House of Commons

Report Stage: Tuesday 6 December 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 Any withdrawn amendments are listed at the end of the document.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 CLAUSES AND NEW SCHEDULES RELATING TO PART 3, 4, 5, 6 OR 11 AND ANY OTHER NEW CLAUSES AND NEW SCHEDULES; AMENDMENTS TO PARTS 3, 4, 5, 6 AND 11

NEW CLAUSES AND NEW SCHEDULES RELATING TO PART 3, 4, 5, 6 OR 11 AND ANY OTHER NEW CLAUSES AND NEW SCHEDULES

Secretary Michael Gove **Gov NC48**

To move the following Clause—

"Condition relating to development progress reports

(1) TCPA 1990 is amended as follows.

(2) In section 56(3) (time when development begun), after "89," insert "90B,".

(3) Before section 91 (including the italic heading before that section) insert—

"Development progress reports

90B Condition relating to development progress reports in England

(1) This section applies where relevant planning permission is granted for relevant residential development in England.

(2) The relevant planning permission must be granted subject to a condition that a development progress report must be provided to the local planning authority in whose area the development is to be carried out for each reporting period.

(3) The first reporting period in relation to the development is to be a period—
  (a) beginning at a prescribed time or by reference to a prescribed event, and
  (b) during which the development is begun.

(4) A new reporting period is to begin immediately after the end of a reporting period which is not the last reporting period.

(5) A reporting period which is not the last reporting period is to be a period of 12 months.

(6) The last reporting period is to be a period ending with the day on which the development is completed (subject to any provision made under subsection (9)).

(7) A "development progress report", in relation to relevant residential development, means a report which sets out—
  (a) the progress that has been made, and that remains to be made, towards completing the dwellings the creation of which the development is to involve, as at the end of the reporting period to which the report relates,
  (b) the progress which is predicted to be made towards completing those dwellings over each subsequent reporting period up to and including the last reporting period, and
  (c) such other information as may be prescribed in regulations under subsection (9).

(8) If relevant planning permission is granted without the condition required by subsection (2), it is to be treated as having been granted subject to that condition.

(9) The Secretary of State may by regulations make provision—
  (a) about the form and content of development progress reports;
  (b) about when and how development progress reports are to be provided to local planning authorities;
  (c) about who may or must provide development progress reports to local planning authorities;
  (d) about the provision of development progress reports and other information to local planning authorities where there is a change in circumstances in connection with relevant residential development, such as (for example) where the development is no longer intended to be completed in accordance with—
    (i) the relevant planning permission;
    (ii) a previous development progress report;
    (iii) any timescales specified in a commencement notice given under section 93G;
  (e) about when a condition under subsection (2) is to be treated as being discharged;

(f) about when relevant residential development is to be treated as being completed for the purposes of this section.

(10) In this section—

"relevant planning permission" means planning permission other than—

(a) planning permission granted by a development order;

(b) planning permission granted for development carried out before the grant of that permission;

(c) planning permission granted for a limited period;

(d) planning permission granted by an enterprise zone scheme;

(e) planning permission granted by a simplified planning zone scheme;

"relevant residential development" means development which—

(a) involves the creation of one or more dwellings, and

(b) is of a prescribed description."

(4) In section 69 (register of applications etc)—

(a) in subsection (1), after paragraph (e) insert—

"(f) development progress reports under section 90B;";

(b) in subsection (2), after paragraph (b) insert—

"(c) such information as is prescribed with respect to development progress reports under section 90B that are provided to the local planning authority;".

(5) In section 70 (determination of applications: general considerations), in subsection (1)(a), after "sections" insert "90B,".

(6) In section 73 (determination of applications to develop land after non-compliance), before subsection (4) insert—

"(2E) Nothing in this section authorises the disapplication of the condition under section 90B (condition relating to development progress reports in England)."

(7) In section 96A (power to make non-material changes to planning permission), before subsection (4) insert—

"(3B) The conditions referred to in subsection (3)(b) do not include the condition under section 90B (condition relating to development progress reports in England)."

(8) In section 97 (revocation or modification of planning permission), at the end insert—

"(9) Subsection (1) does not permit the revocation or modification of the condition under section 90B (condition relating to development progress reports in England)."

(9) In section 100ZA(13)(c) (restrictions on power to impose planning conditions in England), as amended by paragraph 3(12) of Schedule 14 to the Environment Act 2021, at the end insert "or the condition under section 90B (condition relating to development progress reports in England)".

(10) Until paragraph 3(12) of Schedule 14 to the Environment Act 2021 comes into force, section 100ZA(13)(c) has effect as if at the end there were inserted "but do not include the condition under section 90B (condition relating to development progress reports in England)"."

Member's explanatory statement

This new clause provides that certain planning permissions for residential development must be subject to a condition which requires development progress reports to be provided to the local planning authority in whose area the development is to be carried out, and makes related provision. The new clause will be inserted after clause 100.

Secretary Michael Gove **Gov NC49**

To move the following Clause—

"Community land auction arrangements and their purpose

(1) In making CLA regulations, or giving a direction under this Part, the Secretary of State must aim to ensure that the overall purpose of community land auction arrangements is to ensure that costs incurred in—
   (a) supporting the development of an area, and
   (b) achieving any purpose specified under section *(Application of CLA receipts)*(7), *(Duty to pass CLA receipts to other persons)*(3) or *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)*(3),

can be funded (wholly or partly) by owners or developers of land.

(2) "CLA regulations" means regulations made under this Part by the Secretary of State.

(3) A "community land auction arrangement" means an arrangement provided for in CLA regulations under which—
   (a) a local planning authority is to invite anyone who has a freehold or leasehold interest in land in the authority's area to offer to grant a CLA option over the land, with a view to the land being allocated for development in the next local plan for the authority's area,
   (b) any CLA option granted under the arrangement ceases to have effect if the land subject to the option is not so allocated when that plan is adopted or approved (unless the option has already been exercised or been withdrawn or otherwise ceased to have effect), and
   (c) the local planning authority may—
      (i) exercise the CLA option and dispose of the interest in the land to a person who proposes to develop the land,
      (ii) exercise the CLA option with a view to developing the land itself, or

(iii) dispose of the CLA option to a person who proposes to exercise it and then develop the land.

(4) A "CLA option", in relation to land, means an option to acquire a freehold or leasehold interest in the land which—

(a) subject to CLA regulations under paragraph (c), can be—

(i) exercised by the local planning authority in whose area the land is situated, or

(ii) disposed of by that authority to any other person, on such terms as the authority considers appropriate,

(b) is granted under a community land auction arrangement, and

(c) meets any requirements imposed by CLA regulations.

(5) CLA regulations under subsection (4)(c) may, in particular, include provision about—

(a) how long a CLA option must be capable of being exercised for;

(b) when, or the circumstances in which, a CLA option may or must be capable of being exercised;

(c) when, or the circumstances in which, a CLA option may or must cease to have effect;

(d) when, or the circumstances in which, a CLA option may or must be withdrawn;

(e) when, the circumstances in which or the terms on which, a CLA option may or must be disposed of;

(f) sums that are to be paid under or in connection with a CLA option (including provision permitting or requiring such sums to be adjusted to reflect changes in the value of money);

(g) the form and content of a CLA option."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A, which will make temporary provision enabling pilots to be run of an arrangement (a "community land auction arrangement") where landowners grant options over land in the area of a participating local planning authority ("LPA"), with a view to the land being allocated for development in the local plan. The LPA will be able to exercise or sell the option, capturing some of the increased value that would result from allocation for development, which can then be used to support development of the area. This new clause contains key definitions and confers certain regulation making powers.

Secretary Michael Gove **Gov NC50**

To move the following Clause—

"Power to permit community land auction arrangements

(1) This section applies where—

(a) the Secretary of State directs that a local planning authority which is to prepare a local plan may put in place a community land auction arrangement in relation to that plan,

(b) the local planning authority resolves to do so (and that resolution has not been rescinded), and

(c) the community land auction arrangement has not come to an end.

(2) The local plan may only allocate land in the authority's area for development—

(a) if the land is subject to a CLA option or a CLA option has already been exercised in relation to it, or

(b) in circumstances which are prescribed by CLA regulations.

(3) Any financial benefit that the local planning authority has derived, or will or could derive, from a CLA option may be taken into account—

(a) in deciding whether to allocate land which is subject to the option, or in relation to which the option has been exercised, for development in the local plan;

(b) in deciding whether the local plan is sound in an examination under Part 2 of PCPA 2004.

(4) CLA regulations may make provision about how, or to what extent, any financial benefit may be taken into account under subsection (3) (including provision about how any financial benefit is to be weighed against any other considerations which may be relevant to whether the land should be allocated for development in the local plan or to whether the plan is sound).

(5) References in this section to a local plan do not include references to a joint local plan (but see section *(Power to provide for authorities making joint local plans)* in relation to the application of this Part in relation to joint local plans)."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause applies where the Secretary of State has directed that an LPA may put in place a community land auction arrangement, the LPA agrees and the arrangement has not come to an end. The ability to allocate land for development, if it is not subject to an option under the arrangement and other prescribed circumstances do not pertain, is then restricted. The financial benefits arising from options can also be taken into account (along with any other relevant considerations) in making decisions about the local plan.

Secretary Michael Gove **Gov NC51**

To move the following Clause—

"Application of CLA receipts

(1) CLA regulations must require a local planning authority which receives sums that represent financial benefit derived from CLA options over land in its area ("CLA receipts") to apply them, or cause them to be applied, to—

(a) support the development of an area by funding the provision, improvement, replacement, operation or maintenance of infrastructure, or

(b) fund the operation of community land auction arrangements in relation to its area.

(2) Subsection (1) is subject to the following provisions of this section and sections *(Duty to pass CLA receipts to other persons)*(1) to (3) and *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)*(2) and (3).

(3) CLA regulations may make provision about the extent to which the CLA receipts received by a local planning authority may or must be applied to funding the provision, improvement, replacement, operation or maintenance of infrastructure of a particular description.

(4) In this section (except subsection (6)) and sections *(Duty to pass CLA receipts to other persons)*(2), *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)*(2) and *(CLA infrastructure delivery strategy)* "infrastructure" includes—
   (a) roads and other transport facilities,
   (b) flood defences,
   (c) schools and other educational facilities,
   (d) medical facilities,
   (e) sporting and recreational facilities,
   (f) open spaces,
   (g) affordable housing,
   (h) facilities and equipment for emergency and rescue services,
   (i) facilities and spaces which—
      (i) preserve or improve the natural environment, or
      (ii) enable or facilitate enjoyment of the natural environment, and
   (j) facilities and spaces for the mitigation of, and adaption to, climate change.

(5) In subsection (4)(g) "affordable housing" means—
   (a) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
   (b) any other description of housing that CLA regulations may specify.

(6) CLA regulations may amend this section so as to—
   (a) add, remove or vary an entry in the list of matters included within the meaning of "infrastructure";
   (b) list matters excluded from the meaning of "infrastructure".

(7) CLA regulations may make provision about circumstances in which local planning authorities may apply a specified amount of CLA receipts, or cause a specified amount of CLA receipts to be applied, towards specified purposes which are not mentioned in subsection (1).

(8) CLA regulations may specify—
   (a) works, installations and other facilities whose provision, improvement or replacement may or is to be, or may not be, funded by CLA receipts,
   (b) maintenance activities and operational activities (including operational activities of a promotional kind) in connection with infrastructure that may or are to be, or may not be, funded by CLA receipts,

(c) things within subsection (1)(b) that may or are to be, or may not be, funded by CLA receipts,

(d) things within section *(Duty to pass CLA receipts to other persons)*(2) that may or are to be, or may not be, funded by CLA receipts passed to a person in discharge of a duty under section *(Duty to pass CLA receipts to other persons)*(1),

(e) things within section *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)* (2) that may or are to be, or may not be, funded by CLA receipts to which provision under section *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)*(2) relates,

(f) criteria for determining the areas that may benefit from funding by CLA receipts, and

(g) what is to be, or not to be, treated as funding.

(9) The regulations may—

(a) require local planning authorities in relation to which section *(Power to permit community land auction arrangement)* applies to prepare and publish a list of what is to be, or may be, wholly or partly funded by CLA receipts;

(b) include provision about the procedure to be followed in preparing a list (which may include provision for consultation or for the appointment of an independent person or both);

(c) include provision about the circumstances in which a local planning authority may and may not apply CLA receipts to anything not included on the list;

(d) permit or require the list to be prepared and published as part of a CLA infrastructure delivery strategy (see section *(CLA infrastructure delivery strategy)*).

(10) In making provision about funding the regulations may, in particular—

(a) permit CLA receipts to be used to reimburse expenditure already incurred;

(b) permit CLA receipts to be reserved for expenditure that may be incurred in the future;

(c) permit CLA receipts to be applied (either generally or subject to limits set by or determined in accordance with the regulations) to administrative expenses in connection with infrastructure or anything within section *(Duty to pass CLA receipts to other persons)*(2)(a)(ii) or *(Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate)*(2)(b) or otherwise in connection with a community land auction arrangement;

(d) include provision for the giving of loans, guarantees or indemnities;

(e) make provision about the application of CLA receipts where anything to which they were to be applied no longer requires funding.

(11) The regulations may—

(a) require a local planning authority to account separately, and in accordance with the regulations, for CLA receipts received or due;
(b) require a local planning authority to monitor the use made and to be made of CLA receipts in its area;
(c) require a local planning authority to report on actual or expected collection and application of CLA receipts;
(d) permit a local planning authority to cause money to be applied in respect of things done outside its area;
(e) permit a local planning authority or other body to spend or retain money;
(f) permit a local planning authority to pass money to another body (and in paragraphs (a) to (e) a reference to a local planning authority includes a reference to a body to which a local planning authority passes money in reliance on this paragraph).

(12) For the purposes of subsection (1) a financial benefit is derived from a CLA option if it arises as a consequence of the local planning authority—
(a) exercising the option and developing or disposing of the land which was subject to it, or
(b) disposing of the option."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers a power to make provision about how the financial benefits arising from options under community land auction arrangements can be used by local planning authorities. The provision is similar to that made, in relation to infrastructure levy, by section 204N of the Planning Act 2008 (see Schedule 11 to the Bill).

Secretary Michael Gove **Gov NC52**

To move the following Clause—

"Duty to pass CLA receipts to other persons

(1) CLA regulations may require a local planning authority that receives CLA receipts in respect of development in an area to pass them to a person other than the authority.

(2) CLA regulations imposing a duty under subsection (1) must contain provision to secure that any CLA receipts passed to a person in discharge of the duty are used to—
(a) support the development of the area to which the duty relates, or of any part of that area, by funding—
(i) the provision, improvement, replacement, operation or maintenance of infrastructure, or
(ii) anything else that is concerned with addressing demands that development places on an area, or
(b) fund the operation of community land auction arrangements in relation to land in the local planning authority's area.

(3) CLA regulations may make provision about circumstances in which a specified amount of the CLA receipts may be used for specified purposes which are not mentioned in subsection (2).

(4) A duty under subsection (1) may relate to—
  (a) the whole of a local planning authority's area or the whole of the combined area of two or more local planning authorities, or
  (b) part only of such an area or combined area.

(5) CLA regulations may make provision about the persons to whom CLA receipts may or must, or may not, be passed in discharge of a duty under subsection (1).

(6) A duty under subsection (1) may relate—
  (a) to all CLA receipts (if any) received in respect of the area to which the duty relates, or
  (b) such part of those CLA receipts as is specified in, or determined under or in accordance with, CLA regulations.

(7) CLA regulations may make provision in connection with the timing of payments in discharge of a duty under subsection (1).

(8) CLA regulations may, in relation to CLA receipts passed to a person in discharge of a duty under subsection (1), make provision about—
  (a) accounting for the CLA receipts,
  (b) monitoring their use,
  (c) reporting on their use,
  (d) responsibilities of local planning authorities for things done by the person in connection with the CLA receipts,
  (e) recovery of the CLA receipts, and any income or profits accruing in respect of them or from their application, in cases where—
    (i) anything to be funded by them has not been provided, or
    (ii) they have been misapplied,

  including recovery of sums or other assets representing them or any such income or profits, and
  (f) use of anything recovered in cases where—
    (i) anything to be funded by the CLA receipts has not been provided, or
    (ii) the CLA receipts have been misapplied.

(9) This section does not limit section *(Application of CLA receipts)*(11)(f)."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make regulations requiring LPAs to pass the financial benefits arising from options under community land auction arrangements to other persons, so that they can be used to fund infrastructure and certain other things. The provision is similar to that made, in relation to infrastructure levy, by section 204O of the Planning Act 2008 (see Schedule 11 to the Bill).

Secretary Michael Gove **Gov NC53**

To move the following Clause—

"Use of CLA receipts in an area to which section *(Duty to pass CLA receipts to other persons)*(1) duty does not relate

(1) Subsection (2) applies where—

(a) there is an area to which a particular duty under section *(Duty to pass CLA receipts to other persons)*(1) relates, and

(b) there is also an area to which that duty does not relate ("the uncovered area").

(2) CLA regulations may provide that the local planning authority that receives CLA receipts in respect of development in the uncovered area may apply the CLA receipts, or cause them to be applied, to—

(a) support development by funding the provision, improvement, replacement, operation or maintenance of infrastructure,

(b) support development of the uncovered area, or of any part of that area, by funding anything else that is concerned with addressing demands that development places on an area, or

(c) funding the operation of community land auction arrangements in relation to the local planning authority's area.

