give National Park authorities a new duty to address climate change and to strengthen the existing duty on public bodies to “further” National Park purposes.

Sir Gary Streeter

NC10

To move the following Clause—

“National Park Management Plans

(1) Section 66 (National Park Management Plans) of the Environment Act 1995 is amended in so far as it applies to England as follows.

(2) After subsection (1) insert—

“(1A) A National Park Management Plan must include targets and actions to be achieved before the review of the plan under subsection (4) by the National Park authority and other relevant authorities that are exercising or performing any functions in relation to, or so as to affect, land in the National Park.

(1B) The targets and actions must include those that will contribute to—

(a) the furthering of the purposes specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949;

(b) the achievement of targets as may be set under

(i) sections 1 to 7 of the Environment Act 2021;

(ii) environmental improvement plans prepared under sections 8 to 15 of that Act; and

(iii) the Climate Change Act 2008 for the protection of the climate, including in respect of the mitigation of, and adaptation to, climate change; and

- (c) the implementation of any local nature recovery strategies for an area within the National Park prepared under sections 104 to 107 of the Environment Act 2021.
- (1C) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, a relevant authority must—
 - (a) in the case of a relevant authority other than a National Park authority, assist with the preparation of the National Park Management Plan by providing to the National Park authority a list of the actions that the relevant authority will take reasonable steps to undertake over the 5 years of the Plan to further the purposes specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949;
 - (b) take reasonable steps to undertake those actions within that period; and
 - (c) in the case of a relevant authority other than a National Park authority, at least six months prior to the commencement of the review of the National Park Management Plan, provide to the National Park authority the details of the actions that the relevant authority has undertaken during the period to which the Plan relates.
- (1D) For the purposes of (1A) and (1B) “relevant authority” has the same meaning as in section 11A(3) of the National Parks and Access to the Countryside Act 1949.”
- (3) After subsection (4) insert—
 - “(4A) At least three months prior to the commencement of a review under subsection (4) a National Park authority must publish a report setting out, in particular, details of—
 - (a) targets and actions in the National Park Management Plan that have been achieved;
 - (b) targets and actions that have not been achieved;
 - (c) targets and actions that the National Park authority is not yet able to determine whether they have been achieved, the reasons for that and the steps the National Park authority or any other relevant authority intends to take in order to determine whether the target or action has been achieved, and, in respect of (b), the reasons why a target or action has not been achieved and the steps the National Park authority or any other relevant authority has taken, or intends to take, to ensure the target or action is achieved as soon as reasonably practicable.
 - (4B) Within three months of the publication of the report prepared in accordance with subsection (4A) Natural England must provide and publish advice to the National Park authority and any relevant authority as it sees fit, in relation to the National Park Management Plan that is to be reviewed, on—
 - (a) the extent to which and reasons why any targets in that Plan have not been met;

- (b) actions that should be taken by the National Park authority or any relevant authority to ensure that the target is achieved as soon as possible; and
 - (c) targets to be set in the revised plan.
 - (4C) Advice given under (4B) must also contain the reasons for that advice.
 - (4D) It shall be the duty of a National Park authority and any relevant authority to follow the advice given under subsection (4B) unless it appears unreasonable to do so, in which case the National Park authority or relevant authority must publish a statement giving reasons why it is not following that advice.
 - (4E) At the same time as the publication of a report under paragraph (c) of subsection (6), a National Park authority must publish a report on its response to the advice given under (4B) and any actions taken by the National Park authority or any other relevant authority as a result of the advice given under paragraph (b) of subsection (4B)."
- (4) For subsection (7) substitute—
 - "(7) A National Park authority which is proposing to publish, adopt or review any plan under this section must publish notice of the proposal and a copy of the plan, together (where appropriate) with any proposed amendments of the plan and consult—
 - (a) every principal council and corporate joint committee whose area is wholly or partly comprised in the relevant Park;
 - (b) Natural England;
 - (c) the Environment Agency;
 - (d) any other relevant authority that is exercising or performing any functions in relation to, or so as to affect, land in a National Park; and
 - (e) the general public."
- (5) After subsection (7) insert—
 - "(7A) A National Park authority must take into consideration any observations made by any of the persons consulted under subsection (7)."
- (6) After subsection (8) insert—
 - "(8A) Any plan which a National Park authority publishes, adopts or amends following a review under this section shall not be made operational until it is approved in writing by the Secretary of State on advice from Natural England."
- (7) After section 66 insert—
 - "66A Guidance on the preparation of National Park Management Plans: England**
 - (1) Natural England must issue guidance to National Park authorities on the preparation, content and implementation of National Park Management Plans.

