

# Neighbourhood Planning Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON THIRD READING

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*[Amendments marked ★ are new or have been altered]*

Amendment  
No.

**After Clause 6**

LORD BOURNE OF ABERYSTWYTH

1 Insert the following new Clause –

**“Engagement by examiners with qualifying bodies etc**

In Schedule 4B to the Town and Country Planning Act 1990 (process for making neighbourhood development orders), in paragraph 11 (regulations about independent examinations) after sub-paragraph (2) insert –

- “(3) The regulations may in particular impose duties on an examiner which are to be complied with by the examiner in considering the draft order under paragraph 8 and which require the examiner –
- (a) to provide prescribed information to each person within sub-paragraph (4);
  - (b) to publish a draft report containing the recommendations which the examiner is minded to make in the examiner’s report under paragraph 10;
  - (c) to invite each person within sub-paragraph (4) or representatives of such a person to one or more meetings at a prescribed stage or prescribed stages of the examination process;
  - (d) to hold a meeting following the issuing of such invitations if such a person requests the examiner to do so.
- (4) Those persons are –
- (a) the qualifying body,
  - (b) the local planning authority, and
  - (c) such other persons as may be prescribed.
- (5) Where the regulations make provision by virtue of sub- paragraph (3)(c) or (d), they may make further provision about –
- (a) the procedure for a meeting;
  - (b) the matters to be discussed at a meeting.””

**After Clause 14**

LORD TAYLOR OF GOSS MOOR  
LORD BEST  
LORD LUCAS

2 Insert the following new Clause—

**“Development of new towns by local authorities**

- (1) The New Towns Act 1981 is amended as follows.
- (2) After section 1 insert—

**“1A Local authority to oversee development of new town**

- (1) This section applies where the Secretary of State is considering designating an area of land in England as the site of a proposed new town in an order under section 1.
- (2) The Secretary of State may, in an order under section 1, appoint one or more local authorities to oversee the development of the area as a new town.
- (3) But a local authority may only be appointed if the area of land mentioned in subsection (1) is wholly or partly within the area of the local authority.
- (4) The Secretary of State may by regulations make provision about how a local authority is to oversee the development of an area as a new town.
- (5) Regulations under subsection (4) may, for example—
  - (a) provide that a local authority is to exercise specified functions under this Act which would otherwise be exercisable by the Secretary of State, the appropriate Minister or the Treasury;
  - (b) provide that a local authority is to exercise such functions subject to specified conditions or limitations;
  - (c) provide that specified functions under this Act may be exercised only with the consent of a local authority;
  - (d) make provision about the membership of a corporation established under section 3, including the proportion of the members of the corporation who may be members of or employed by a local authority;
  - (e) modify provisions of this Act;
  - (f) make different provision for different purposes;
  - (g) make incidental, supplementary or consequential provision.
- (6) In subsection (5)(a) the reference to “functions” does not include a power to make regulations or other instruments of a legislative character.
- (7) Where two or more local authorities are appointed in an order containing provision by virtue of subsection (2), the Secretary of State may in that order provide—
  - (a) that a specified function is to be exercised by a specified local authority, or
  - (b) that a specified function is to be exercised by two or more specified local authorities jointly.
- (8) In this section—
 

“local authority” means—

  - (a) a district council,

**After Clause 14 - continued**

- (b) a county council, or
  - (c) a London borough council;
- “specified” means specified in –
- (a) an order containing provision by virtue of subsection (2), or
  - (b) regulations under subsection (4).”
- (3) In section 77 (regulations and orders) –
- (a) in subsection (2), after “which” insert “, subject to subsection (2A),”, and
  - (b) after subsection (2) insert –
- “(2A) A statutory instrument containing regulations under section 1A(4) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.””

LORD TRUE

LORD TOPE

3★ Insert the following new Clause –

**“Local authorities meeting housing targets to be permitted to override prior approval**

- (1) Where a local planning authority can show that –
- (a) the exercise of prior approvals for the conversion of offices to residential is having a detrimental effect on the local economy, including the expulsion of, or non-renewal of leases to, businesses to make way for residential development, and
  - (b) the relevant local authority is meeting its housing targets and can show reasonable evidence that it will continue to do so,
- the local authority concerned may, notwithstanding any regulation or provision to the contrary, require any future application in any part of, or the whole of, the local authority area to seek full planning permission and may bring any part of the adopted local plan, or relevant neighbourhood plan, into consideration in determining that application.
- (2) A local authority may recover all permitted planning fees and costs in relation to any application for a development determination by prior approval, as if the application concerned were subject to all procedures of a normal planning application.”

**Clause 42**

LORD BOURNE OF ABERYSTWYTH

4 Page 38, line 26, leave out “27(1), (2) or (3)” and insert “27(1) or (3)”

**Schedule 1**

## LORD BOURNE OF ABERYSTWYTH

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Page 48, line 7, at end insert—

- “(3) The regulations may in particular impose duties on an examiner which are to be complied with by the examiner in considering the draft plan under paragraphs 10 and 11 and which require the examiner—
- (a) to provide prescribed information to each person within sub-paragraph (4);
  - (b) to publish a draft report containing the recommendations which the examiner is minded to make in the examiner’s report under paragraph 13;
  - (c) to invite each person within sub-paragraph (4) or representatives of such a person to one or more meetings at a prescribed stage or prescribed stages of the examination process;
  - (d) to hold a meeting following the issuing of such invitations if such a person requests the examiner to do so.
- (4) Those persons are—
- (a) the qualifying body,
  - (b) the local planning authority, and
  - (c) such other persons as may be prescribed.
- (5) Where the regulations make provision by virtue of sub-paragraph (3)(c) or (d), they may make further provision about—
- (a) the procedure for a meeting;
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*14 March 2017*

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