(3) The regulations may make provision about circumstances in which the authority may apply a specified amount of CLA receipts, or cause a specified amount of CLA receipts to be applied, towards specified purposes which are not mentioned in subsection (2).

(4) Provision under subsection (2)(a) or (b) may relate to the whole, or part only, of the uncovered area.

(5) Provision under subsection (2) may relate—

(a) to all CLA receipts (if any) received in respect of the area to which the provision relates, or

(b) such part of those CLA receipts as is specified in, or determined under or in accordance with, CLA regulations."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make provision about the application of the financial benefits arising from options under community land auction arrangements where there is an area which is not covered by provision under NC52. The provision is similar to that made, in relation to infrastructure levy, by section 204P of the Planning Act 2008 (see Schedule 11 to the Bill).

Secretary Michael Gove **Gov NC54**

To move the following Clause—

"CLA infrastructure delivery strategy

(1) CLA regulations may require a local planning authority in relation to which section *(Power to permit community land auction arrangements)* applies to prepare and publish a CLA infrastructure delivery strategy.

(2) A CLA infrastructure delivery strategy is a document which—

(a) sets out the strategic plans (however expressed) of the local planning authority in relation to the application of CLA receipts, and

(b) includes such other information as may be prescribed by CLA regulations.

(3) A CLA infrastructure delivery strategy may and, if required by CLA regulations, must set out the plans (however expressed) of the local planning authority in relation to the provision, improvement, replacement, operation and maintenance of infrastructure in the authority's area.

(4) A local planning authority may at any time prepare and publish a revision to, or replacement of, its CLA infrastructure delivery strategy.

(5) CLA regulations may make provision for the independent examination of—

(a) CLA infrastructure delivery strategies, and

(b) revisions to, or replacements of, such strategies.

(6) The regulations may make provision for an examination to be combined with—

(a) an examination under Part 2 of PCPA 2004 in relation to a local plan, or

(b) an examination under Part 10A of the Planning Act 2008 in relation to an infrastructure delivery strategy under that Part.

(7) The regulations may, in particular, make provision—

(a) about who is to carry out the examination;

(b) about what the examiner must, may or may not consider;

(c) about the procedure to be followed;

(d) about recommendations, or other consequences, arising from or in connection with the examination;

(e) about circumstances in which an examination is not required;

(f) applying, or corresponding to, any provision made by or under Part 10A of the Planning Act 2008 relating to an examination in relation to a charging schedule or infrastructure delivery strategy under that Part (with or without modifications).

(8) A local planning authority which is required to prepare and publish a CLA infrastructure delivery strategy must have regard to any guidance published by the Secretary of State in relation to the preparation, publication, revision or replacement of CLA infrastructure delivery strategies.

(9) CLA regulations may make provision about—

(a) the form and content of CLA infrastructure delivery strategies;

(b) the publication of CLA infrastructure delivery strategies and any related documents;
(c) the procedures to be followed in relation to the preparation, revision or replacement of CLA infrastructure delivery strategies;
(d) the timing of any steps in connection with the preparation, publication, revision or replacement of CLA infrastructure delivery strategies;
(e) the evidence required to inform the preparation of CLA infrastructure delivery strategies;
(f) consultation in connection with CLA infrastructure delivery strategies;
(g) the preparation of joint CLA infrastructure delivery strategies;
(h) the period of time for which CLA infrastructure delivery strategies are valid.”

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make regulations requiring LPAs to produce infrastructure delivery strategies in connection with community land auction arrangements and for the independent examination of such strategies. The provision is similar to that made, in relation to infrastructure levy, by section 204Q of the Planning Act 2008 (see Schedule 11 to the Bill).

Secretary Michael Gove **Gov NC55**

To move the following Clause—

“Power to provide for authorities making joint local plans

(1) CLA regulations may make provision applying any provision made by or under this Part in relation to local planning authorities whose next local plan is to be a joint local plan, with or without modifications.

(2) Where CLA regulations make provision under subsection (1) which permits local planning authorities that are to make a joint local plan to put in place a community land auction arrangement jointly, it must include provision about how CLA receipts deriving from that arrangement are to be shared between the authorities.”

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers a power on the Secretary of State to apply any provision made by or under the new Part to local planning authorities that are to prepare joint local plans (with or without modifications).

Secretary Michael Gove **Gov NC56**

To move the following Clause—

“Parliamentary scrutiny of pilot

(1) The Secretary of State must prepare a report which—

(a) assesses the effectiveness of the operation of this Part in delivering the overall purpose mentioned in section *(Community land auction arrangements and their purpose)*(1), and

(b) contains such other information about, or assessments as to the effect of, community land auction arrangements as the Secretary of State considers appropriate.

(2) The Secretary of State must lay the report before each House of Parliament before the later of—

(a) the end of the period of 24 months beginning with the day on which this Part expires in accordance with section *(Expiry of Part 4A)*, and

(b) the end of the period of 24 months beginning with the day on which the final community land auction arrangement comes to an end.

(3) The "final community land auction arrangement" means the last community land auction arrangement to come to an end.

(4) After the report has been laid before each House of Parliament under subsection (2), the Secretary of State must publish it as soon as is reasonably practicable.

(5) In calculating a period of 24 months mentioned in subsection (2), no account is to be taken of any time during which—

(a) Parliament is dissolved or prorogued, or

(b) either House of Parliament is adjourned for more than 4 days."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause provides for Parliament to scrutinise the pilots carried out under the new Part, with the Secretary of State required to prepare a report on the effectiveness of the Part, lay it before Parliament and publish it.

Secretary Michael Gove **Gov NC57**

To move the following Clause—

"CLA regulations: further provision and guidance

(1) CLA regulations may make provision—

(a) about the leasehold interests in relation to which a community land auction arrangement may, may not or must be capable of applying;

(b) permitting a local planning authority to exclude land from a community land auction arrangement and disapply section *(Power to permit community land auction arrangements)*(2) in relation to that land;

(c) about the procedures to be followed under, or in connection with, a community land auction arrangement;

(d) about the provision or publication of information under, or in connection with, a community land auction arrangement;

(e) about how, when or the circumstances in which anything must be done under, or in connection with, a community land auction arrangement;

(f) about the treatment of anyone who has an interest in or over land which is subject to a CLA option;

(g) about when a community land auction arrangement is to be taken to be put in place or to come to an end;

(h) about how section 106 of TCPA 1990 (planning obligations) is to be used, or is not to be used, where section *(Power to permit community land auction arrangements)* applies or has applied (including provision about the circumstances in which a planning obligation under that section may constitute a reason for granting planning permission);

(i) about the exercise of any other power relating to planning or development;

(j) about anything else relating to planning or development.

(2) The Secretary of State may give guidance to a local planning authority or other authority about, or in connection with, community land auction arrangements (including guidance about how any power relating to planning or development is to be exercised in circumstances which include, or may include, a community land auction arrangement); and authorities must have regard to the guidance.

(3) Provision may be made under subsection (1)(h) to (j), and guidance may be given under subsection (2), only if the Secretary of State thinks it necessary or expedient for—

(a) delivering the overall purpose mentioned in section *(Community land auction arrangements and their purpose)*(1),

(b) enhancing the effectiveness, or increasing the use, of CLA regulations or community land auction arrangements,

(c) preventing agreements, undertakings or other transactions from being used to undermine or circumvent CLA regulations or community land auction arrangements,

(d) preventing agreements, undertakings or other transactions from being used to achieve a purpose that the Secretary of State thinks would better be achieved through the application of CLA regulations or community land auction arrangements, or

(e) preventing or restricting the imposition of burdens, the making of agreements or the giving of undertakings, in addition to those in connection with CLA regulations or community land auction arrangements.

(4) CLA regulations may—

(a) confer functions on any person, including functions involving the exercise of a discretion;

(b) make consequential, supplementary or incidental provision under section 195(1)(c) which disapplies, or modifies the effect of, any provision made by or under an Act of Parliament (whenever passed or made).”

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers various powers on the Secretary of State to make regulations, or guidance, in connection with the new Part. Some of the provision draws on that

made in relation to infrastructure levy by sections 204Z and 204Z1 of the Planning Act 2008 (see Schedule 11 to the Bill).

Secretary Michael Gove **Gov NC58**

To move the following Clause—

"Expiry of Part 4A

(1) This Part, other than section *(Parliamentary scrutiny of pilot)* and this section, expires at the end of the period of 10 years beginning with the date on which CLA regulations are first made.

(2) Subsection (1) does not affect—

(a) any community land auction arrangement which is put in place before the expiry of this Part (whether or not it comes to an end before this Part expires);

(b) any CLA option, or allocation of land for development in a local plan, that is made under a community land auction arrangement which is put in place before the expiry of this Part (whether or not it comes to an end before this Part expires);

(c) the treatment of any CLA receipts after the expiry of this Part.

(3) Subsections (1) and (2) are subject to such transitional, transitory or saving provision as may be made by CLA regulations in connection with the expiry of this Part."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause provides for the new Part to expire 10 years after regulations are first made under the Part. It also ensures that the expiry of the Part does not affect certain things done under the pilots carried out under the Part before it expires and confers a power on the Secretary of State to make transitional, transitory or saving provision in connection with expiry.

Secretary Michael Gove **Gov NC59**

To move the following Clause—

"Interpretation of Part 4A

In this Part—

"CLA option" has the meaning given by section *(Community land auction arrangements and their purpose)*(4);

"CLA receipts" has the meaning given by section *(Application of CLA receipts)*(1);

"CLA regulations" has the meaning given by section *(Community land auction arrangements and their purpose)*(2);

"community land auction arrangement" has the meaning given by section *(Community land auction arrangements and their purpose)*(3);

"joint local plan" and "local plan" have the same meaning as in Part 2 of PCPA 2004 (see, in particular, section 15LH of that Act);

"local planning authority" means a local planning authority for the purposes of Part 2 of PCPA 2004 (see, in particular, section 15LF of that Act) other than—

(a) a joint committee constituted under section 15J of that Act,

(b) an urban development corporation, a development corporation established under the New Towns Act 1981 or a Mayoral development corporation, or

(c) the Homes and Communities Agency,

and references to the area of a local planning authority are to the area for which the authority is the local planning authority in accordance with Part 2 of PCPA 2004."

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause defines certain terms used in the new Part.

Secretary Michael Gove **Gov NC60**

To move the following Clause—

"Street votes: community infrastructure levy

(1) The Planning Act 2008 is amended as follows.

(2) In section 211(10) (amount of levy)—

(a) at the beginning insert "Except where subsection (11) applies,", and

(b) from ", 213" to the end substitute "to 213 and 214(1) and (2) apply in relation to a revision of a charging schedule as they apply in relation to a charging schedule."

(3) After section 211(10) insert—

"(11) Where the only provision made by a charging schedule or a revision of a charging schedule is provision for the purpose of determining the amount of CIL chargeable in respect of street vote development—

(a) sections 212 to 213 and 214(1) and (2) do not apply in relation to the charging schedule or the revision of the charging schedule, and

(b) CIL regulations may make provision about procedural requirements that must be met before the charging schedule or revision may take effect.

(12) "Street vote development" means development of land for which planning permission is granted by a street vote development order made under section 61QA of TCPA 1990."

(4) After section 212(11) (charging schedule: examination) insert—

"(12) For exceptions to this section see section 211(11)."

(5) After section 212A(7) (charging schedule: examiner's recommendations) insert—

"(8) For exceptions to this section see section 211(11)."

(6) After section 213(5) (charging schedule: approval) insert—

"(6) For exceptions to this section see section 211(11)."

(7) After section 214(6) (charging schedule: effect) insert—

"(7) For exceptions to subsections (1) and (2) of this section see section 211(11)."

(8) After section 214 (charging schedule: effect) insert—

"214A Secretary of State: power to require review of certain charging schedules

(1) This section applies where—

(a) a charging schedule makes provision for the purpose of determining the amount of CIL chargeable in respect of street vote development, and

(b) section 211(11) applied in relation to the charging schedule or the revision of the charging schedule in connection with making such provision.

(2) The Secretary of State may direct a charging authority to review the charging schedule if the Secretary of State considers that—

(a) the economic viability of street vote development in the charging authority's area is significantly impaired, or

(b) there is a substantial risk that it will become significantly impaired,

as a result of the CIL which is or will be chargeable in respect of street vote development in that area.

(3) If a charging authority is directed to review its charging schedule under subsection (2), it must—

(a) consider whether to revise the charging schedule under section 211(9), and

(b) notify the Secretary of State of its decision with reasons.

(4) If the charging authority decides to revise the charging schedule, it must do so within a reasonable time.

(5) If a charging authority has not complied with a direction given under subsection (2) within a reasonable time and to a standard which the Secretary of State considers adequate, the Secretary of State may appoint a person to do so on behalf of the charging authority.

(6) If a person appointed under subsection (5) decides that the charging schedule should be revised, the charging authority must revise the schedule accordingly within a reasonable time.

(7) If the charging authority fails to revise the charging schedule in accordance with subsection (4) or (6), the Secretary of State may appoint a person to do so on behalf of the charging authority.

(8) CIL regulations may make provision about—

(a) procedures for appointing a person under subsection (5) or (7),

(b) conditions which must be met before such an appointment may be made,

(c) procedures which must be followed by the person in complying with a direction given under subsection (2) or revising the charging schedule under subsection (7),

(d) circumstances in which the person may be replaced,

(e) duties of a charging authority where a person is appointed to act on its behalf under subsection (5) or (7),

(f) liability for costs incurred as a result of the appointment of the person, and

(g) what constitutes a reasonable time under subsections (4) to (6).

(9) In this section “street vote development” has the meaning given by section 211(12).”

(9) In section 216(2) (application), after paragraph (f) insert—

“(fa) where the CIL is chargeable in respect of street vote development, affordable housing.”

(10) After section 216(7) insert—

“(8) In this section—

“affordable housing” means—

(a) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and

(b) any other description of housing that CIL regulations may specify;

“street vote development” has the meaning given by section 211(12).””

Member's explanatory statement

This new clause amends the Planning Act 2008 to make provision in relation to the community infrastructure levy charged in relation to development under a street votes development order (see NC69). The new clause will be inserted into Chapter 4 of Part 3 after NC69.

Secretary Michael Gove **Gov NC63**

To move the following Clause—

“Marine licensing

(1) The Marine and Coastal Access Act 2009 is amended in accordance with subsections (2) to (6).

(2) In section 72A (further fees chargeable where the Welsh Ministers are the appropriate licensing authority)—

(a) in the heading, from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State or the Welsh Ministers";

(b) in subsection (1), for the words from "Welsh" to the end substitute "appropriate licensing authority in relation to a marine licence granted under this Part is the Secretary of State or the Welsh Ministers.";

(c) in subsection (2)(c), insert at the beginning "where the Welsh Ministers are the licensing authority,";

(d) after subsection (2) insert—

"(2A) Where the Secretary of State is the licensing authority, the authority may charge a fee for dealing with—

(a) a variation of the licence under section 72(3) (whether or not on an application), or

(b) a transfer and variation of the licence under section 72(7).";

(e) in subsection (4), for "subsection (2)" substitute "subsections (2) and (2A)";

(f) In subsection (6)—

(i) the words from "an application" to "72" become paragraph (a),

(ii) at the beginning of that paragraph insert "where the Welsh Ministers are the licensing authority,",

(iii) after that paragraph insert ", or

"(b) where the Secretary of State is the licensing authority, an application for a variation of a licence under section 72(3) or a transfer and variation of a licence under section 72(7),";

(iv) in the closing words, after "licensee" insert "or (as the case may be) other applicant", and

(g) In subsection (9), after "licensee" insert "or other applicant".

(3) In section 98 (delegation of functions), in subsection (6)—

(a) in paragraph (ca), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State or the Welsh Ministers";

(b) in paragraph (ha), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State or the Welsh Ministers";

(c) in paragraph (hb), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State or the Welsh Ministers".

(4) In section 107A (deposits on account of fees payable)—

(a) in the heading, after "the" insert "Secretary of State or the";

(b) in subsection (1), from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State or the Welsh Ministers."

(5) In section 107B (supplementary provision about fees)—
  (a) in the heading, after "the" insert "Secretary of State or the";
  (b) in subsection (1), from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State or the Welsh Ministers."

(6) In section 108 (appeals against notices), in subsection (2A), at the beginning insert "The Secretary of State or".

(7) The amendments made to the Marine and Coastal Access Act 2009 by sections 77 to 80 of the Environment (Wales) Act 2016 (anaw 3) extend to Scotland and Northern Ireland (as well as England and Wales).

(8) The Public Bodies (Marine Management Organisation) (Fees) Order 2014 (S.I. 2014/2555) is revoked."

Member's explanatory statement

This new clause allows the Secretary of State to charge fees for the variation or transfer of a marine licence and for certain connected expenses. The amendment also makes supplementary and consequential provision in connection with the charging of fees. The amendment extends certain provisions of the Environment (Wales) Act 2016 to Scotland and Northern Ireland (as well as England and Wales) and revokes the Public Bodies (Marine Management Organisation) (Fees) Order 2014. The new clause will be inserted into Part 10 of the Bill, after clause 190.

Secretary Michael Gove **Gov NC64**

To move the following Clause—

"Fees for certain services in relation to nationally significant infrastructure projects

After section 54 of the Planning Act 2008 (rights of entry: Crown land) insert—

"CHAPTER 4

FEES

54A Power to provide for fees for certain services in relation to nationally significant infrastructure projects

(1) The Secretary of State may make regulations for and in connection with the charging of fees by prescribed public authorities in relation to the provision of relevant services.