- (2) Guidance must be—
 - (a) published by Natural England in such manner as Natural England sees fit;
 - (b) kept under review; and
 - (c) revised where Natural England considers it appropriate.
- (3) A National Park authority must have regard to the guidance when preparing and implementing a National Park Management Plan.

66B Annual reports on the implementation of National Park Management Plans: England

- (1) As soon as practicable after the end of each financial year, a National Park authority in England must prepare a report on the implementation of the current National Park Management Plan during that year and send a copy of the report to the Secretary of State and Natural England.
- (2) The report must include an assessment of—
 - (a) the progress that has been made during the financial year in achieving the targets and actions set out in the National Park Management Plan;
 - (b) the further progress that is needed to achieve those targets and actions and the steps the National Park authority or any other relevant authority will take to ensure the target or action is achieved before the next review of the Plan under subsection (4) of section 66; and
 - (c) whether those targets and actions are likely to be achieved before the next review of the Plan under subsection (4) of section 66.
- (3) A relevant authority other than a National Park authority that is exercising or performing any functions in relation to, or so as to affect, land in a National Park in England must contribute to the report by providing to the National Park authority the details of the actions that the relevant authority has undertaken to further the purposes of the National Park specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949 during the financial year to which the report relates.
- (4) The Secretary of State must lay a copy of the report before Parliament and publish the report.
- (5) “Relevant authority” has the same meaning as in section 11A(3) of the National Parks and Access to the Countryside Act 1949.

66C Duty to provide advice or other assistance on request: England

Natural England must, at the request of a National Park authority or other relevant authority, provide advice, analysis, information or other assistance to the authority in connection with—

- (a) the authority's functions under this or any other Act; and

- (b) the progress made towards meeting the targets and actions included in a National Park Management Plan.

66D Strategic priorities and objectives for National Parks: England

- (1) Within six months of the entering into force of this section, the Secretary of State must publish a statement setting out strategic priorities and objectives for National Park authorities and relevant authorities in carrying out relevant functions.
- (2) National Park authorities and relevant authorities must carry out those functions in accordance with any statement published under this section.
- (3) In formulating a statement under this section, the Secretary of State must further the purposes in section 5 of the National Parks and Access to the Countryside Act 1949 (“the 1949 Act”).
- (4) Before publishing a statement under this section, the Secretary of State must consult—
 - (a) National Park authorities;
 - (b) Natural England; and
 - (c) such relevant authorities as the Secretary of State thinks appropriate.
- (5) Before publishing a statement under this section the Secretary of State must—
 - (a) lay a draft of the statement before Parliament; and
 - (b) then wait until the end of the 40-day period.
- (6) The Secretary of State may not publish the final statement under this section if, within the 40-day period, either House of Parliament resolves not to approve it.
- (7) “The 40-day period” means the period of 40 days beginning with the day on which the draft is laid before Parliament (or, if it is not laid before each House on the same day, the later of the days on which it is laid).
- (8) When calculating the 40-day period, ignore any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (9) The Secretary of State shall, in accordance with this section, publish a revised statement no later than five years after the publication of each statement.
- (10) In this section—
 - “relevant authorities” shall have the same meaning as in section 11A of the 1949 Act; and
 - “relevant functions” means, for National Park authorities, the functions mentioned in Part III of this Act and, for relevant authorities, those functions mentioned in section 11A(2) of the 1949 Act.””

