

# Housing and Planning Bill

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SECOND SHEET OF

MANUSCRIPT

AMENDMENTS

TO BE MOVED

ON REPORT

*[Supplementary to the Fourth Marshalled List]*

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Amendment  
No.

**After Clause 139**

LORD LUCAS

**107B★** Insert the following new Clause –

**“Planning freedoms: right for local areas to request alterations to planning system**

- (1) If the following conditions are met, the Secretary of State may by regulations make a planning freedoms scheme, having effect for a specified period, in relation to a specified planning area.

A “planning freedoms scheme” is a scheme that disapplies or modifies specified planning provisions in order to facilitate an increase in the amount of housing in the planning area concerned

- (2) The first condition is that the relevant planning authority or authorities have requested the Secretary of State to make a planning freedoms scheme for their area.
- (3) The second condition is that the Secretary of State is satisfied –
- (a) that there is a need for a significant increase in the amount of housing in the planning area concerned,
  - (b) that the planning freedoms scheme will contribute to such an increase, and
  - (c) that adequate consultation has been carried out.
- (4) The third condition is that –
- (a) the relevant planning authority or authorities have prepared a summary of the views expressed in the consultation referred to at subsection (3)(c), and
  - (b) the Secretary of State has considered that summary.

**After Clause 139 - continued**

- (5) For the purposes of subsection (3)(c) consultation is “adequate” only if—
- (a) the relevant authority or authorities publish an explanation of what the proposed planning freedoms scheme is expected to involve, and
  - (b) persons in the planning area concerned, and other persons likely to be affected, have a reasonable opportunity to communicate their views about the proposed scheme.
- (6) The Secretary of State may decide to restrict the number of planning freedoms schemes in force at any one time (and accordingly is not required to make a scheme merely because the conditions in this section are met).
- (7) The Secretary of State may by regulations bring a planning freedoms scheme to an end, and must do so if the relevant planning authority or, as the case may be, any of the relevant planning authorities so request.
- (8) In this section—
- “planning area” means the area of a local planning authority, or an area comprising two or more adjoining areas of local planning authorities;
  - “planning provision” means a provision to do with planning that is contained in or made under any Act;
  - “relevant planning authority” means the local planning authority for an area that is or forms part of a planning area;
  - “specified” means specified in regulations under subsection (1).”

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*20 April 2016*

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