(2) A "relevant service" means any advice, information or other assistance (including a response to a consultation) provided in connection with—
  (a) an application or proposed application—
    (i) for an order granting development consent, or
    (ii) to make a change to, or revoke, such an order, or
  (b) any other prescribed matter relating to nationally significant infrastructure projects.

(3) The regulations under subsection (1) may in particular make provision—

(a) about when a fee (including a supplementary fee) may, and may not, be charged;
(b) about the amount which may be charged;
(c) about what may, and may not, be taken into account in calculating the amount charged;
(d) about who is liable to pay a fee charged;
(e) about when a fee charged is payable;
(f) about the recovery of fees charged;
(g) about waiver, reduction or repayment of fees;
(h) about the effect of paying or failing to pay fees charged (including provision permitting a public authority prescribed under subsection (1) to withhold a relevant service that they would otherwise be required to provide under an enactment until any outstanding fees for that service are paid);
(i) for the supply of information for any purpose of the regulations;
(j) conferring a function, including a function involving the exercise of a discretion, on any person.

(4) However, the regulations may not permit a public authority to charge fees for the provision of a relevant service to an excluded person, unless the relevant service is provided in connection with an application or proposed application by that person—
(a) for an order granting development consent, or
(b) to make a change to, or revoke, such an order.

(5) A public authority prescribed under subsection (1) must have regard to any guidance published by the Secretary of State in relation to the exercise of its functions under the regulations.

(6) In this section—
"excluded person" means—
(a) the Secretary of State;
(b) the Mayor of London;
(c) a local planning authority;
(d) a mayoral combined authority (within the meaning given in section 107A of the Local Democracy, Economic Development and Construction Act 2009);
(e) a qualifying neighbourhood body;
(f) such other person as may be prescribed by regulations;
"public authority" means any person certain of whose functions are of a public nature;
"qualifying neighbourhood body" means—
(a) a qualifying body within the meaning given by section 61E(6) of TCPA 1990 (and includes a community organisation which is to be regarded as such a qualifying body by virtue of paragraph 4(2) of Schedule 4C to that Act), or

(b) a qualifying body within the meaning given by section 38A(12) of PCPA 2004.""

Member's explanatory statement

This new clause allows the Secretary of State to make regulations permitting certain public authorities to charge fees for the provision of advice, information or other assistance in connection with applications for development consent orders (or changes to such orders) and other prescribed matters to do with nationally significant infrastructure projects, and makes connected provision. The new clause will be inserted after clause 110.

Secretary Michael Gove **Gov NC66**

To move the following Clause—

"Pre-consolidation amendment of planning, development and compulsory purchase legislation

(1) The Secretary of State may by regulations make such amendments and modifications of the relevant enactments as in the Secretary of State's opinion facilitate, or are otherwise desirable in connection with, the consolidation of some or all of those enactments.

(2) "Relevant enactments" means—

(a) the enactments listed in subsection (3), and

(b) any other enactments, whenever passed or made, so far as relating to—

(i) planning or development, or

(ii) the compulsory purchase of land (including compensation for such purchases).

(3) The enactments referred to in subsection (2)(a) are—

the Land Clauses Consolidation Act 1845;

the Railway Clauses Consolidation Act 1845;

sections 9, 13, 76 and 77 of the National Parks and Access to the Countryside Act 1949;

the Historic Buildings and Ancient Monuments Act 1953;

the Land Compensation Act 1961;

the Compulsory Purchase Act 1965;

the Agriculture Act 1967;

the Civic Amenities Act 1967;

the Land Compensation Act 1973;

sections 13 to 16 of (and Schedule 1 to) the Local Government (Miscellaneous Provisions) Act 1976;

the Ancient Monuments and Archaeological Areas Act 1979;

Parts 13, 14, 16 and 18 of the Local Government, Planning and Land Act 1980;

the Compulsory Purchase (Vesting Declarations) Act 1981;

the Acquisition of Land Act 1981;

the New Towns Act 1981;

the National Heritage Act 1983;
Part 3 of the Housing Act 1988;
TCPA 1990;
the Listed Buildings Act;
the Hazardous Substances Act;
the Planning and Compensation Act 1991;
Part 3 and section 96 of (and Schedule 14 to) the Environment Act 1995;
GLAA 1999;
the National Heritage Act 2002;
PCPA 2004;
the Planning Act 2008;
the Planning and Energy Act 2008;
Chapter 3 of Part 5, Part 6 and Chapter 2 of Part 8 of the Localism Act 2011;
Parts 6 and 7 of the Housing and Planning Act 2016;
section 15 of the Neighbourhood Planning Act 2017;
Parts 3 to 7 of this Act.

(4) For the purposes of this section, "amend" includes repeal and revoke (and similar terms are to be read accordingly).

(5) Subsection (6) applies where, in the Secretary of State's opinion, an amendment or modification made by regulations under this section facilitates or is otherwise desirable in connection with the consolidation of certain relevant enactments.

(6) The regulations must provide that the amendment or modification comes into force immediately before an Act consolidating those relevant enactments comes into force.

(7) Regulations under this section must not make any provision which is within—
  (a) Scottish devolved legislative competence,
  (b) Welsh devolved legislative competence, or
  (c) Northern Ireland devolved legislative competence,

unless that provision is a restatement of provision or is merely incidental to, or consequential on, provision that would be outside that legislative competence.

(8) For the purposes of subsection (7)—
  (a) provision is within "Scottish devolved legislative competence" where, if it were included in an Act of the Scottish Parliament, it would be within the legislative competence of that Parliament;
  (b) provision is within "Welsh devolved legislative competence" where, if it were included in an Act of Senedd Cymru, it would be within the legislative competence of the Senedd (including any provision that could be made only with the consent of a Minister of the Crown);
  (c) provision is within "Northern Ireland devolved legislative competence" where the provision—

(i) would be within the legislative competence of the Northern Ireland Assembly, if it were included in an Act of that Assembly, and

(ii) would not, if it were included in a Bill for an Act of the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State.

(9) In this section "Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975."

Member's explanatory statement

This new clause gives the Secretary of State the power to amend or modify enactments relating to planning, development and compulsory purchase in order to facilitate the consolidation of all or part of those enactments, and makes related provision. The power cannot be exercised to make provision which would be within the legislative competence of any of the devolved administrations. The new clause will be inserted in Part 3 after clause 114.

Secretary Michael Gove **Gov NC67**

To move the following Clause—

"Power to decline to determine applications in cases of earlier non-implementation etc

(1) TCPA 1990 is amended as follows.

(2) After section 70C insert—

5 **"70D Power to decline to determine applications in cases of earlier non-implementation etc**

(1) A local planning authority in England may decline to determine an application for planning permission for the development of any land if—

10 (a) the development is development of a prescribed description,

(b) the application is made by—

(i) a person who has previously made an application for planning permission for development of all or any part of the land ("the earlier application"), or

15 (ii) a person who has a connection of a prescribed description with the development to which the earlier application related ("the earlier development"),

(c) the earlier development was of a description prescribed under paragraph (a), and

20 (d) subsection (2) or (3) applies to the earlier development.

(2) This subsection applies to the earlier development if the earlier development has not begun.

(3) This subsection applies to the earlier development if—

25 (a) the earlier development has begun but has not been substantially completed, and

(b) the local planning authority is of the opinion that the carrying out of the earlier development has been unreasonably slow.

(4) In forming an opinion as to whether the carrying out of the earlier development has been unreasonably slow, the local planning authority
30 must have regard to all the circumstances, including in particular—

(a) in a case where a commencement notice under section 93G has been given, whether the development—

(i) was begun by the date specified in the notice, and

(ii) was carried out in accordance with any timescales
35 specified in it,

(b) whether a completion notice was served in respect of the earlier development under section 93H or (before the coming into force of section 93H) section 94 or 96 and, if so, whether the permission granted became invalid under section 93J or (as the case may
40 be) section 95, and

(c) any prescribed circumstances.

(5) Where a person applies to a local planning authority for planning permission for development of a description prescribed under subsection (1)(a), the authority may by notice require the person to provide such
45 information, being information of a prescribed description, as the authority may specify in the notice for the purpose of its functions under this section.

(6) If a person does not comply with a notice under subsection (5) within the period of 21 days beginning with the day on which the notice was
50 served, the local planning authority may decline to determine the application.

(7) If a person to whom a notice under subsection (5) is given—

(a) makes a statement purporting to comply with the notice which the person knows to be false or misleading in a material
55 particular, or

(b) recklessly makes such a statement which is false or misleading in a material particular,

the person is guilty of an offence.

(8) A person guilty of an offence under subsection (7) is liable on summary
60 conviction to a fine.

(9) Subsection (1) does not permit a local planning authority to decline to determine an application for planning permission to which section 73, 73A or 73B applies.”

(3) In section 56 (time when development begins), in subsection (3), after “61D(5)
65 and (7),” insert “70D,”.

(4) In section 76C (provisions applying to applications under section 62A), in subsection (1), for “70C” substitute “70D”.

(5) In section 78 (right to appeal), in subsection (2)(aa), after "or 70C" insert "or 70D".

70 (6) In section 174 (appeal against enforcement notice), in subsection (2AA)(b) (as substituted by section 104 of this Act), for "or 70C" substitute ", 70C or 70D"."

Member's explanatory statement

This new clause allows local planning authorities in England to decline to determine applications for planning permission in cases where an earlier permission has not been implemented or the development has been carried out unreasonably slowly. The new clause is to be inserted after clause 100 in Chapter 4 of Part 3.

As Amendments to Secretary Michael Gove's proposed New Clause (Power to decline to determine applications in cases of earlier non-implementation etc) (Gov NC67):—

Clive Betts **(a)**

Line 20, after "(3)" insert "or (3B)"

Clive Betts **(b)**

Line 27, at end insert—

"(3B) This subsection applies in a case where there has been a failure adequately to fulfil conditions attached to a previous planning permission.""

Secretary Michael Gove **Gov NC68**

To move the following Clause—

"Duty to grant sufficient planning permission for self-build and custom housebuilding

In section 2A of the Self-build and Custom Housebuilding Act 2015 (duty to grant planning permissions etc)—

(a) in subsection (2)—

(i) omit "suitable";

(ii) for "in respect of enough serviced plots" substitute "for the carrying out of self-build and custom housebuilding on enough serviced plots";

(b) omit subsection (6)(c)."

Member's explanatory statement

This new clause provides that planning permission only qualifies towards meeting the demand for self-build and custom housebuilding under section 2A(2) of the Self-build and Custom Housebuilding Act 2015 if it is actually for self-build and custom housebuilding. The new clause will be inserted after clause 108.

Secretary Michael Gove **Gov NC69**

To move the following Clause—

"Street votes

(1) TCPA 1990 is amended in accordance with subsections (2) to (7).

(2) After section 61Q (community right to build orders) insert—

"Street vote development orders

61QA Street vote development orders

(1) A process may be initiated by or on behalf of a qualifying group for the purpose of requiring the Secretary of State to make a street vote development order.

(2) A "street vote development order" is an order which grants planning permission in relation to a particular street area specified in the order—

(a) for development specified in the order, or

(b) for development of any description or class specified in the order.

61QB Qualifying groups

(1) A "qualifying group", in relation to a street vote development order, is a group of individuals—

(a) each of whom on the prescribed date meet the conditions in subsection (2), and

(b) comprised of at least—

(i) the prescribed number, or

(ii) the prescribed proportion of persons of a prescribed description.

(2) The conditions are that the individual—

(a) is entitled to vote in—

(i) an election of any councillors of a relevant council any of whose area is in the street area that the street vote development order would relate to, or

(ii) where any of the street area falls within the City of London, an Authority election,

(b) has a qualifying address for that election which is in the street area that the street vote development order would relate to, and

(c) does not have an anonymous entry in the register of local government electors.

(3) A "relevant council" means—

(a) a district council,

(b) a London borough council,

(c) a metropolitan district council, or

(d) a county council in relation to any area in England for which there is no district council.

(4) For the purposes of this section—

(a) "anonymous entry" is to be construed in accordance with section 9B of the Representation of the People Act 1983;

(b) "Authority election" has the meaning given by section 203(1) of the Representation of the People Act 1983;

(c) the Inner Temple and the Middle Temple are to be treated as forming part of the City of London;

(d) "qualifying address" has the meaning given by section 9 of the Representation of the People Act 1983.

61QC Meaning of "street area"

(1) A "street area" means an area in England—

(a) which is of a prescribed description, and

(b) no part of which is within an excluded area.

(2) An "excluded area" means—

(a) a National Park or the Broads;

(b) an area comprising a world heritage property and its buffer zone as identified in accordance with the Operational Guidelines for the Implementation of the World Heritage Convention as published from time to time;

(c) an area notified as a site of special scientific interest under section 28 of the Wildlife and Countryside Act 1981;

(d) an area designated as an area of outstanding natural beauty under section 82 of the Countryside and Rights of Way Act 2000;

(e) an area identified as green belt land, local green space or metropolitan open land in a development plan;

(f) a European site within the meaning given by regulation 8 of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012).

(3) The Secretary of State may by regulations amend subsection (2) so as to add to or amend the list of excluded areas or to remove an excluded area.

(4) In this section, "a world heritage property" means a property appearing on the World Heritage List (published in accordance with Article 11 of the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage adopted on 16 November 1972).

61QD Process for making street vote development orders

(1) The Secretary of State must make regulations ("SVDO regulations") which make provision about the preparation and making of a street vote development order.

(2) SVDO regulations must, in particular, make provision—
(a) for the appointment by the Secretary of State of a person to —
(i) handle proposals made under section 61QA(1) ("street vote proposals") or specified aspects of those proposals,
(ii) carry out the independent examination of such proposals, and
(iii) to make street vote development orders on the Secretary of State's behalf,
(and for the above purposes the same or different persons may be appointed);
(b) as to the circumstances in which a street vote development order may be made and in particular must make provision requiring a referendum under section 61QE to be held before an order may be made.

(3) SVDO regulations may, in particular, include provision as to—
(a) the functions of a qualifying group in relation to a street vote proposal and how those functions are to be discharged (including provision for a member of the group or another prescribed person to be responsible for discharging them);
(b) the form and content of a street vote proposal;
(c) the information and documents (if any) which must accompany a street vote proposal;
(d) the circumstances and the way in which a proposal may be withdrawn;
(e) the steps that must be taken, and the conditions that must be met, before a proposal falls to be considered by an appointed person;
(f) the circumstances in which an appointed person may or must decline to consider or reject a proposal;
(g) the steps that must be taken, and the conditions that must be met, before a proposal falls to be independently examined;
(h) the functions of the independent examination in relation to the proposal;
(i) the circumstances in which an appointed person may terminate the independent examination (including provision as to the procedure for doing so);
(j) the procedure to be followed at an examination (including provision regarding the procedure to be followed at any hearing or inquiry or provision designating the hearing or inquiry as a statutory inquiry for the purposes of section 9 of the Tribunals and Inquiries Act 1992);
(k) the power to summons witnesses at any inquiry (including by applying, with or without modifications, section 250(3) and (4) of the Local Government Act 1972);
(l) the award of costs in connection with an examination;

(m) the steps to be taken following the independent examination (including provision for prescribed modifications to be made to the draft street vote development order);

(n) the payment by a local planning authority of remuneration and expenses relating to the examination;

(o) the functions of local planning authorities, or other authorities, in connection with street vote development orders (including provision regulating the arrangements of authorities for the discharge of those functions);

(p) cases where there are two or more local planning authorities any of whose area falls within the area of the street area that the proposal relates to (including provision modifying functions of the local planning authorities under the regulations in such cases or provision applying, with or without modifications, any provision of Part 6 of the Local Government Act 1972 in cases where the provision would not otherwise apply);

(q) requirements about the giving of notice and publicity;

(r) the information and documents that are to be made available to the public;

(s) consultation with and participation by the public or prescribed persons;

(t) the making and consideration of representations;

(u) the determination of the time by or at which anything must be done in connection with street vote development orders;

(v) the provision by any person of prescribed information or documents or prescribed descriptions of information or documents in connection with a street vote development order;

(w) the making of reasonable charges for anything done in connection with street vote development orders;

(x) when a court may entertain proceedings for questioning prescribed decisions to act or any other prescribed matter.

61QE Referendums

(1) SVDO regulations may make provision about referendums held in connection with street vote development orders and may, in particular, include provision—

(a) as to the circumstances in which an appointed person or the Secretary of State may direct relevant councils to carry out a referendum in relation to a street vote development order;

(b) the functions of such councils in relation to the referendum;

(c) dealing with any case where there are two or more relevant councils any of whose area falls within the area in which a referendum is to take place (including provision for only one council to carry out functions in relation to the referendum in such a case);

(d) prescribing a date by which the referendum must be held or before which it cannot be held;

(e) as to the question to be asked in the referendum and any explanatory material in relation to that question;

(f) as to voter eligibility for the referendum;

(g) as to the publicity to be given in connection with the referendum;

(h) as to the provision of prescribed information to voters in connection with the referendum (including information about any infrastructure levy or community infrastructure levy which is chargeable in respect of development under a street vote development order);

(i) about the limitation of expenditure in connection with the referendum;

(j) as to the conduct of the referendum;

(k) as to when, where and how voting in the referendum is to take place;

(l) as to how the votes cast are to be counted;

(m) about certification as to the number of persons voting in the referendum and as to the number of those persons voting in favour of a street vote development order;

(n) about the combination of polls at the referendum with polls at another referendum or at any election;

(o) as to the threshold of votes that must be met before a street vote development order may be made.

