

Crown Estate Bill [HL]

[NOTE: The words marked in bold type were inserted by the Lords to avoid questions of privilege.]

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by HM Treasury, are published separately as Bill 135—EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

James Murray has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Crown Estate Bill [HL] are compatible with the Convention rights.

ENVIRONMENT STATEMENTS

James Murray has made the following statements under section 20(2)(a) and (3) of the Environment Act 2021.

In my view—

(a) the Crown Estate Bill [HL] contains provision which, if enacted, would be environmental law, and

(b) the Bill will not have the effect of reducing the level of environmental protection provided for by any existing environmental law.

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[AS BROUGHT FROM THE LORDS]

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[AS BROUGHT FROM THE LORDS]

A

B I L L

TO

Amend the Crown Estate Act 1961.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Power of Crown Estate Commissioners to borrow etc

- (1) The Crown Estate Act 1961 is amended as follows.
- (2) In section 1 (general provision about Crown Estate Commissioners), after subsection (4) insert—
 - “(4A) The powers exercisable by the Commissioners in the discharge of their functions under this Act include powers to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of those functions.” 5
- (3) In section 3 (management powers etc)—
 - (a) omit subsection (4), and 10
 - (b) in subsection (5), for the words from “, on security” to the end substitute “in accordance with section 3A, or otherwise with the consent of the Treasury.”
- (4) After that section insert—
 - “**3A Power of the Commissioners to borrow etc** 15
 - (1) The Treasury may —
 - (a) arrange for loans to be issued to the Commissioners out of the National Loans Fund;
 - (b) provide financial assistance (including by way of loan) to the Commissioners out of money provided by Parliament. 20
 - (2) In the case of a loan issued under subsection (1)(a)—
 - (a) the Treasury may determine the rate of interest on the loan (and, accordingly, section 5 of the National Loans Act 1968 applies), and
 - (b) the Treasury must pay any sums received in respect of the loan into the National Loans Fund.” 25

2 Number of Crown Estate Commissioners and their salaries and expenses

- (1) Schedule 1 to the Crown Estate Act 1961 (constitution etc of Crown Estate Commissioners) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraph (1), for “eight” substitute “12”; 5
 - (b) in sub-paragraph (3), omit “, and the second Crown Estate Commissioner, if any, deputy chairman”.
- (3) For paragraph 5 substitute—
- “5 The salaries and expenses of the Commissioners, including the remuneration of persons appointed by them under paragraph 4(1), are to be paid out of the income of the Crown Estate.” 10

3 Sustainable development

In section 1 of the Crown Estate Act 1961 (general provision about the Crown Estate Commissioners), after subsection (3) insert—

- “(3A) The Commissioners must keep under review the impact of their activities on the achievement of sustainable development in the United Kingdom.” 15

4 Annual reports

In section 2 of the Crown Estate Act 1961 (reports and accounts), after subsection (1) insert— 20

- “(1A) The annual report for a year in which a partnership between the Commissioners and Great British Energy is in operation must include a report on—
- (a) the activities of the Commissioners during the year under that partnership, and 25
 - (b) any effects or benefits experienced during the year which were the result of activities of the Commissioners under that partnership.”

5 Salmon farms on the Crown Estate

After section 3 of the Crown Estate Act 1961, insert— 30

“3B Salmon farms on the Crown Estate

- (1) In carrying out their functions under this Act, the Commissioners must assess the—
- (a) environmental impact, and
 - (b) animal welfare standards 35
- of salmon farms on the Crown Estate.
- (2) If the assessment under subsection (1) determines that a salmon farm—
- (a) is causing environmental damage, or

(b) has significant animal welfare issues,
then they must revoke the licence for the farm in question.

- (3) The Commissioners must assess the potential—
- (a) environmental impact, and
 - (b) animal welfare standards
- of applications for licences for salmon farms on the Crown Estate. 5
- (4) If the assessment under subsection (3) determines that an application for a licence for a salmon farm—
- (a) may cause environmental damage, or
 - (b) raises significant animal welfare concerns,
- then they must refuse the application.” 10

6 Commissioners with special responsibility

- (1) Paragraph 1 of Schedule 1 to the Crown Estate Act 1961 (constitution etc), is amended as follows.
- (2) Before sub-paragraph (4) insert— 15
- “(3B) The commissioners appointed under this paragraph must include—
- (a) a commissioner responsible for giving advice about England,
 - (b) a commissioner responsible for giving advice about Wales, and
 - (c) a commissioner responsible for giving advice about Northern Ireland.
- 20
- (3C) References in sub-paragraph (3B) to “giving advice about” a part of the United Kingdom are to the giving of advice to the Commissioners about conditions in that part so far as relating to their functions in relation to land there.
- (3D) A commissioner’s responsibility for giving advice under sub-paragraph (3B) is additional to the other responsibilities of a commissioner.” 25
- (3) Before sub-paragraph (5) insert—
- “(4B) No recommendation may be made to His Majesty for the appointment of a person as a commissioner under sub-paragraph (3B)(b) or (c) unless— 30
- (a) the Welsh Ministers have been consulted about the appointment, in the case of an appointment under sub-paragraph (3B)(b), or
 - (b) the Executive Office in Northern Ireland has been consulted about the appointment, in the case of an appointment under sub-paragraph (3B)(c).” 35

7 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.

- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act may be cited as the Crown Estate Act 2024.
- (4) **Nothing in this Act shall impose any charge on the people or on public funds, or vary the amount or incidence of or otherwise alter any such charge in any manner, or affect the assessment, levying, administration or application of any money raised by any such charge.**

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*Brought from the House of Lords on
19th November 2024*

Ordered, by The House of Commons, to be
Printed, 19th November 2024.

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