

# Neighbourhood Planning Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Clause 6**

LORD BEECHAM  
LORD KENNEDY OF SOUTHWARK

Page 7, line 39, at end insert –

“with reasonable payments made by local authorities for the purposes set out in paragraphs (a) and (b) to be recovered from the Secretary of State.”

**Clause 7**

LORD KENNEDY OF SOUTHWARK  
LORD BEECHAM

Page 8, line 14, at end insert –

- “(1CA) The development plan documents must contain references to –
- (a) a threshold for social and affordable housing in the area;
  - (b) the impact of the proposals in the documents on energy efficiency in dwellings and infrastructure in the local area;
  - (c) flood protection for the local area;
  - (d) the impact of the proposals in the documents on air quality in the area;
  - (e) the provision of green spaces and public leisure areas; and
  - (f) education, health and well-being needs of the population.”

**Clause 13**

LORD KENNEDY OF SOUTHWARK  
LORD BEECHAM

Page 13, line 33, at end insert –

“(1A) Regulations made under subsection (1) must make provisions for local planning authorities to make exceptions to conditions relating to matters set out in paragraphs (a),(b) and (c) of subsection (1).”

Page 13, leave out lines 39 and 40

**Clause 13 - continued**

Page 14, line 5, at end insert “including in terms of sustainable development and public interest”

Page 14, line 7, at end insert “which must include consultation with local authorities”

Page 14, line 7, at end insert –

“( ) Regulations made under subsection (1) must make provision for an appeal process.”

Page 14, leave out lines 10 to 12

Page 14, line 12, at end insert “, and where agreement cannot be reached a mediation system must be prescribed”

Page 14, line 36, at end insert –

“( ) Regulations under this section must be made by statutory instrument and may not be made unless a draft of the instrument containing the regulations has been laid before and approved by a resolution of each House of Parliament.”

**After Clause 13**

LORD KENNEDY OF SOUTHWARK  
BARONESS DEECH

Insert the following new Clause –

**“Change of use of drinking establishments**

- (1) In regulation 3 of the Town and Country Planning (Use Classes) Order 1987, after paragraph (6)(o) insert –
  - “(p) as a drinking establishment”.
- (2) Before exercising his or her powers under section 41(1) of this Act, the Secretary of State must exercise the powers conferred by sections 59, 60, 61, 74 and 333(7) of the Town and Country Planning Act 1990 to remove permitted development rights relating to the change of use or demolition of “drinking establishments”.

LORD BEECHAM  
LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

**“Funding for local authority functions**

- (1) The Secretary of State must consult local planning authorities prior to the commencement of any new statutory duties in respect of planning to ensure that they have –
  - (a) adequate resources, and

**After Clause 13 - continued**

- (b) adequate funding,  
to enable them to undertake the additional work required to fulfil the new duties.
- (2) In any instance where local authorities are found not to have adequate resources or funding, an independent review of the additional cost of the new statutory duties, setting out the level of resource required to allow planning authorities to fulfil the statutory duties, must be conducted.”

Insert the following new Clause –

**“Review of sustainable drainage**

Before exercising his or her powers under section 41(1), the Secretary of State must carry out a review of the impact on communities’ resilience to flooding of planning legislation, government planning policy and local planning policies concerning sustainable drainage in relation to the development of land in England.”

**Clause 26**

LORD BEECHAM

Page 24, line 3, at end insert –

- “(2A) The Secretary of State and Welsh Ministers must by regulations –
- (a) make provision for the reinstatement of land at the end of a period of temporary possession;
  - (b) make provision for the resolution of disputes by an independent arbiter; and
  - (c) consult interested parties before making regulations under this section.”

**Clause 40**

LORD BEECHAM

Page 35, line 40, at end insert –

- “( ) Before making regulations under this section, the Secretary of State must consult the Welsh Ministers.”

**Clause 41**

LORD BEECHAM

Page 36, line 12, at end insert –

- “( ) regulations made under section 26(2A);”

Page 36, line 34, at end insert –

- “( ) The Secretary of State must consult interested parties on draft regulations under section 26(1) before laying them before either House of Parliament.”

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*13 February 2017*

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