(2) For the purposes of making provision within subsection (1), SVDO regulations may apply or incorporate (with or without modifications) any provision made by or under any enactment relating to elections or referendums.

(3) But where the regulations apply or incorporate (with or without modifications) any provision that creates an offence, the regulations may not impose a penalty greater than is provided for in respect of that provision.

(4) Before making provision within this section, the Secretary of State must consult the Electoral Commission.

(5) In this section “enactment” means an enactment, whenever passed or made.

61QF Regulations: general provision

SVDO regulations may—

(a) provide for exemptions (including exemptions which are subject to prescribed conditions);

(b) confer a function, including a function involving the exercise of a discretion, on any person.

61QG Provision that may be made by a street vote development order

(1) A street vote development order may make provision in relation to—
  (a) all land in the street area specified in the order,
  (b) any part of that land, or
  (c) a site in that area specified in the order.

(2) A street vote development order may only provide for the granting of planning permission for any development that—
  (a) is prescribed development or development of a prescribed description or class,
  (b) is not excluded development, and
  (c) satisfies any further prescribed conditions.

(3) A street vote development order may make different provision for different purposes.

61QH Meaning of "excluded development"

(1) The following development is excluded development for the purposes of section 61QG(2)(b) —
  (a) development of a scheduled monument within the meaning given by section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979;
  (b) Schedule 1 development as defined by regulation 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/571);
  (c) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008);
  (d) development of a listed building within the meaning given by section 1(5) of the Planning (Listed Buildings and Conservation) Areas Act 1990;
  (e) development consisting of the winning and working of minerals.

(2) The Secretary of State may by regulations amend subsection (1) so as to add, amend or remove a category of excluded development.

61QI Permission granted by street vote development orders

(1) The granting of planning permission by a street vote development order is subject to—
  (a) any prescribed conditions or limitations or conditions or limitations of a prescribed description, and
  (b) such other conditions or limitations as may be specified in the order (but see subsections (4) and (6)).

(2) The conditions that may be specified include a condition that unless a relevant obligation is entered into—

(a) the development authorised by the planning permission or any description of such development must not be begun, or

(b) anything created in the course of the development authorised by the planning permission may not be occupied or used for any purpose.

(3) A relevant obligation for the purposes of subsection (2) includes an obligation which involves the payment of money or affects any estate or interest in, or rights over, land.

(4) But an order may only specify a condition that a person enter into an obligation under section 106 if the obligation—

(a) is necessary to make the development specified in the order acceptable in planning terms,

(b) is directly related to the development, and

(c) is fairly and reasonably related in scale and kind to the development.

(5) The Secretary of State may by regulations amend the list of requirements under subsection (4) so as to add, amend or remove a requirement.

(6) The Secretary of State may by regulations provide that—

(a) conditions or limitations of a prescribed description may not be imposed under subsection (1)(b),

(b) conditions or limitations of a prescribed description may only be imposed under subsection (1)(b) in circumstances of a prescribed description, or

(c) no conditions or limitations may be imposed under subsection (1)(b) in circumstances of a prescribed description.

(7) A condition or limitation prescribed under subsection (1)(a) may confer a function on any person, including a function involving the exercise of a discretion.

(8) If—

(a) planning permission granted by a street vote development order for any development is withdrawn by the revocation of the order under section 61QJ, and

(b) the revocation is made after the development has begun but before it has been completed,

the development may, despite the withdrawal of the permission, be completed.

(9) But an order under section 61QJ revoking a street vote development order may provide that subsection (8) is not to apply in relation to development specified in the order under that section.

(10) In this section “relevant obligation” means—

(a) an obligation under section 106 (planning obligations), or

(b) an agreement under section 278 of the Highways Act 1980 (agreements as to execution of works).

61QJ Revocation or modification of street vote development orders

(1) The Secretary of State may by order revoke or modify a street vote development order.

(2) A local planning authority may, with the consent of the Secretary of State, by order revoke a street vote development order relating to a street area any part of which falls within the area of that authority.

(3) If a street vote development order is revoked, the person revoking the order must state the reasons for the revocation.

(4) An appointed person may at any time by order modify a street vote development order for the purpose of correcting errors.

(5) A modification of a street vote development order is to be done by replacing the order with a new one containing the modification.

(6) Regulations may make provision in connection with the revocation or modification of a street vote development order.

(7) The regulations may, in particular, include provision as to—

(a) the giving of notice and publicity in connection with a revocation or modification;

(b) the information and documents relating to a revocation or modification that are to be made available to the public;

(c) the making of reasonable charges for anything provided as a result of the regulations;

(d) consultation with and participation by the public in relation to a revocation or modification;

(e) the making and consideration of representations about a revocation or modification (including the time by which representations must be made).

61QK Financial assistance in relation to street votes

(1) The Secretary of State may do anything that the Secretary of State considers appropriate—

(a) for the purpose of publicising or promoting the making of street vote development orders and the benefits expected to arise from their making, or

(b) for the purpose of giving advice or assistance to anyone in relation to the making of street vote proposals or the doing of anything else for the purposes of, or in connection with, such proposals or street vote development orders.

(2) The things that the Secretary of State may do under this section include, in particular—

(a) the provision of financial assistance (or the making of arrangements for its provision) to any body or other person, and

(b) the making of agreements or other arrangements with any body or other person (under which payments may be made to the person).

(3) In this section—

(a) the reference to giving advice or assistance includes providing training or education;

(b) any reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).

61QL Street votes: connected modifications

The Secretary of State may by regulations make provision modifying or excluding the application of Schedule 7A (biodiversity gain in England) in relation to planning permission granted by a street vote development order.

61QM Interpretation

In sections 61QA to 61QL—

"an appointed person" means a person appointed in accordance with section 61QD(2)(a);

"excluded development" has the meaning given by section 61QH;

"qualifying group" has the meaning given by section 61QB;

"relevant council" has the meaning given by section 61QB(3);

"street area" has the meaning given by section 61QC;

"SVDO regulations" has the meaning given by section 61QD(1);

"street vote development order" has the meaning given by section 61QA(2);

"street vote proposal" has the meaning given by section 61QD(2)(a)(i)."

(3) In section 58 (granting of planning permission: general), in subsection (1)(a), for "or a neighbourhood development order" substitute ", a neighbourhood development order or a street vote development order".

(4) In section 69 (register of applications etc)—

(a) after subsection (1)(cza) insert—

"(czb) street vote development orders or proposals for such orders;";

(b) in subsection (2)(b) after "mayoral development order," insert "street vote development order or proposals for such orders,".

(5) In section 78 (right to appeal), in subsection (1)(c), for "or a neighbourhood development order" substitute ", a neighbourhood development order or a street vote development order".

(6) In section 108 (compensation)—

(a) in the heading, for "or neighbourhood development order" substitute ", neighbourhood development order or street vote development order";

(b) in subsection (1)(a), for "or a neighbourhood development order" substitute ", a neighbourhood development order or a street vote development order";

(c) in subsection (1), in the words after paragraph (b), for "or the neighbourhood development order" substitute ", the neighbourhood development order or the street vote development order";

(d) in subsection (2), for "or a neighbourhood development order" substitute " , a neighbourhood development order or a street vote development order";

(e) in subsection (3B)(ba), at the end omit "or";

(f) after that paragraph insert—

"(bb) in the case of planning permission granted by a street vote development order, the condition in subsection (3DB) is met, or";

(g) After subsection (3DA) insert—

"(3DB) The condition referred to in subsection (3B)(bb) is that—

(a) the planning permission is withdrawn by the revocation or modification of the street vote development order,

(b) notice of the revocation or modification was published in the prescribed manner not less than 12 months or more than the prescribed period before the revocation or modification took effect, and

(c) either—

(i) the development authorised by the street vote development order had not begun before the notice was published, or

(ii) section 61QI(8) applies in relation to the development."

(7) In section 333 (regulations and orders)—

(a) after subsection (3) insert—

"(3ZAA) Subsection (3) does not apply to a statutory instrument containing regulations made under any of sections 61QB to 61QJ or section 61QL if a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.";

(b) after subsection (3ZA) insert—

"(3ZB) No regulations may be made under section 61QC(3), 61QH(2) or 61QI(5) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament."

(8) The Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) are amended as follows.

(9) In regulation 75 (general development orders)—

(a) in the heading, after “orders” insert “and street vote development orders”;

(b) in the opening words, after “2017” insert “or a street vote development order”.

(10) In regulation 76 (opinion of appropriate nature conservation body)—

(a) in the heading, after “orders” insert “and street vote development orders”;

(b) in paragraph (1), after “order” insert “or street vote development order”;

(c) in paragraph (6), after “order” insert “or street vote development order”.

(11) In regulation 77 (approval of local planning authority), in the heading, after “orders” insert “and street vote development orders”.

(12) In regulation 78 (supplementary)—

(a) in the heading, after “orders” insert “and street vote development orders”;

(b) in paragraph (3)(b), after “order” insert “or development order”.

(13) In regulation 85B (assumptions to be made about nutrient pollution standards)—

(a) in the heading, after “orders” insert “and street vote development orders”;

(b) in paragraph (1)(a) after “orders” insert “and street vote development orders”.”

Member's explanatory statement

This new clause amends the Town and Country Planning Act 1990 (“TCPA 1990”) to make provision for street vote development orders. The orders will grant planning permission in relation to street areas in England. The provisions confer regulation-making powers relating to the preparation and making of an order, including provision for independent examination and a referendum. The clause also amends the Conservation of Habitats and Species Regulations 2017 to apply requirements under those regulations to street vote development orders. The new clause will be inserted into Chapter 4 of Part 3 to replace the current placeholder in clause 96.

Secretary Michael Gove **Gov NC77**

To move the following Clause—

“Nutrient pollution standards to apply to certain sewage disposal works

(1) After section 96A of the Water Industry Act 1991 insert—

“96B Nutrient pollution standards to apply to certain sewage disposal works

(1) A sewerage undertaker whose area is wholly or mainly in England must—

(a) in the case of each nitrogen significant plant comprised in its sewerage system—
(i) secure that, by the upgrade date, the plant will be able to meet the nitrogen nutrient pollution standard, and
(ii) on and after the upgrade date, secure that the plant meets that standard;
(b) in the case of each phosphorus significant plant comprised in its sewerage system—
(i) secure that, by the upgrade date, the plant will be able to meet the phosphorus nutrient pollution standard, and
(ii) on and after the upgrade date, secure that the plant meets that standard.

(2) "Nitrogen significant plant" means a plant in England that—
(a) discharges treated effluent into a nitrogen sensitive catchment area, and
(b) is not an exempt plant in relation to the nitrogen nutrient pollution standard.

(3) "Phosphorus significant plant" means a plant in England that—
(a) discharges treated effluent into a phosphorus sensitive catchment area, and
(b) is not an exempt plant in relation to the phosphorus nutrient pollution standard.

96C Sensitive catchment areas

(1) Where the Secretary of State considers that a habitats site that is wholly or partly in England is in an unfavourable condition by virtue of pollution from nutrients comprising nitrogen or compounds of nitrogen, the Secretary of State may designate the catchment area for the habitats site as a nitrogen sensitive catchment area.

(2) Where the Secretary of State considers that a habitats site that is wholly or partly in England is in an unfavourable condition by virtue of pollution from nutrients comprising phosphorus or compounds of phosphorus, the Secretary of State may designate the catchment area for the habitats site as a phosphorus sensitive catchment area.

(3) In determining—
(a) whether a habitats site is in an unfavourable condition by virtue of pollution from nutrients comprising nitrogen, phosphorus or compounds of nitrogen or phosphorus, or
(b) the catchment area for a habitats site,

the Secretary of State may take into account, in particular, advice from, or guidance published by, Natural England, the Environment Agency or the Joint Nature Conservation Committee.

(4) A designation under subsection (1) or (2)—
(a) must be in writing,

(b) must be published as soon as practicable after being made,

(c) takes effect—

(i) on the day specified in the designation, or

(ii) if none is specified, on the day on which it is made,

(the "designation date"), and

(d) if it takes effect after the end of the initial period, must specify the upgrade date (see section 96E(1)(b)).

(5) A date specified under subsection (4)(d) as the upgrade date must be at least 7 years after the designation date.

(6) A designation under this section may not be revoked; and it is immaterial for the purposes of the continued designation of an area whether subsection (1) or (2) continues to be satisfied in relation to it.

(7) In this section "catchment area", in relation to a habitats site, means the area where water, if released, would drain into the site.

96D Exempt sewage disposal works

(1) A plant is exempt in relation to a nutrient pollution standard if—

(a) it has a capacity of less than a population equivalent of 2000 when the designation of the associated catchment area takes effect,

(b) it has been designated by the Secretary of State as exempt in relation to the standard, or

(c) it is exempt in relation to the standard under regulations under subsection (5).

This is subject to subsection (2).

(2) The Secretary of State may designate a plant as not being exempt in relation to a nutrient pollution standard, unless—

(a) the plant has a capacity of less than a population equivalent of 250, and

(b) the designation takes effect after the designation of the associated catchment area takes effect.

(3) A designation under subsection (1)(b) or (2)—

(a) must be in writing,

(b) must be published as soon as practicable after being made, and

(c) takes effect—

(i) on the day specified in the designation, or

(ii) if none is specified, on the day on which it is made.

(4) A designation under subsection (2) that takes effect after the designation of the associated catchment area takes effect must specify the upgrade date (see section 96E(2)(a)).The upgrade date must be at least 7 years after the designation under subsection (2) takes effect.

(5) The Secretary of State may by regulations specify plants or descriptions of plant that are to be exempt in relation to a nutrient pollution standard.

(6) Subsection (7) applies where a plant that is exempt under regulations under subsection (5) can, by virtue of the regulations, cease to be exempt.

(7) The regulations must specify or provide for determining the upgrade date (see section 96E(2)(b)) in relation to any plant that ceases, by virtue of the regulations, to be an exempt plant in relation to a standard after the designation of the associated catchment area takes effect.

The upgrade date must be at least 7 years after the plant ceases to be exempt in relation to the standard.

(8) A designation under subsection (2) in relation to a plant and a nutrient pollution standard is of no effect if the plant ceases, by virtue of regulations under subsection (5), to be exempt in relation to the standard before, or at the same time as, the designation would otherwise take effect.

(9) In this section "population equivalent" has the meaning given by regulation 2(1) of the Urban Waste Water Treatment (England and Wales) Regulations 1994 (S.I. 1994/2841).

96E Upgrade date

(1) The upgrade date, in relation to a nutrient significant plant, is, unless subsection (2) applies—

(a) 1 April 2030, if the designation of the associated catchment area takes effect during the initial period;

(b) the date specified under section 96C(4)(d), if the designation of the associated catchment area takes effect after the end of the initial period.

(2) But, if the plant becomes a nutrient significant plant after the designation of the associated catchment area takes effect, the upgrade date is—

(a) the date specified under section 96D(4), where it becomes a nutrient significant plant by virtue of a designation under section 96D(2);

(b) the date specified by or determined under provision made by virtue of section 96D(7), where it becomes a nutrient significant plant on ceasing, by virtue of regulations under section 96D(5), to be exempt.

(3) "The initial period" means the period of 3 months beginning with the date on which the Levelling-up and Regeneration Act 2022 is passed.

96F Nutrient pollution standards

(1) A nitrogen significant plant meets the nitrogen nutrient pollution standard if the concentration of total nitrogen in treated effluent that it discharges is not more than 10 mg/l.

(2) A phosphorus significant plant meets the phosphorus nutrient pollution standard if the concentration of total phosphorus in treated effluent that it discharges is not more than 0.25 mg/l.

(3) "Treated effluent", in relation to a plant, means any effluent discharged by the plant, other than anything discharged—

(a) from a storm overflow, or

(b) by an emergency discharge.

(4) For the purposes of subsection (3), in relation to a plant—

(a) "storm overflow" means any structure or apparatus comprised in the plant which, when the capacity of relevant parts of the sewerage system is exceeded, relieves them by discharging the excess contents into inland waters, underground strata or the sea, where—

"relevant parts of the sewerage system" means—

(a) storage tanks at the plant, and

(b) other parts of the sewerage system downstream of the plant;

"the sewerage system" means the undertaker's sewerage system of which the plant forms part;

(b) "emergency discharge" means a discharge in circumstances where the plant's normal treatment process has failed because of—

(i) electrical power failure, or

(ii) mechanical breakdown of duty and standby pumps.

(5) Regulations made by the Secretary of State may specify how the concentration of total nitrogen or concentration of total phosphorus in treated effluent is to be determined.

(6) Regulations under subsection (5) may, in particular—

(a) make provision for requiring regular sampling of the treated effluent that a plant discharges to ascertain the concentration of total nitrogen or concentration of total phosphorus;

(b) make provision for regarding a nutrient pollution standard as being met by a plant if, for example—

(i) it is met, with at least the frequency specified in the regulations, in samples taken in accordance with the regulations, or

(ii) the average concentration, calculated in accordance with the regulations, of total nitrogen or of total phosphorus in samples taken in accordance with the regulations would meet the standard;

(c) make provision for determining generally, or in a particular case, whether anything is, or is not, to be regarded as treated effluent discharged by a plant;

(d) confer any function on the Secretary of State, the Authority, the Environment Agency, statutory undertakers or any other person.