Member's explanatory statement

This new clause would implement the recommendation of the Glover Review that National Park Management Plans should contain targets, priorities and actions to deliver the purposes of National Parks. It would also require National Park authorities and other public bodies to set out what steps they will take to achieve those targets, priorities and actions.

Sir Gary Streeter

NC11

To move the following Clause—

“National Park Authorities

- (1) Schedule 7 to the Environment Act 1995 is amended in so far as it applies to England as follows.
- (2) In paragraph 1(3) after “must” insert “not”.
- (3) In paragraph 2(3)(c) omit “only at the request of that council”.
- (4) After paragraph 2(4) insert—
 - “(4A) In appointing local authority members of a National Park authority, a principal council must have regard to the desirability of—
 - (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
 - (b) maintaining an overall balance between members with experience of and capacity in those purposes.”
- (5) After paragraph 3(2) insert—
 - “(2A) In appointing parish members of a National Park authority the Secretary of State must have regard to the desirability of—
 - (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
 - (b) maintaining an overall balance between members with experience of and capacity in those purposes.”
- (6) After paragraph 4(1) insert—
 - “(1A) In appointing members of a National Park authority the Secretary of State must have regard to the desirability of—
 - (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
 - (b) maintaining an overall balance between members with experience of and capacity in those purposes.””

Member's explanatory statement

This new clause would allow the Secretary of State to amend secondary legislation to increase the proportion of National Park authority members who are nationally appointed, on the basis of their skills and experience. It would also require that consideration is given to ensuring members have relevant experience.

Andrew Lewer

NC12

To move the following Clause—

“Requirements to encourage the development of small sites

- (1) In respect of a development where the conditions in subsection (2) are satisfied, local authorities must support opportunities to bring forward sites and apply a presumption in favour of development.
- (2) The conditions are that—
 - (a) the site is less than 0.25 hectares in area, and
 - (b) the site contains over 60% affordable housing.
- (3) In this section, “affordable housing” has the same meaning as in Annex 2 of the NPPF.”

Member's explanatory statement

This new clause would provide for a presumption in favour of development for affordable-led small sites and encourage councils to bring forward small sites for development.

Caroline Lucas

NC13

To move the following Clause—

“Duty of regard to the right to nature

- (1) It is the duty of public authorities when exercising their functions under this Act to have special regard to the right to nature.
- (2) For the purposes of subsection (1), the “right to nature” means the right to a clean, healthy and sustainable environment.
- (3) Contributing to providing and maintaining a clean, healthy and sustainable environment includes increasing access to natural spaces and reducing geographical inequalities in this access.”

Member's explanatory statement

This new clause would create a right to a clean, healthy and sustainable environment, and require authorities to increase access to nature and to ensure access is equitably distributed across different communities.

Emma Hardy

NC14

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 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.

Emma Hardy

NC15

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 5 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

NC16

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

NC17

To move the following Clause—

“Flood prevention and mitigation certification and accreditation schemes

- (1) The Secretary of State must by regulations establish—
 - (a) a certification scheme for improvements to domestic and commercial properties in England made in full or in part for flood prevention or flood mitigation purposes, and
 - (b) an accreditation scheme for installers of such improvements.
- (2) The scheme under subsection (1)(a) must—
 - (a) set minimum standards for the improvements, including that they are made by a person accredited under subsection (1)(b), and
 - (b) provide for the issuance of certificates stating that improvements to properties have met those standards.
- (3) The scheme under subsection (1)(a) may make provision for the certification of improvements that were made before the establishment of the scheme provided those improvements meet the minimum standards in subsection (2)(a).
- (4) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) A draft statutory instrument containing regulations under this section must be laid before Parliament before the end of the period of six months beginning with the day on which this Act comes into force.”

Member's explanatory statement

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

Emma Hardy

NC18

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

NC19

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.