96G Information about sensitive catchment areas and nutrient significant plants

(1) The Secretary of State must maintain and publish online a map showing—

(a) all the nitrogen sensitive catchment areas, and

(b) all the phosphorus sensitive catchment areas.

(2) As soon as practicable after making a designation under section 96C (sensitive catchment areas), the Secretary of State must publish the revised map online.

(3) The Secretary of State must maintain and publish online a document listing—

(a) all plants that are or have been—

(i) nitrogen significant plants, or

(ii) phosphorus significant plants;

(b) in relation to each plant listed under paragraph (a)—

(i) the upgrade date that applies for the time being;

(ii) if the plant becomes, or ceases to be, an exempt plant in relation to the related nutrient pollution standard, that fact and the date on which it occurred;

(iii) the figure specified in section 96F(1) or (2) (total nitrogen concentration or total phosphorus concentration) that applies to the plant;

(iv) where a direction relating to the plant and the related nutrient pollution standard is made or revoked under regulation 85C or 110B of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (disapplication of assumption that the plant will meet the standard on and after the upgrade date) that fact and the date on which the direction or revocation takes effect.

(4) Where any change occurs in the information required to be listed, the Secretary of State must, as soon as practicable, publish a revised document online.

96H Section 96B: enforcement and interaction with other provisions

(1) The duty of a sewerage undertaker under section 96B is enforceable under section 18—

(a) by the Secretary of State, or

(b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Authority.

(2) The Environment Agency must exercise its functions (whether under environmental permitting regulations or otherwise) so as to secure compliance by sewerage undertakers with the duty imposed by section 96B; those functions include, in particular, functions of determining—

(a) whether to grant or vary any permit under environmental permitting regulations, or

(b) any conditions to be included in any such permit.

(3) The Environment Agency must exercise its functions under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (S.I. 2015/810) so as to secure compliance by sewerage undertakers with the duties imposed by those regulations to prevent and remediate damage to protected sites attributable to failure to comply with the duty imposed by section 96B.

(4) Nothing in section 96B or this section affects—

(a) any other obligation of a sewerage undertaker relating to nutrient levels in treated effluent of a plant, or any remedy available in respect of contravention of any such obligation;

(b) any power to impose an obligation relating to nutrient levels in treated effluent of a plant (including by means of a condition included in a permit under environmental permitting regulations); and, in particular, nothing in that section or this section is to be taken to preclude any such power being exercised so as to require a lower concentration of total nitrogen or lower concentration of total phosphorus in treated effluent of a plant than section 96B requires.

96I Powers to amend sections 96D and 96F

(1) The Secretary of State may by regulations amend any plant capacity for the time being specified in section 96D(1)(a) or (2)(a).

(2) Regulations under subsection (1) may not have effect in relation to an area that is a sensitive catchment area when the regulations are made.

(3) Subject to that, regulations under subsection (1)—

(a) may, in particular, amend section 96D so that different plant capacities are specified in relation to the nitrogen nutrient pollution standard and the phosphorus nutrient pollution standard;

(b) may, where different plant capacities will apply for different purposes or different areas as a result of regulations under subsection (1), amend section 96D so as to specify those capacities and the purposes or areas for which they apply.

(4) The Secretary of State may by regulations—

(a) amend section 96F(1) so as to substitute a lower concentration of total nitrogen;

(b) amend section 96F(2) so as to substitute a lower concentration of total phosphorus.

(5) Regulations under subsection (4) may not have effect in relation to an area that is a sensitive catchment area when the regulations are made.

(6) Where, as a result of the regulations, different concentrations will apply in different circumstances, the regulations may amend section 96F(1) or (2) to specify those concentrations and the circumstances in which they apply.

(7) A statutory instrument containing regulations under subsection (1) or (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.

(8) If a draft of a statutory instrument containing regulations under subsection (1) or (4) would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

96J Sections 96B to 96I and 96K: interpretation

(1) This section applies for the purposes of sections 96B to 96I and 96K.

(2) In those sections (and this section)—

"associated catchment area"—

(a) in relation to a plant that is a nitrogen significant plant or is exempt in relation to the nitrogen nutrient pollution standard, means the nitrogen sensitive catchment area into which it discharges;

(b) in relation to a plant that is a phosphorus significant plant or is exempt in relation to the phosphorus nutrient pollution standard, means the phosphorus sensitive catchment area into which it discharges;

"environmental permitting regulations" means—

(a) the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154) (as they have effect from time to time), or

(b) any other provision made after the Levelling-up and Regeneration Act 2022 is passed that is, or could have been, made under section 2 of the Pollution Prevention and Control Act 1999;

"exempt plant", in relation to a nutrient pollution standard, has the meaning given by section 96D;

"habitats site" means a European site within the meaning of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (see regulation 8);

"the initial period" has the meaning given by section 96E(3);

"nitrogen nutrient pollution standard", in relation to references to a nitrogen significant plant meeting the standard, has the meaning given by section 96F(1);

"nitrogen sensitive catchment area" means an area designated under section 96C(1);

"nitrogen significant plant" has the meaning given by section 96B(2);

"nutrient pollution standard" means the nitrogen nutrient pollution standard or the phosphorus nutrient pollution standard;

"nutrient significant plant" means—

(a) a nitrogen significant plant, or

(b) a phosphorus significant plant;

"phosphorus nutrient pollution standard", in relation to references to a phosphorus significant plant meeting the standard, has the meaning given by section 96F(2);

"phosphorus sensitive catchment area" means an area designated under section 96C(2);

"phosphorus significant plant" has the meaning given by section 96B(3);

"plant" means a sewage disposal works;

"related nutrient pollution standard", in relation to a sensitive catchment area or a plant, means—

(a) if (or so far as) the area is a nitrogen sensitive catchment area or the plant is a nitrogen significant plant, the nitrogen nutrient pollution standard;

(b) if (or so far as) the area is a phosphorus sensitive catchment area or the plant is a phosphorus significant plant, the phosphorus nutrient pollution standard;

"sensitive catchment area" means—

(a) a nitrogen sensitive catchment area, or

(b) a phosphorus sensitive catchment area;

"treated effluent" has the meaning given by section 96F(3);

"upgrade date", in relation to a plant that discharges into a sensitive catchment area, has the meaning given by section 96E.

(3) References to a plant discharging into a sensitive catchment area are to the plant discharging treated effluent into the area.

(4) References to the sewerage system of a sewerage undertaker have the meaning given by section 17BA(7).

96K New and altered plants: modifications

(1) The Secretary of State may by regulations provide for sections 96B to 96J to apply with prescribed modifications in relation to any plant that, after the Levelling-up and Regeneration Act 2022 is passed—

(a) operates for the first time, or

(b) is altered.

This is subject to subsection (3).

(2) Regulations under this section may in particular provide for sections 96C(5) and 96D(4) and (7) to apply as if they specified periods other than 7 years.

(3) But regulations under this section may not modify 96F(1) or (2) so as to apply a higher concentration of total nitrogen or higher concentration of total phosphorus than would otherwise apply."

(2) In section 213 of the Water Industry Act 1991 (powers to make regulations), in subsection (1), insert "96I,"—

(a) if this subsection comes into force before section 82(2) of the Environment Act 2021, before "or 105A";

(b) otherwise, before "105A"."

Member's explanatory statement

This new clause allows the Secretary of State to designate catchment areas for certain sites polluted by nitrogen and/or phosphorus and requires certain sewerage undertakers to ensure that treated effluent from sewage disposal works in England that discharge into them will, unless exempted, meet specified pollution concentrations by the applicable upgrade date. It will be included in a new Part to be inserted after Part 5.

Secretary Michael Gove **Gov NC78**

To move the following Clause—

"Planning: assessments of effects on certain sites

Schedule (*Amendments of the Conservation of Habitats and Species Regulations 2017: assumptions about nutrient pollution standards*) amends the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) to require certain assumptions to be made in certain circumstances about nutrient pollution standards (see section (*Nutrient pollution standards to apply to certain sewage disposal works*))."

Member's explanatory statement

This new clause introduces NS1. It will be included in a new Part to be inserted after Part 5.

Secretary Michael Gove **Gov NC79**

To move the following Clause—

"Remediation

(1) The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (S.I. 2015/810) are amended as follows.

(2) After regulation 9 insert—

"9A Nutrient significant sewage disposal works: environmental damage

(1) This regulation applies where a sewerage undertaker whose sewerage system includes a nutrient significant plant fails to secure that the plant is able to meet the related nutrient pollution standard by the upgrade date.

(2) Any damage attributable to the failure of the plant to meet the standard on and after the upgrade date, until it first meets the standard, that occurs to the related habitats site is to be treated for the purposes of these regulations as environmental damage to the site caused by an activity of the sewerage undertaker that—

(a) requires a permit under the Environmental Permitting (England and Wales) Regulations 2016, and

(b) falls within Schedule 2.

(3) It is for the Environment Agency to determine the damage to the site mentioned in paragraph (2) that is attributable to the failure mentioned in that paragraph.

(4) The reference in paragraph (2) to damage to the related habitats site includes a reference to any improvement in the integrity of the site that would have resulted from the nutrient significant plant meeting the related nutrient pollution standard on and after the upgrade date not being achieved.

(5) Schedule 2ZA sets out modifications of these regulations that apply where this regulation applies.

(6) In this regulation—

"related habitats site", in relation to a nutrient significant plant, means the habitats site by reference to which the associated catchment area is designated under section 96C of the Water Industry Act 1991;

"sewerage system", in relation to a sewerage undertaker, has the meaning given by section 17BA(7) of the Water Industry Act 1991.

(7) For the purposes of this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—

"associated catchment area";

"habitats site";

"nutrient significant plant";

"plant";

"related nutrient pollution standard";

"sensitive catchment area";

"upgrade date";

and references to a nutrient significant plant meeting the related nutrient pollution standard are to be read in accordance with section 96F(1) or (2) of that Act."

(3) After Schedule 2 insert—

"SCHEDULE 2ZA

Regulation 9A

MODIFICATIONS WHERE REGULATION 9A APPLIES

1 In relation to anything that is treated as environmental damage by regulation 9A, these regulations apply with the following modifications.

2 Regulation 17 does not apply.

3 Regulation 18 applies as if—

(a) the opening words of paragraph (1) provided "Where damage is treated as environmental damage by regulation 9A(2), the enforcing authority must notify the responsible operator—";

(b) for paragraph (a) there were substituted—

"(a) of the environmental damage;".

4 Regulation 18A applies with the omission of paragraph (2).

5 Regulation 19(3) applies as if for paragraphs (a) to (e) (but not the "or" immediately following paragraph (e)) there were substituted—

"(a) the responsible operator did not fail to secure that the nutrient significant plant in question is able to meet the related nutrient pollution standard by the upgrade date;

(b) the determination by the Environment Agency of the damage to the site attributable to the failure mentioned in regulation 9A(2) was unreasonable;".

6 Regulation 25(2) applies as if—

(a) for paragraph (a) there were substituted—

"(a) determining the damage attributable to the failure mentioned in regulation 9A(2);";

(b) paragraph (b) were omitted.""

Member's explanatory statement

This new clause treats any damage to a site from failure to meet the duty introduced by NC77 as environmental damage so that provisions of the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 about remediation apply. It will be included in a new Part to be inserted after Part 5.

John Stevenson **NC3**

Mr Laurence Robertson
Karl McCartney
Chris Grayling
Gordon Henderson
Martin Vickers

Simon Fell
Henry Smith
Matt Vickers
Sir Peter Bottomley
Chris Loder
Andrew Selous
Nick Fletcher
Craig Mackinlay
Paul Maynard
Mrs Heather Wheeler
Stephen Hammond
Dr Dan Poulter
Sir Geoffrey Clifton-Brown
Vicky Ford
Peter Aldous
Dr Matthew Offord
Jack Lopresti
Caroline Ansell
Mark Pawsey
Derek Thomas
Katherine Fletcher

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.

Chris Grayling **NC5**

Tracey Crouch
Derek Thomas
Jon Trickett
Julian Knight
Sir Peter Bottomley

Helen Morgan
Sir Roger Gale
Clive Lewis
Mr Jonathan Lord
Mr David Davis
Caroline Lucas

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

5 (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—

10 (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
15 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
20 (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
25 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
30 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.

As Amendments to Chris Grayling's proposed New Clause (Ecological surveys prior to planning application) (NC5):—

Jon Trickett **(a)**

Line 7, leave out "the habitat of a vulnerable species" and insert—

"(a) the habitat of—
(i) any vulnerable or endangered species, or
(ii) any species of red status bird, or
(b) ancient woodland."

Jon Trickett **(b)**

Line 25, at end insert—

"(6) In this section—

"vulnerable or endangered species" means a species protected by the Wildlife and Countryside Act 1981;

"red status bird" means any species of bird on the latest Birds of Conservation Concern red list."

Jon Trickett **(c)**

Line 32, at end insert—

"(4) Where an ecological survey identifies that a proposed development constitutes a threat under subsection (1), any consideration of a planning application in relation to the proposed development by the local planning authority must begin with a presumption against development."

Munira Wilson **NC6**

Tim Farron
Clive Betts
Bob Seely
Rachael Maskell
Daisy Cooper

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.

Sir Gary Streeter **NC8**

Selaine Saxby
Caroline Lucas
Sir Peter Bottomley
Sir Desmond Swayne

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 heritage

of 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**

Selaine Saxby
Caroline Lucas
Sir Peter Bottomley
Sir Desmond Swayne

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**

Selaine Saxby
Caroline Lucas
Sir Peter Bottomley
Sir Desmond Swayne

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**

Selaine Saxby
Caroline Lucas
Sir Peter Bottomley
Sir Desmond Swayne

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**

Ben Everitt
Mrs Natalie Elphicke
Clive Betts

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**

Caroline Lucas

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 the Building Act 1984 to make building regulations for the purpose in subsection (2).

5

(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.

Helen Morgan **NC20**

Tim Farron
Daisy Cooper
Caroline Lucas

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.

Helen Morgan **NC40**

Tim Farron
Daisy Cooper

To move the following Clause—

"Requirement to hold a referendum on fracking applications

(1) This section applies to any planning application for the purposes of, or in connection with, hydraulic fracturing.

(2) The local planning authority may not approve an application to which this section applies unless it has been approved by a referendum in accordance with subsection (3).

(3) A referendum is in accordance with this subsection if—

(a) it is a poll of all local authority electors resident in the license area or the impact zone of the proposed hydraulic fracturing site; and

(b) it is approved by the majority of such electors who vote in the referendum.

(4) The Secretary of State may, by regulations, make further provision about the conduct of referendums under subsection (3).

(5) In making regulations under subsection (4) the Secretary of State must have regard to the provisions of the Local Authorities (Conduct of Referendums) (England) (Amendment) Regulations 2014).

(6) The total referendum expenses incurred must be paid in full by the planning applicant."

Tim Farron **NC42**

Daisy Cooper
Derek Thomas
Margaret Ferrier
Ed Davey
John McDonnell

Christine Jardine Wera Hobhouse Mick Whitley
Jim Shannon

To move the following Clause—

"New use classes for second homes and holiday lets

(1) Part 1 of Schedule 1 of the Town and country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.

(2) In paragraph 3 (dwellinghouses)—

(a) for "whether or not as a sole or" substitute "as a", and

(b) after "residence" insert "other than a use within Class 3B)".

(3) After paragraph 3 insert—

"3A Class C3A Second homes

Use, following a change of ownership, as a dwellinghouse as a secondary or supplementary residence by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

Interpretation of Class C3A

For the purposes of Class C3A "single household" is to be construed in accordance with section 258 of the Housing Act 2004.

Class C3B Holiday rentals

Use, following a change of ownership, as a dwellinghouse as a holiday rental property.""

Member's explanatory statement

This new clause would create new class uses for second homes and short-term holiday lets.

Tim Farron **NC43**

Daisy Cooper

To move the following Clause—

"Planning permission required for use of dwelling as second home

(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 of a dwelling as a second home following a change in ownership involves a material change in the use of the building (whether or not it was previously used as a second home);"."

Member's explanatory statement

This new clause would mean planning permission would be required for a dwelling to be used as a second home following a change of ownership.

Tim Farron **NC44**

Daisy Cooper

To move the following Clause—

"Local authorities to be permitted to require that new housing in National Parks and AONB is affordable

(1) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area that is within—

(a) a National Park, or

(b) an Area of Outstanding Natural Beauty

is affordable.

(2) A local planning authority may define "affordable" for the purposes of subsection (1)."

Member's explanatory statement

This new clause would enable local authorities to mandate that new housing under their jurisdiction and within a National Park or an Area of Outstanding Natural Beauty is affordable, and to define "affordable" for that purpose.

Tim Farron **NC47**

Daisy Cooper

To move the following Clause—

"Disability accessibility standards for railway stations

(1) The Secretary of State must take all reasonable steps to ensure that railway stations in England—

(a) provide step-free access from street to train, and

(b) meet in full and as soon as possible the disability access standards in the Design Standards for Accessible Railway Stations Code of Practice published by the Department for Transport and Transport Scotland in March 2015.

(2) Any requirements made in conjunction with that duty may not make any exemptions or concessions for small or remote stations.

(3) In undertaking the duty in subsection (1) the Secretary of State may—

(a) make an application to the Office of Rail and Road under section 16A (provision, improvement and development of railway facilities) of the Railways Act 1993;

(b) revise the code of practice under section 71B (code of practice for protection of interests of rail users who are disabled) of the Railways Act 1993;

(c) amend the contractual conditions of any licenced railway operator;

(d) instruct Network Rail to take any action the Secretary of State considers necessary in connection to the duty.

(4) The Secretary of State must report annually to Parliament on performance against the duty."

Member's explanatory statement

This new clause places a duty on the Secretary of State to ensure that railway stations meet disability access standards.

Margaret Greenwood **NC72**

Mike Amesbury
Ian Lavery
Sarah Champion
Ian Byrne
Caroline Lucas

To move the following Clause—

"Super-affirmative procedure for EOR regulations made under Part 5

(1) If the Secretary of State proposes to make EOR regulations which fall under section 195(5), the Secretary of State must lay before Parliament a document that—

(a) explains the proposal, and

(b) sets it out in the form of draft EOR regulations.

(2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) ("the 60-day period"), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).

(3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period—

(a) any representations, and

(b) any recommendations of a committee of either House of Parliament

charged with reporting on the draft regulations.

(4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).

(5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days."

Member's explanatory statement

This new clause would require EOR regulations made under Part 5 to be subject to the super-affirmative procedure.

Margaret Greenwood **NC73**

To move the following Clause—

"National development management policy—

(1) A national development management policy must not include any provision that—

(a) requires any housing to be built on the green belt; or

(b) encourages the building of housing on the green belt.

(2) For the purpose of this section, "the green belt" means any land designated as green belt by a local planning authority."

Member's explanatory statement

This new clause would ensure that the government cannot use national development management policies to allow housing to be built on green belt land.

Caroline Lucas **NC80**

To move the following Clause—

"Prohibition of onshore developments for purposes of oil and gas searching, boring and extraction

(1) The Petroleum Act 1988 is amended in accordance with subsection (2).

(2) In section 3 (licences to search and bore for and get petroleum), after subsection (2) insert—

"(2A) But the appropriate authority may not issue any new such onshore licence after the day on which the Levelling-up and Regeneration Act 2023 is passed.

(2B) The prohibition in subsection (2A) includes licences or consents relating to hydraulic fracturing."

(3) A planning authority or Secretary of State may not grant planning permission to any proposed development for the purposes of searching for, boring for or getting petroleum.

(4) This section comes into force on the day on which this Act is passed."

Member's explanatory statement

This new clause would prevent planning authorities or the Secretary of State from granting planning permission to any new onshore oil or gas developments, including hydraulic fracturing.

Caroline Lucas **NC81**

To move the following Clause—

"Prohibition of development for the purpose of coal-mining

(1) The Coal Industry Act 1994 is amended in accordance with subsection (2).

(2) In section 26 (Grant of licences), after subsection (2) insert—

"(2A) But the appropriate authority may not issue any new such licence after the day on which the Levelling-up and Regeneration Act 2023 is passed.

(2B) The prohibition in subsection (2A) includes licences or consents relating to—

(a) any new coal mine; and

(b) the expansion of, or extension to, any existing coal mine (including time-extension applications)."

(3) A minerals planning authority must not grant planning permission to any proposed development for the purposes of coal-mining operations.

(4) A minerals planning authority must not grant any extension of existing planning permission to any development for the purposes of coal-mining operations.

(5) This section comes into force on the day on which this Act is passed."

Mrs Emma Lewell-Buck **NC83**

Dr Rupa Huq
Mick Whitley
John McDonnell
Kim Johnson
Mr Kevan Jones

Tim Farron Stella Creasy

To move the following Clause—

"Industrial support reporting

(1) The Secretary of State must prepare annual reports on—
  (a) the rates of the matters in subsection (2), and
  (b) the extent to which the fiscal and regulatory framework supports growth in those matters in areas with rates of poverty, unemployment or economic inactivity above the national average.

(2) The matters are—
  (a) new factory openings,
  (b) investment in new factory equipment,
  (c) the introduction of tailored skills-acquisition programmes, and
  (d) the creation of manufacturing jobs.

(3) The first such report must be laid before Parliament before the end of 2023.

(4) A further such report must be laid before Parliament in each subsequent calendar year."

Member's explanatory statement

This new clause would require the Secretary of State to report annually to Parliament on the rates of, and the extent to which the fiscal and regulatory framework supports, new factory openings, investment in new factory equipment, introduction of tailored skills-acquisition programmes and creation of manufacturing jobs in areas with rates of poverty, unemployment or economic inactivity above the national average.

David Simmonds **NC85**

Tracey Crouch
Mr Robin Walker
Andrew Selous
Caroline Lucas
Siobhan Baillie

Peter Aldous Elliot Colburn Alicia Kearns
Jo Gideon

To move the following Clause—

"Wildbelt

(1) Local planning authorities should maintain a register of wildbelt land in their local areas (see section 106(c) of the Environment Act 2021).

(2) Wildbelt land must be recognised in Local Plans based on areas identified in the Local Nature Recovery Strategy.

(3) Local planning authorities must act in accordance with Local Nature Recovery Strategy wildbelt designations in the exercise of relevant functions, including land use planning and planning decisions.

(4) Wildbelt land should not be subject to land use change that hinders the recovery of nature in these areas."

Member's explanatory statement

This new clause would secure a land designation in England that provides protection for sites being managed for nature's recovery, identified through the Local Nature Recovery Strategies created by the Environment Act. Sites designated as wildbelt in Local Plans would be subject to only moderate controls, precluding development but allowing farming and other land uses which do not hinder the recovery of nature.

David Simmonds **NC86**

Tracey Crouch
Mr Robin Walker
Andrew Selous
Caroline Lucas

To move the following Clause—

"Wildbelt & the Environment Act

In section 106(5) of the Environment Act 2021, after paragraph (b) insert—

"(c) any sites identified as having potential for nature's recovery, to be known as wildbelt sites;""

Richard Fuller **NC87**

To move the following Clause—

"Energy efficiency measures in listed buildings

(1) The Secretary of State must make regulations about the use of energy efficiency measures in residential listed buildings.

(2) The aim of the regulations must be to make it easier for owners of residential listed buildings to improve the energy efficiency of those buildings.

(3) The regulations may impose any requirement upon Historic England that the Secretary of State considers necessary in order to achieve the aim in subsection (2).

(4) In this section, "energy efficiency measures" include—
   (a) the installation of heat pumps; and
   (b) any measure aimed at improving the energy efficiency rating of a property."

John Penrose **NC88**

Mr Simon Clarke
Tim Loughton
Bob Seely
David Simmonds
Harriett Baldwin

To move the following Clause—

"New Permitted Development Right

(1) The Secretary of State must, by regulations, create a new permitted development right to allow existing residential buildings to be redeveloped without further planning consent if—

(a) the building is in an urban area,

(b) the local authority has issued one or more design codes for the area in which the building is situated, and the redevelopment complies with it,

(c) the building is not a listed building or subject to other heritage protections, and

(d) the redevelopment complies with all relevant building safety regulations.

(2) Subsection (1) comes into force after a period of six months beginning on the day on which this Act is passed.

(3) A local planning authority must issue one or more design codes for residential buildings in all urban areas within their boundaries within six months of the passage of this Act."

Member's explanatory statement

This new clause would create simplified residential planning permission for homes in towns and cities which comply with designs that have been pre-approved by their Local Authority.

Sally-Ann Hart **NC89**

Tim Loughton

To move the following Clause—

"Peat Extraction: no compensation for alteration of planning permissions

(1) Section 107 of the Town and Country Planning Act 1990 is amended as follows.

(2) After subsection (5), insert—

"(6) From 1 January 2024, this section does not apply to permissions relating to the extraction of peat.""

Member's explanatory statement

This new clause removes a barrier that prevents Mineral Planning Authorities taking action to bring to an end the extraction of peat within England. It is timed to coincide with the expected legal ban on the sale of peat and peat containing products in England and Wales.

Mr Simon Clarke **NC90**

Katherine Fletcher
Virginia Crosbie
Mr Ben Bradshaw
Jason McCartney
Vicky Ford

Stephen Crabb
Justin Tomlinson
Richard Graham
Ms Nadine Dorries
Sir Oliver Heald
Julian Knight
Robert Courts
Sir Jake Berry
Jackie Doyle-Price
Dr Matthew Offord
Mr Robin Walker
Boris Johnson
Scott Benton
Craig Whittaker
David Simmonds
Elliot Colburn
Alok Sharma
Damien Moore
Lia Nici
Derek Thomas
Jo Gideon
Sir Desmond Swayne
Elizabeth Truss
Andrew Selous
Simon Fell
Kevin Foster
Wendy Morton
Anthony Browne
John Penrose
Mark Garnier

To move the following Clause—

"Onshore wind applications

(1) Within six months of this Act coming into force, the Secretary of State must revise the National Planning Policy Framework in accordance with the objective subsection (2).

(2) The objective in this subsection is to ensure that guidance permits local planning authorities to grant onshore wind applications for the purposes of—

(a) installing new sites not previously used for generating wind energy; and

(b) repowering existing onshore wind installations.

(3) Section 78 of the Town and Country Planning Act is amended in accordance with subsection (4).

(4) In subsection (4A), after paragraph (c) insert—

"(d) the development is for the purposes of installing new onshore wind sites not previously used for generating wind energy or for repowering existing onshore wind applications.""

David Simmonds **NC92**

To move the following Clause—

"Chief Planning Officers

(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 1 insert—

"1A Planning authorities: chief planning officer

(1) Each planning authority must have a chief planning officer.

(2) The role of an authority's chief planning officer is to advise the authority about the carrying out of—

(a) the functions conferred on them by virtue of the planning Acts, and

(b) any function conferred on them by any other enactment, insofar as the function relate to development.

(3) The Secretary of State must issue guidance to planning authorities concerning the role of an authority's chief planning officer.

(4) A planning authority may not appoint a person as their chief planning officer unless satisfied that the person has appropriate qualifications and experience for the role.

(5) In deciding what constitutes appropriate qualifications and experience for the role of chief planning officer, a planning authority must have regard to any guidance on the matter issued by the Secretary of State."”

Member's explanatory statement

This new clause would place a duty on local planning authorities to appoint a Chief Planning Officer to perform planning functions and requires them to appoint sufficiently qualified persons to perform them with regard to guidance from the Secretary of State.

Lisa Nandy **NC93**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

"Super-affirmative procedure for major regulations made under Part 5

(1) If the Secretary of State proposes to make EOR regulations which fall under section 192(5), the Secretary of State must lay before Parliament a document that—

(a) explains the proposal, and

(b) sets it out in the form of draft EOR regulations.

(2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) ("the 60-day period"), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).

(3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period—

(a) any representations, and

(b) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations.

(4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).

(5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days."

Member's explanatory statement

This new clause would require major EOR regulations made under Part 5 to be subject to the super-affirmative procedure.

Lisa Nandy **NC94**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

"Vacant higher value local authority housing

(1) The Housing and Planning Act 2016 is amended as follows.

(2) Leave out Chapter 2 of Part 4 (Vacant higher value local authority housing)."

Member's explanatory statement

This new clause would implement the decision set out in the 2018 social housing green paper to not require local authorities to make a payment in respect of their vacant higher value council homes as provided for by the Housing and Planning Act 2016.

Lisa Nandy **NC95**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

"Review of Permitted Development Rights

(1) The Secretary of State must establish a review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

(2) The review should include an assessment of—

(a) the past effectiveness of permitted development rights in achieving housing targets;

(b) the quality of housing delivered under permitted development rights;

(c) the impacts of permitted development on heritage, conservation areas and setting;

(d) the estimated carbon impact of the use of permitted development rights since the expansion of permitted development to demolition;

(e) the relative cost to local planning authorities of processing permitted development compared to full planning consents;

(f) potential conflict between existing permitted development rights and the application of national development management policies;

(g) the impact of permitted development rights, or other policies in this Bill designed to deliver streamlined consent, on the efficacy of levelling-up missions.

(3) The Secretary of State must publish a report of the recommendations made by this review no later than twelve months after this Act comes into force.”

Member's explanatory statement

This new clause would commit the government to carrying out a comprehensive review of permitted development rights within 12 months of the Bill securing Royal Assent.

Lisa Nandy **NC96**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

“Local authority planning committee meetings

(1) The Secretary of State must by regulations make provision relating to—

(a) requirements to hold local authority planning committee meetings;

(b) the times at or by which, periods within which, or frequency with which, local authority planning committee meetings are to be held;

(c) the places at which local authority planning committee meetings are to be held;

(d) the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings;

(e) public admission and access to local authority planning committee meetings;

(f) the places at which, and manner in which, documents relating to local authority planning committee meetings are to be open to inspection by, or otherwise available to, members of the public.

(2) The provision which must be made by virtue of subsection (1)(d) includes in particular provision for persons to attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings without all of the persons, or without any of the persons, being together in the same place.”

Member's explanatory statement

This new clause would allow local authorities to hold planning committee meetings and reach planning decisions virtually or in a hybrid form.

Lisa Nandy **NC97**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

"Chief Planning Officers

(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 1 insert—

"1A Planning authorities: chief planning officer

(1) Each planning authority must have a chief planning officer.

(2) The role of an authority's chief planning officer is to advise the authority about the carrying out of—

(a) the functions conferred on them by virtue of the planning Acts, and

(b) any function conferred on them by any other enactment, insofar as the function relate to development.

(3) The Secretary of State must issue guidance to planning authorities concerning the role of an authority's chief planning officer.

(4) A planning authority may not appoint a person as their chief planning officer unless satisfied that the person has appropriate qualifications and experience for the role.

(5) In deciding what constitutes appropriate qualifications and experience for the role of chief planning officer, a planning authority must have regard to any guidance on the matter issued by the Secretary of State.""

Member's explanatory statement

This new clause would place a duty on local planning authorities to appoint a Chief Planning Officer to perform planning functions and requires them to appoint sufficiently qualified persons to perform them with regard to guidance from the Secretary of State.

Lisa Nandy **NC98**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

To move the following Clause—

"Duty with regard to climate change

(1) The Secretary of State must have special regard to achieving the mitigation of and adaptation to climate change when preparing—

(a) national policy or advice relating to the development or use of land,

(b) a development management policy pursuant to section 38ZA of the PCPA 2004.

(2) The Secretary of State must aim to ensure consistency with achieving the mitigation of and adaptation to climate change when exercising a relevant function under a planning enactment.

(3) A relevant planning authority when—

(a) exercising a planning function must have special regard to, and aim to ensure consistency with, achieving the mitigation of and adaptation to climate change, and

(b) making a planning decision must aim to ensure the decision is consistent with achieving the mitigation of and adaptation to climate change.

(4) For the purposes of subsection (3), a relevant planning authority is as set out in section 81 (a) and (b) and (d) to (j).

(5) For the purposes of subsection (2) a relevant function is a function that relates to the development or use of land.

(6) For the purposes of subsection (3) a planning function is the preparation of—

(a) a spatial development strategy;

(b) a local plan;

(c) a minerals and waste plan;

(d) a supplementary plan; or

(e) any other policy or plan that will be used to inform a planning decision.

(7) For the purposes of subsections (3) and (6) a planning decision is a decision relating to—

(a) the development or use of land arising from an application for planning permission;

(b) the making of a development order; or

(c) an authorisation pursuant to a development order.

(8) In relation to neighbourhood planning, a qualifying body preparing a draft neighbourhood plan or development order must have special regard to achieving the mitigation of and adaptation to climate change.

(9) For the purposes of this section, achieving the mitigation of climate change shall include the achievement of—

(a) the target for 2050 set out in section 1 of the Climate Change Act 2008, and

(b) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.

(10) For the purposes of this section, achieving adaptation to climate change shall include the achievement of long-term resilience to climate-related risks, including—
(a) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
(b) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010."

Member's explanatory statement

This new clause would place an overarching duty on the Secretary of State, local planning authorities and those involved in neighbourhood plan-making to achieve the mitigation and adaptation of climate change when preparing plans and policies or exercising their functions in planning decision-making.

Derek Thomas **NC99**

Kelly Tolhurst
Kevin Foster

To move the following Clause—

"Permitted development: temporary use of land

(1) Section 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 is amended in accordance with subsection (2).

(2) After subsection (6) insert—

"(6A) Where the proposed use of any land is to operate a commercial helicopter service—
(a) the local planning authority must be notified of the date the site will be used for this purpose, and
(b) the site must be approved for use for this purpose by the local planning authority.""

Daisy Cooper **NC100**

Helen Morgan

To move the following Clause—

"Planning Application Fees

(1) Section 303 of the Town and Country Planning Act 1990 (Fees for planning applications etc.) is amended as follows.

(2) After subsection (4) insert—

"(4A) A local planning authority may make provision as to how a fee or charge under this section is to be calculated (including who is to make the calculation).""

Member's explanatory statement

This new clause would allow local authorities to set the fees for planning applications, in order that the cost of determining an application is reflected by the fee charged.

Daisy Cooper **NC101**

Helen Morgan

To move the following Clause—

"Greenbelt protection in the NPPF

(1) The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsection (2).

(2) The NPPF must provide that when considering any planning application in the greenbelt, unmet housing need does not constitute very special circumstances."

Member's explanatory statement

This new clause would ensure that unmet housing need cannot constitute a very special circumstance when assessing harm caused by development on the greenbelt, to align with the Written Statement HCWS423 of 17 December 2015. This would, for example, enable a local planning authority to refuse an inappropriate speculative development in the absence of a local plan.