To move the following Clause—

“Strengthening local powers on new home standards, affordable housing and bus services

- (1) The Secretary of State must make Building Regulations under section 1 of the Building Act 1984 providing that new homes in England must meet the full requirements of the Future Homes Standard from 1 January 2023.
- (2) A local authority in England may choose to require and enforce minimum carbon compliance standards for new homes in its area which exceed the Future Homes Standard from that date.
- (3) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area is affordable.
- (4) A local planning authority may define “affordable” for the purposes of subsection (3).
- (5) Notwithstanding section 66 of the Transport Act 1985, a local authority in England shall have power to provide a service for the carriage of passengers by road which requires a PSV operator’s licence.”

Member's explanatory statement

This new clause would bring forward the date for which the Future Homes Standard for carbon compliance of new homes would apply and give local authorities the option of imposing higher standards locally; it would enable local authorities to mandate that new housing under their jurisdiction is affordable and confer new powers on local authorities to run their own bus services.

Theresa Villiers

NC21

Bob Seely
Greg Smith
Selaine Saxby
Dame Maria Miller
Sir Iain Duncan Smith

John Redwood

Damian Green

Anne Marie Morris

★ 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.

Theresa Villiers

NC22

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith

Anne Marie Morris

★ 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;”

Theresa Villiers

NC23

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith

Anne Marie Morris

★ 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.”

Theresa Villiers

NC24

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller

Sir Iain Duncan Smith

John Redwood

Damian Green

★ To move the following Clause—

“Requirements of the National Planning Policy Framework

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

Member's explanatory statement

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

Theresa Villiers

NC25

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith Damian Green

★ To move the following Clause—

“Character test: determination of applications

(1) Section 70 of the Town and Country Planning Act 1990 (determination of applications: general considerations) is amended as follows.

(2) After subsection (2)(b) insert—

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

Member's explanatory statement

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

Theresa Villiers

NC26

Bob Seely
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller
 Sir Iain Duncan Smith

★ To move the following Clause—

“Deliberate damage to trees linked to development

(1) Section 210 of the Town and Country Planning Act 1990 (penalties for non-compliance with tree preservation order) is amended as follows.

(2) After subsection (4) insert—

“(4AA) subsection (4AB) applies if—

- (a) the court is considering for the purposes of sentencing the seriousness of an offence under this section, and
- (b) the offence was committed for purposes connected to planning or development.

(4AB) The court—

- (a) must treat the fact mentioned in subsection (1)(b) as an aggravating factor (that is to say, a factor that increases the seriousness of the offence), and
- (b) must state in open court that the offence is so aggravated.””

Member's explanatory statement

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

Theresa Villiers

NC27

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith

Anne Marie Morris

★ To move the following Clause—

“Community right of appeal

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

“78ZA Community right of appeal

- (1) The Secretary of State must by regulations make provision—
 - (a) enabling communities to appeal against a decision to grant planning permission or permission in principle for a development, and
 - (b) about such appeals.
- (2) The regulations may require a certain number or proportion of residents of a local area to record objection against a decision for such an appeal to proceed.
- (3) The regulations may, in particular, make provision the upholding of such appeals and the revocation of permission if—
 - (a) the development is inconsistent with a relevant neighbourhood plan, or
 - (b) due process has not been followed in relation to the planning application.
- (4) The first regulations under this section must be laid before Parliament before the end of the period of six months beginning on the day on which this section comes into force.””

Member's explanatory statement

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

Theresa Villiers

NC28

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith Damian Green

★ To move the following Clause—

“Start of development for planning purposes

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

Member's explanatory statement

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

Theresa Villiers

NC29

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith Damian Green

★ To move the following Clause—

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

- (1) Section 100 of the Town and Country Planning Act 1990 (revocation and modification of planning permission or permission in principle by the Secretary of State) is amended as follows.
- (2) After subsection (1) insert—
 - “(1A) In this section, “expedient” includes circumstances in which—

- (a) a development for which planning permission has been granted is unbuilt and appears likely to remain unbuilt, and
- (b) in the opinion of the Secretary of State it is in the public interest to revoke or modify that planning permission.””