Daisy Cooper **NC102**

Helen Morgan

To move the following Clause—

"Calculation of housing need

(1) The Secretary of State must, by regulations, make provision requiring local planning authorities to use the most recently published ONS household projections when preparing their local plans.

(2) The NPPF must provide that when considering any planning application, unmet housing need is calculated using the most recent ONS household projections."

Member's explanatory statement

This new clause would end the mandatory use of outdated 2014 ONS household projection figures when calculating unmet housing need using the standard method.

Daisy Cooper **NC103**

Helen Morgan
Tim Farron

To move the following Clause—

"Onshore wind in the National Planning Policy Framework

(1) The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsection (2).

(2) The NPPF must not contain a presumption against a proposed wind energy development involving one or more turbines."

Member's explanatory statement

This new clause would remove the presumption against onshore wind turbines, which is currently prevented in all cases by the inclusion of Footnote 54 in the NPPF.

Rachael Maskell **NC104**

To move the following Clause—

"Deliberative democracy: local planning

(1) Before the preparation of any development or outline plan the local planning authority must undertake a process of deliberative democracy which involving the community to set—

(a) the balance of economic, environmental, infrastructure and special plans,

(b) the type of housing to be delivered,

(c) the infrastructure that is required to be hosted,

(d) the type of economic space, and

(e) environmental considerations, including making sites sustainable.

(2) A process of deliberative democracy under this section must—

(a) invite all residents of the local authority area to apply to be a representative in the deliberative democracy process,

(b) include measures to try to ensure that there will be a diverse representation of that community in the process, and

(c) provide for a forum of representatives that—

(i) will determine its terms of terms of reference, number of meetings and agenda at its first meeting, and

(ii) will produce a report from the deliberative democracy process.

(3) A report under subsection (2)(c)(ii) may determine the scope of development on a site."

Member's explanatory statement

This new clause would introduce a deliberative democracy forum comprised of members of the public prior to the formation of a new development plan or outline plan.

Rachael Maskell **NC105**

To move the following Clause—

"Nature restoration duty

(1) It is the duty of relevant Ministers to identify of and maintain a network of sites for the purposes of restoring and protecting the natural environment in local areas.

(2) By 2030 and thereafter, the network must include at least 30% of land in England that is protected, monitored and managed as a "protected site" or other effective area-based conservation measures for the protection and restoration of biodiversity.

(3) For the purposes of subsection (2), "protected site" means a site that satisfies the following conditions—

(a) habitats, species and other significant features of the natural environment with biodiversity value within the site are strictly protected from direct and indirect harm;

(b) management and monitoring provisions are made to ensure that habitats, species and other significant features of the natural environment with biodiversity value within the site are restored to and maintained at favourable condition and are subject to continuing improvement; and

(c) provision is made to ensure that conditions (a) and (b) are met in perpetuity.

(4) In carrying out duties under this section, the Secretary of State must be satisfied that—

(a) any areas of special interest for biodiversity in England as defined in section 28 of the Wildlife and Countryside Act 1981;

(b) all irreplaceable habitats; and

(c) areas identified in Local Nature Recovery Strategies that are protected in the planning system and managed for the recovery of the natural environment have been identified and designated as a protected site."

Member's explanatory statement

This new clause would require relevant Ministers to identify and maintain a network of sites for nature to protect at least 30% of the land in England for nature by 2030. The clause defines the level of protection sites require to qualify for inclusion in the new network and requires key sites for nature to be included within it.

Rachael Maskell **NC106**

To move the following Clause—

"Churches and church land to be registered as assets of community value

(1) The Assets of Community Value (England) Regulations 2012 (S.I. 2421/2012) are amended as follows.

(2) After regulation 2 (list of assets of community value), insert—

"2A Parish churches and associated glebe land are land of community value and must be listed.""

Member's explanatory statement

This new clause would require parish churches and associated glebe land to be listed as assets of community value, meaning communities would have the right to bid on them before any sale.

Rachael Maskell **NC107**

To move the following Clause—

"Licensing scheme: holiday lets

(1) The Secretary of State must make regulations to require each relevant local authority in England to introduce a local licensing scheme for holiday lets.

(2) Any local licensing scheme introduced pursuant to regulations made under subsection (1) must require any owner of a holiday let to—

(a) obtain any fire, gas and electricity safety certificates as specified by the scheme;

(b) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations;

(c) secure a licence for the holiday let from the local authority prior to trading;

(d) obtain a licence and renew this licence—

(i) every three years,

(ii) when the property changes ownership, or

(iii) when there is a change in the person holding day to day responsibility for the property; and

(e) not let out a property without a valid licence.

(3) A local authority introducing a licensing scheme must—

(a) outline—

(i) the terms and conditions of the licence,

(ii) the application process for securing the licence, and

(iii) the licence renewal process;

(b) determine an annual licence fee for each licensed property;

(c) inspect any property prior to issuing a licence;

(d) require the owner of a short term holiday let to—
  (i) apply for and hold a licence to operate for each property they let prior to trading,
  (ii) pay a licence application fee and annual charge for the licence,
  (iii) renew the licence as required by the local authority under their licensing scheme,
  (iv) pay any fines associated with breaches of a licence as laid out in the local licensing scheme,
  (v) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations, and
  (vi) provide up to date property details including details of who will hold responsibility for the day to day management of the property;

(e) maintain an up to date list of all licensed short term holiday let properties within the local authority area to include—
  (i) the address of the property,
  (ii) whether this is a shared property occupied by the owner or a separate let,
  (iii) how many people are eligible to stay at the property, and
  (iv) how many days of the year that the property will be advertised for letting and be let;

(f) inspect the property following a report from the public of an issue of concern relating to the property or to any other property owned by the same person;

(g) monitor compliance with the licensing scheme;

(h) publish an annual report on the number and location of licences including the number and location of licences in each ward and their impact on local residential housing supply and details of any breaches reported and fines issued; and

(i) provide residents adjacent to the short term holiday let contact details of their enforcement officer should they experience any issue at the property.

(4) A licensing scheme must allow the local authority to—

(a) set out details of any area where the granting or renewal of licences will be banned, suspended or limited;

(b) set limits and or thresholds on the level of the licencing permitted in any area;

(c) require property owners to renew their licences every three years, or when a property changes in ownership;

(d) issue fines or remove a licence of a property if—
  (i) fire, health and safety conditions are breached,
  (ii) criminal activity occurs at the property, or
  (iii) excess noise and nuisance or anti-social behaviour rules as set out in the licensing conditions are repeatedly breached, or

(iv) the registered owner or the person listed as holding responsibility for the property has had licences on other properties removed; and

(e) issue penalties or licensing bans on those renting properties without a licence.

(5) In this section—

an "area" may be—

(a) a polling district;

(b) a ward; or

(c) the whole local authority area;

"holiday let" means—

(a) a dwelling-house let for the purpose of conferring on the tenant the right to occupy the dwelling-house for a holiday, or

(b) any part of a dwelling-house let for the purpose of conferring on the tenant to occupy that part of the house for a holiday;

"relevant local authority" means—

(a) a district council in England;

(b) a county council in England for an area for which there is no district council;

(c) a London borough council; (d) the Common Council of the City of London."

Member's explanatory statement

This new clause provides for the introduction of a licensing scheme for holiday lets.

Rachael Maskell **NC108**

To move the following Clause—

"Review of Permitted Development Rights

(1) The Secretary of State must, within 12 months of this Act gaining Royal Assent, commission and publish an independent review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596).

(2) The review should include an assessment of—

(a) the past effectiveness of permitted development rights in achieving housing targets;

(b) the quality of housing delivered under permitted development rights;

(c) the impacts of permitted development on heritage, conservation areas and setting;

(d) the estimated carbon impact of the use of permitted development rights since the expansion of permitted development to demolition;

(e) the relative cost to local planning authorities of processing permitted development compared to full planning consent;

(f) potential conflict between existing permitted development rights and the application of national development management policies;

(g) the impact of permitted development rights, or other policies in this Bill designed to deliver streamlined consent, on the efficacy of levelling-up missions.

(3) The review should make recommendations.”

Member's explanatory statement

This new clause requests a review of permitted development rights to run in conjunction with the development of national development management policies, which will examine the potential for conflict between existing rights and likely national policies. This review would examine the interaction between other permissive and streamlined consent provisions in the Bill.

Rachael Maskell **NC109**

To move the following Clause—

“Cycling, walking and rights of way plans: incorporation in development plans

(1) A local planning authority must ensure that the development plan incorporates, so far as relevant to the use or development of land in the local planning authority’s area, the policies and proposals set out in—

(a) any local cycling and walking infrastructure plan or plans prepared by a local transport authority;

(b) any rights of way improvement plan.

(2) In dealing with an application for planning permission or permission in principle the local planning authority shall also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any rights of way improvement plan which have not been included as part of the development plan, so far as material to the application.

(3) In this section—

(a) “local planning authority” has the same meaning as in section 15LF of PCPA 2004;

(b) “local transport authority” has the same meaning as in section 108 of the Transport Act 2000;

(c) a “rights of way improvement plan” is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.”

Member's explanatory statement

This new clause would require development plans to incorporate policies and proposals for cycling and walking infrastructure plans and rights of way improvement plans. Local planning authorities would be required to have regard to any such policies and proposals where they have not been incorporated in a development plan.

Caroline Lucas **NC110**

To move the following Clause—

"Consistency with the mitigation of and adaptation to climate change

(1) The Secretary of State must aim to ensure consistency with the mitigation of, and adaptation to, climate change in preparing—

(a) national policy or advice relating to the development or use of land,

(b) a development management policy pursuant to section 38ZA of the Planning and Compulsory Purchase Act 2004.

(2) A relevant planning authority when making a planning decision must aim to ensure the decision is consistent with the mitigation of, and adaptation to, climate change.

(3) For the purposes of subsection (2), a relevant planning authority is as set out in section 81.

(4) For the purposes of subsection (2) a planning decision is a decision relating to—

(a) development arising from an application for planning permission;

(b) the making of a development order granting planning permission;

(c) an approval pursuant to a development order granting planning permission.

(5) For the purposes of this section—

(a) the mitigation of climate change shall include the achievement of—

(i) the target for 2050 set out in section 1 of the Climate Change Act 2008, and

(ii) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.

(b) adaptation to climate change shall include the achievement of long-term resilience to all climate-related risks, such as risks to health, well-being, food supply and infrastructure, including but not limited to—

(i) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and

(ii) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.

(6) The meaning of the mitigation of, and adaptation to, climate change given by subsection (5) applies for the purposes of—

(a) Parts 2 and Part 3 of the Planning and Compulsory Purchase Act 2004,

(b) section 334 of the Greater London Authority Act 1999, and

(c) Part 10A of the Planning Act 2008."

Member's explanatory statement

This new clause would require planning policy prepared by the Secretary of State to inform local plan-making and planning decisions, and planning decisions themselves (including those made by the Secretary of State) to be consistent with national targets and objectives for the mitigation of, and adaption to, climate change. To ensure consistency in implementation, the clause extends the definition to the requirements relating to the mitigation of, and adaption to, climate change set out in the bill.

Mike Amesbury **NC111**

To move the following Clause—

"Vacant higher value local authority housing

(1) The Housing and Planning Act 2016 is amended in accordance with subsection (2).

(2) Leave out Chapter 2 of Part 4."

Mr Richard Bacon **NC112**

To move the following Clause—

"Registers of persons seeking to acquire land to build a home

(1) Section 1 of the Self-build and Custom Housebuilding Act 2015 is amended as follows.

(2) In subsection (A1) omit the words "or completion".

(3) At the end of subsection (A1) insert ", where the individuals will have the main input into the full design and layout of their home."

(4) In subsection (A2), for "who" substitute ", firm, business or company who or which".

(5) At the end of subsection (A2) insert ", firm, business or company; and nor does it include off-plan homes, nor homes purchased at the plan stage prior to construction and without the main input into the full design and layout from the individual or individuals who will be the future occupiers.""

Lisa Nandy **NC114**

Matthew Pennycook
Alex Norris

To move the following Clause—

"Onshore wind planning applications

(1) The Secretary of State shall within six months of this Bill securing Royal Assent remove from the National Planning Policy Framework the current restrictions

on the circumstances in which proposed wind energy developments involving one or more turbines should be considered acceptable.

(2) The Planning and Compulsory Purchase Act 2004 is amended in accordance with subsection (3).

(3) In section 19 (preparation of local development documents), after (1B) insert—

"(1BA) Each local planning authority must consider how the desirability of the deployment of renewable energy, and specifically onshore wind generation, can be achieved in the local authority's area.""

Member's explanatory statement

This new clause would commit the Secretary of State to revising the National Planning Policy Framework within six months of the Bill securing Royal Assent to remove the onerous restrictions it currently places on the development of onshore wind projects by deleting footnote 54 and ensure that local authorities are required to proactively identify opportunities for the deployment of renewable energy including onshore wind generation.

Mr Richard Bacon **NC115**

To move the following Clause—

"Duty to grant sufficient planning permission for self-build and custom housebuilding (No. 2)

(1) Section 2A of the Self-build and Custom Housebuilding Act 2015 is amended as follows.

(2) In subsection (2)—

(a) omit "suitable"; and

(b) for "in respect of enough serviced plots" substitute "for the carrying out of self-build and custom housebuilding on enough serviced plots".

(3) Omit subsection (6)(c).

(4) After subsection (6) insert—

"(6) Development permission must specify the precise number of dwellings which fall within the definition of self-build and custom housebuilding in this Act and must be subject to an express planning condition or planning obligation specifically requiring dwellings to be built in line with the definition of self-build and custom housebuilding in this Act, and only in respect of the specific number of dwellings so identified."

(5) After subsection (9) insert—

"(10) Where individuals and associations of individuals who have registered on the register identified in section 1 have not had their demand met from one base period, they will have their demand added to the subsequent base period, provided those individuals or associations of individuals remain on the register or register in that subsequent base period.

(11) Unmet demand for self-build and custom housebuilding carries forward each year until it is met, provided the individual or associations of individuals continue to remain on the register or register each year and have not had their demand met.

(12) Once an individual or associations of individuals has been entered on the register identified in section 1, they shall not be removed from that register during the base period or for the three subsequent years during which the relevant authority is under a duty to meet the requirement for the base year in which the individual or associations of individuals has registered, other than with the express written consent of the individual or associations of individuals.""

Secretary Michael Gove **Gov NS1**

To move the following Schedule—

"SCHEDULE NC78

AMENDMENTS OF THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017: ASSUMPTIONS ABOUT NUTRIENT POLLUTION STANDARDS

PART 1

INTRODUCTORY

1 Part 6 of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (assessment of plans and projects) is amended as set out in this Schedule.

PART 2

PLANNING

2 Chapter 2 of Part 6 of those Regulations (assessment of plans and projects: planning) is amended as follows.

3 In regulation 70 (grant of planning permission), after paragraph (4) insert—

"(5) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

4 In regulation 71 (planning permission: duty to review), after paragraph (9) insert—

"(10) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

5 In regulation 77 (general development orders: approval of local planning authority), after paragraph (7) insert—

"(8) See regulation 85B for the assumptions about nutrient pollution standards to be made in certain circumstances."

6 In regulation 79 (special development orders), after paragraph (5) insert—

"(6) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

7 In regulation 80 (local development orders), after paragraph (5) insert—

"(6) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

8 In regulation 81 (neighbourhood development orders), after paragraph (5) insert—

"(5A) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

9 In regulation 82 (simplified planning zones), after paragraph (6) insert—

"(7) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

10 In regulation 83 (enterprise zones), after paragraph (6) insert—

"(7) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances."

11 After regulation 85 insert—

"85A Assumptions to be made about nutrient pollution standards: general

(1) Paragraph (2) applies where—

(a) a competent authority makes a relevant decision,

(b) the potential development includes development in England,

(c) the competent authority is required to make a relevant assessment before the decision is made,

(d) waste water from any potential development would be dealt with by a plant in England that, at the time of the decision, is—

(i) a nitrogen significant plant, or

(ii) a phosphorus significant plant, and

(e) the decision is made before the upgrade date.

(2) In making the relevant assessment, the competent authority must assume—

(a) in a case within paragraph (1)(d)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;

(b) in a case within paragraph (1)(d)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.

(3) Paragraph (2)—

(a) is subject to regulation 85C (direction that assumptions are not to apply), and

(b) does not prevent the competent authority, in making a relevant assessment, from having regard to outperformance, or expected outperformance, by a plant.

(4) In paragraph (1) "relevant decision" means—

(a) where any of the following provides that the assessment provisions apply in relation to doing a thing, the decision whether or not to do it—

(i) regulation 70 (grant of planning permission),

(ii) regulation 79 (special development orders),

(iii) regulation 80 (local development orders),

(iv) regulation 81 (neighbourhood development orders),

(v) regulation 82 (simplified planning zones), or

(vi) regulation 83 (enterprise zones), or

(b) where any of the following provides that the review provisions apply in relation to a matter, a decision under regulation 65(1)(b) on a review of the matter—

(i) regulation 71 (planning permission: duty to review),

(ii) regulation 79 (special development orders),

(iii) regulation 80 (local development orders),

(iv) regulation 81 (neighbourhood development orders),

(v) regulation 82 (simplified planning zones), or

(vi) regulation 83 (enterprise zones);

but this does not apply to a matter mentioned in regulation 71(4) (any review of which would be conducted in accordance with another Chapter).