Member's explanatory statement

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

Theresa Villiers

NC30

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller
 Sir Iain Duncan Smith

★ 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 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

NC31

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller
Sir Iain Duncan Smith

★ 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

NC32

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller
Sir Iain Duncan Smith

★ To move the following Clause—

“Report on measures to incentivise brownfield development over greenfield development

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

Member's explanatory statement

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

Theresa Villiers

NC33

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller
Sir Iain Duncan Smith

★ 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

NC34

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller
 Sir Iain Duncan Smith

★ 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 State
- are 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

NC35

Bob Seely

Greg Smith

Selaine Saxby

Alberto Costa

Dame Maria Miller

Sir Iain Duncan Smith

★ To move the following Clause—

“Local planning authorities to be allowed to meet virtually

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

including by telephone conference, video conference, live webcasts, and live interactive streaming.

- (8) In this section, “planning committee” means any committee or sub-committee to which a local authority has arranged for the discharge of planning functions under section 101 of the Local Government Act 1972.”

Member's explanatory statement

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

Theresa Villiers

NC36

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller
 Sir Iain Duncan Smith

★ 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.

Alberto Costa

NC37

Theresa Villiers
 Bob Seely
 Greg Smith
 Selaine Saxby
 Dame Maria Miller
 Sir Iain Duncan Smith

★ To move the following Clause—

“Refusal of planning permission for countryside development close to large electricity pylons

- (1) If an application is made for planning permission or permission in principle relating to large scale housing development in the countryside which—
 - (a) may lead to affordable housing being built within 100m of the centreline of any high voltage overhead electrical transmission system;
or
 - (b) may lead to any new residential dwelling or new residential garden being within 50m of the centreline of any high voltage overhead electrical transmission systemthe local planning authority must refuse the application.
- (2) This section applies to any planning permission for large scale housing development in the countryside for which a decision notice has been issued by a local planning authority since 11 May 2022.
- (3) If planning permission has been granted for development to which this section applies which contravenes subsection (1), that planning permission shall be revoked.
- (4) The revocation of planning permission for the carrying out of building or other operations shall not affect so much of those operations as has been previously carried out.
- (5) In this section—
 - “large scale housing development” means any development which includes more than 500 houses;
 - “countryside” includes any predominantly agricultural, rural or greenfield land;
 - “may lead to” includes plans for housing shown in any outline or illustrative masterplan;
 - “high voltage overhead electrical transmission system” means any overhead electrical transmission system at or over 275kV.”

Theresa Villiers

NC38

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller
Sir Iain Duncan Smith

★ 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.”

Theresa Villiers

NC39

Bob Seely
Greg Smith
Selaine Saxby
Alberto Costa
Dame Maria Miller
Sir Iain Duncan Smith

★ 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.”

Theresa Villiers

6

Bob Seely
 Greg Smith
 Selaine Saxby
 Alberto Costa
 Dame Maria Miller

Sir Iain Duncan Smith

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.

Emma Hardy

4

Clause 88, page 95, line 11, 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.

Nickie Aiken

1

Page 196, line 16, leave out Clause 190

Ben Everitt

3

Schedule 11, page 289, line 37, at end insert—

“(9) IL regulations must provide for exemption from liability to pay IL in respect of affordable housing as defined in Annex 2 of the NPPF.”

Member's explanatory statement

This amendment would provide for an exemption from liability to pay IL for affordable housing as defined in Annex 2 of the NPPF.

Helen Morgan

5

Tim Farron

Schedule 11, page 291, line 36, 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,
- (c) require a developer, at request of the local council, to pay additional money to be held in bond for remedial work.”

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. And for developers to be required, at the request of the authority to provide money for remedial work.

Theresa Villiers

7

Bob Seely

Greg Smith

Selaine Saxby

Alberto Costa

Dame Maria Miller

Sir Iain Duncan Smith

★ Schedule 11, page 291, line 36, 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.

Stella Creasy

2

Schedule 11, page 298, line 21, at end insert—

- “(ca) facilities providing childcare to children aged 11 or under,
(cb) the provision of subsidised or free schemes to deliver childcare for children aged 11 or under,”

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 must be funded, improved, replaced or maintained by the charging authority, as well as allowing local authorities to use levy funds to provide subsidised or free childcare schemes in their area.

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.