(5) In paragraph (1) "potential development", in relation to a relevant decision, means development—

(a) that could be carried out by virtue of the planning permission, development order or scheme to which the decision relates, or

(b) to which the decision otherwise relates.

(6) In this regulation "relevant assessment" means—

(a) where the assessment provisions apply and an appropriate assessment of the implications of the plan or project for a site is required by regulation 63(1), that assessment;

(b) where the review provisions apply and an appropriate assessment is required by regulation 65(2), that assessment.

85B Assumptions to be made about nutrient pollution standards: general development orders

(1) This regulation applies where—

(a) a local planning authority (within the meaning given by regulation 78(1)) makes a decision on an application under regulation 77 (general development orders: approval of local

planning authority) for approval as mentioned in regulation 75 relating to proposed development in England,

(b) the authority is required by regulation 77(6) to make an appropriate assessment of the implications of the proposed development,

(c) any waste water from the proposed development would be dealt with by a plant in England that, at the time of the decision, is—

(i) a nitrogen significant plant, or

(ii) a phosphorus significant plant, and

(d) the decision is made before the upgrade date.

(2) In making the relevant assessment the local planning authority must assume—

(a) in a case within paragraph (1)(c)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;

(b) in a case within paragraph (1)(c)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.

(3) Paragraph (2)—

(a) is subject to regulation 85C (direction that assumptions are not to apply), and

(b) does not prevent the local planning authority, in making a relevant assessment, from having regard to any outperformance, or expected outperformance, by a plant.

85C Direction that assumptions are not to apply

(1) The assumptions in regulations 85A(2) and 85B(2) do not apply in relation to a particular plant and a particular nutrient pollution standard if the Secretary of State so directs.

(2) A direction under this regulation may be made in relation to a plant and a standard only if the Secretary of State is satisfied that the plant will not be able to meet the standard by the upgrade date.

(3) The Secretary of State may revoke a direction under this regulation if satisfied that the plant will meet the standard on the upgrade date.

(4) In deciding whether to make a direction under this regulation in relation to a plant and a standard, the Secretary of State may, in particular, have regard to when the plant can be expected to meet the standard.

(5) Before making or revoking a direction under this regulation, the Secretary of State must consult—

(a) the Environment Agency,

(b) Natural England,

(c) the Water Services Regulation Authority,

(d) any local planning authority who it appears to the Secretary of State would be affected by the direction or revocation,

(e) the sewerage undertaker whose sewerage system includes the plant, and

(f) any other persons that the Secretary of State considers appropriate.

(6) A direction or revocation under this regulation—

(a) is to be made in writing, and

(b) takes effect—

(i) on the day specified in the direction or revocation, or

(ii) if none is specified, on the day on which it is made.

(7) As soon as practicable after making or revoking a direction under this regulation, the Secretary of State must—

(a) notify—

(i) the Environment Agency,

(ii) Natural England,

(iii) every local planning authority who appears to the Secretary of State to be affected by the direction or revocation, and

(iv) any other persons that the Secretary of State considers appropriate, and

(b) publish the direction or revocation.

85D Regulations 85A to 85C: interpretation

(1) In regulations 85A to 85C and this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—

"nitrogen significant plant";

"nitrogen nutrient pollution standard";

"nutrient pollution standard";

"phosphorus significant plant";

"phosphorus nutrient pollution standard";

"plant";

"sewerage system", in relation to a sewerage undertaker;

"treated effluent";

"upgrade date".

(2) For the purposes of regulations 85A and 85B, "outperformance" by a plant, in relation to a nutrient pollution standard, occurs where—

(a) the plant meets the standard before the upgrade date, or

(b) the total nitrogen concentration (in the case of a nitrogen significant plant), or total phosphorus concentration (in the case of a phosphorus significant plant), in treated effluent that it discharges is less than the concentration specified in

section 96F(1) or (2) (as the case may be) of the Water Industry Act 1991 that applies to the plant."

PART 3

LAND USE PLANS

12 Chapter 8 of Part 6 (assessment of plans and projects: land use plans) is amended as follows.

13 In regulation 105 (assessment of implications for European sites and European offshore marine sites), after paragraph (6) insert—

"(7) See regulation 110A for the assumptions about nutrient pollution standards to be made in certain circumstances."

14 In regulation 106 (assessment of implications for European site: neighbourhood development plans), after paragraph (3) insert—

"(3A) See regulation 110A for the assumptions about nutrient pollution standards to be made in certain circumstances."

15 In regulation 110 (national policy statements), in paragraph (3)(a), for "and 108" substitute ", 108 and 110A".

16 After regulation 110 insert—

"110A Assessments under this Chapter: required assumptions

(1) This regulation applies where—

(a) a plan-making authority makes a relevant decision in relation to a land use plan relating to an area in England,

(b) the authority is required to make a relevant assessment before the decision is made,

(c) waste water from the area to which the plan relates could be dealt with by a plant in England that, at the time of the decision, is—

(i) a nitrogen significant plant, or

(ii) a phosphorus significant plant, and

(d) the decision is made before the upgrade date.

(2) In making the relevant assessment, the authority must assume—

(a) in a case within paragraph (1)(c)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;

(b) in a case within paragraph (1)(c)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.

(3) Paragraph (2)—

(a) is subject to regulation 110B (direction that assumptions are not to apply), and

(b) does not prevent the authority, in making a relevant assessment, from having regard to any outperformance, or expected outperformance, by a plant.

(4) In paragraph (1) "relevant decision" means—

(a) a decision whether to give effect to a land use plan, or

(b) a decision whether to modify or revoke a neighbourhood development plan.

(5) In this regulation "relevant assessment", in relation to a land use plan, means—

(a) in relation to a decision within paragraph (4)(a), where an appropriate assessment of the implications for a site of the land use plan is required by regulation 105(1), that assessment;

(b) in relation to a decision within paragraph (4)(b), where such an assessment is required by regulation 105(1) as applied by regulation 106(3), that assessment.

110B Direction that assumptions are not to apply

(1) The assumptions in regulation 110A(2) do not apply in relation to a particular plant and a particular nutrient pollution standard if the Secretary of State so directs.

(2) A direction under this regulation may be made in relation to a plant and a standard only if the Secretary of State is satisfied that the plant will not be able to meet the standard by the upgrade date.

(3) The Secretary of State may revoke a direction under this regulation if satisfied that the plant will meet the standard on the upgrade date.

(4) In deciding whether to make a direction under this regulation in relation to a plant and a standard, the Secretary of State may, in particular, have regard to when the plant can be expected to meet the standard.

(5) Before making or revoking a direction under this regulation, the Secretary of State must consult—

(a) the Environment Agency,

(b) Natural England,

(c) the Water Services Regulation Authority,

(d) any plan-making authority who it appears to the Secretary of State would be affected by the direction or revocation,

(e) the sewerage undertaker whose sewerage system includes the plant, and

(f) any other persons that the Secretary of State considers appropriate.

(6) A direction or revocation under this regulation—

(a) is to be made in writing, and

(b) takes effect—

(i) on the day specified in the direction or revocation, or
(ii) if none is specified, on the day on which it is made.

(7) As soon as practicable after making or revoking a direction under this regulation, the Secretary of State must—
(a) notify—
(i) the Environment Agency,
(ii) Natural England,
(iii) every plan-making authority who appears to the Secretary of State to be affected by the direction or revocation, and
(iv) any other persons that the Secretary of State considers appropriate, and
(b) publish the direction or revocation.

110C Regulations 110A and 110B: interpretation

(1) In regulations 110A and 110B and this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—
"nitrogen significant plant";
"nitrogen nutrient pollution standard";
"nutrient pollution standard";
"phosphorus significant plant";
"phosphorus nutrient pollution standard";
"plant";
"sewerage system", in relation to a sewerage undertaker;
"treated effluent";
"upgrade date".

(2) For the purposes of regulation 110A, "outperformance" by a plant, in relation to a nutrient pollution standard, occurs where—
(a) the plant meets the standard before the upgrade date, or
(b) the total nitrogen concentration (in the case of a nitrogen significant plant), or total phosphorus concentration (in the case of a phosphorus significant plant), in treated effluent that it discharges is less than the concentration specified in section 96F(1) or (2) (as the case may be) of the Water Industry Act 1991 that applies to the plant.""

Member's explanatory statement

This new Schedule requires authorities, when making assessments required by the Conservation of Habitats and Species Regulations 2017 for planning-related decisions, to assume that sewage disposal works will meet the relevant pollution standards introduced by NC77 by the relevant upgrade date. It will be introduced by a new Part to be inserted after Part 5.

AMENDMENTS TO PARTS 3, 4, 5, 6 AND 11

Tim Farron **20**

Daisy Cooper

Clause 75, page 85, line 9, at end insert—

"(1A) Regulations under this Chapter may require relevant planning authorities to process data in accordance with approved data standards relating to the number and nature of—

(a) second homes,

(b) holiday let properties

in the planning authority area."

Member's explanatory statement

This amendment would enable planning data regulations to provide for the collection of data to national standards about second homes and holiday lets.

Lisa Nandy **78**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 83, page 91, line 28, leave out lines 28 to 30 and insert—

"(5C) But the development plan has precedence over any national development management policy in the event of any conflict between the two."

Member's explanatory statement

This amendment gives precedence to local development plans over national policies, reversing the current proposal in inserted subsection (5C).

David Simmonds **77**

Clause 83, page 91, line 30, at end insert ", subject to subsection (5D).

(5D) But any conflict must be resolved in favour of the development plan in an area if—

(a) in relation to it, regulations under section 16 of the Levelling-up and Regeneration Act 2023 have been made to provide for the town and country planning function and the highways function and any functions exercisable under the Environment Act 2021 of a county council or a district council that is exercisable in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA's area,

(b) if, in relation to it, regulations under section 17 of the Levelling-up and Regeneration Act 2023 have been made to provide for at least one function of another public body that is exercisable in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA's area,

(c) it has a joint spatial development strategy, or

(d) it is in Greater London."

Member's explanatory statement

This amendment would place limits on the primary of national development management policies over the development plan where a Combined County Authority had been handed planning, highways, environmental powers and at least one function of another public body under a devolution deal, in areas covered by a joint spatial development strategy and in Greater London.

Lisa Nandy **79**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 84, page 92, line 9, leave out lines 9 to 16 and insert—

"(2) Before designating a policy as a national development management policy for the purposes of this Act the Secretary of State must carry out an appraisal of the sustainability of that policy.

(3) A policy may be designated as a national development management policy for the purposes of this Act only if the consultation and publicity requirements set out in clause 38ZB, and the parliamentary requirements set out in clause 38ZC, have been complied with in relation to it, and—

(a) the consideration period for the policy has expired without the House of Commons resolving during that period that the statement should not be proceeded with, or

(b) the policy has been approved by resolution of the House of Commons—

(i) after being laid before Parliament under section 38ZC, and

(ii) before the end of the consideration period.

(4) In subsection (3)

"the consideration period",in relation to a policy, means the period of 21 sitting days beginning with the first sitting day after the day on which the statement is laid before Parliament under section 38ZC, and here "sitting day" means a day on which the House of Commons sits.

(5) A policy may not be designated a national development management policy unless—

(a) it contains explanations of the reasons for the policy, and

(b) in particular, includes an explanation of how the policy set out takes account of Government policy relating to the mitigation of, and adaptation to, climate change.

(6) The Secretary of State must arrange for the publication of a national policy statement.

38ZB Consultation and publicity

(1) This section sets out the consultation and publicity requirements referred to in sections 38ZA(3) and 38ZD(7).

(2) The Secretary of State must carry out such consultation, and arrange for such publicity, as the Secretary of State thinks appropriate in relation to the proposal. This is subject to subsections (4) and (5).

(3) In this section "the proposal" means—

(a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or

(b) (as the case may be) the proposed amendment (see section 38ZD).

(4) The Secretary of State must consult such persons, and such descriptions of persons, as may be prescribed.

(5) If the policy set out in the proposal identifies one or more locations as suitable (or potentially suitable) for a specified description of development, the Secretary of State must ensure that appropriate steps are taken to publicise the proposal.

(6) The Secretary of State must have regard to the responses to the consultation and publicity in deciding whether to proceed with the proposal.

38ZC Parliamentary requirements

(1) This section sets out the parliamentary requirements referred to insections 38ZA(3) and 38ZD(7).

(2) The Secretary of State must lay the proposal before Parliament.

(3) In this section "the proposal" means—

(a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or

(b) (as the case may be) the proposed amendment (see section 38ZD).

(4) Subsection (5) applies if, during the relevant period—

(a) either House of Parliament makes a resolution with regard to the proposal, or

(b) a committee of either House of Parliament makes recommendations with regard to the proposal.

(5) The Secretary of State must lay before Parliament a statement setting out the Secretary of State's response to the resolution or recommendations.

(6) The relevant period is the period specified by the Secretary of State in relation to the proposal.

(7) The Secretary of State must specify the relevant period in relation to the proposal on or before the day on which the proposal is laid before Parliament under subsection (2).

(8) After the end of the relevant period, but not before the Secretary of State complies with subsection (5) if it applies, the Secretary of State must lay the proposal before Parliament.

38ZD Review of national development management policies

(1) The Secretary of State must review a national development management policy whenever the Secretary of State thinks it appropriate to do so.

(2) A review may relate to all or part of a national development management policy.

(3) In deciding when to review a national development management policy the Secretary of State must consider whether—

(a) since the time when the policy was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the statement was decided,

(b) the change was not anticipated at that time, and

(c) if the change had been anticipated at that time, any of the policy set out would have been materially different.

(4) In deciding when to review part of a national development management policy ("the relevant part") the Secretary of State must consider whether—

(a) since the time when the relevant part was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the relevant part was decided,

(b) the change was not anticipated at that time, and

(c) if the change had been anticipated at that time, any of the policy set out in the relevant part would have been materially different.

(5) After completing a review of all or part of a national development management policy the Secretary of State must do one of the following—

(a) amend the policy;

(b) withdraw the policy's designation as a national development management policy;

(c) leave the policy as it is.

(6) Before amending a national development management policy the Secretary of State must carry out an appraisal of the sustainability of the policy set out in the proposed amendment.

(7) The Secretary of State may amend a national development management policy only if the consultation and publicity requirements set out in section 38ZB, and the parliamentary requirements set out in section 38ZC, have been complied with in relation to the proposed amendment, and—

(a) the consideration period for the amendment has expired without the House of Commons resolving during that period that the amendment should not be proceeded with, or

(b) the amendment has been approved by resolution of the House of Commons—

(i) after being laid before Parliament under section 38ZA, and

(ii) before the end of the consideration period.

(8) In subsection (7) "the consideration period", in relation to an amendment, means the period of 21 sitting days beginning with the first sitting day after the day on which the amendment is laid before Parliament, and here "sitting day" means a day on which the House of Commons sits.

(9) If the Secretary of State amends a national development management policy, the Secretary of State must—

(a) arrange for the amendment, or the policy as amended, to be published, and

(b) lay the amendment, or the policy as amended, before Parliament."

Member's explanatory statement

This amendment stipulates the process for the Secretary of State to designate and review a national development management policy including minimum public consultation requirements and a process of parliamentary scrutiny based on processes set out in the Planning Act 2008 (as amended) for designating National Policy Statements.

Tim Farron **21**

Daisy Cooper

Clause 88, page 94, line 28, at end insert—

"(aa) policies (however expressed) relating to the proportion of dwellings which may be in—

(i) use class 3A (second homes), or

(ii) use class 3B (holiday rentals)

under Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764)."

Member's explanatory statement

This amendment would enable neighbourhood plans to include policies relating to the proportion of dwellings which may be second homes and short-term holiday lets under use classes created by NC38.

Tim Farron **22**

Clause 88, page 94, line 28, at end insert—

"(aa) policies (however expressed) limiting new housing development in a National Park or an Area of Outstanding Natural Beauty to affordable housing;"

Member's explanatory statement

This amendment would enable neighbourhood development plans to restrict new housing development in National Parks and AONBs to affordable housing.

Richard Fuller **74**

Clause 88, page 95, line 6, at end insert—

"(B1) A neighbourhood development plan must include proposals to—

(a) achieve net zero,

(b) promote and increase local biodiversity, and

(c) improve local levels of recycling."

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.

Rachael Maskell **95**

Clause 90, page 96, line 34, at end insert—

"(3A) Where regulations under this section make requirements of a local authority that is failing to deliver a local plan in a timely way, the plan-making authority must consult the local community on the contents of the relevant plan."

Member's explanatory statement

This amendment would require, in the event of a local authority failing to deliver a local plan in a timely way, those taking over the process to consult with the community.

Tim Farron **23**

Clause 92, page 98, line 39, at end insert—

"a National Park	the natural beauty, wildlife and cultural heritage, and the opportunities for the understanding and enjoyment of the special qualities of the area by the public, under section 5 of the National Parks and Access to the Countryside Act 1949
an Area of Outstanding Natural Beauty	conserving and enhancing the natural beauty of the area, under section 82 of the Countryside and Rights of Way Act 2000"

Member's explanatory statement

This amendment would protect as heritage assets National Parks and Areas of Outstanding Natural Beauty.

Secretary Michael Gove **Gov 57**

Clause 92, page 99, line 2, after "4B)" insert "or street vote development orders (except as provided by SVDO regulations within the meaning given by section 61QM)"

Member's explanatory statement

This amendment amends new section 58B of the Town and Country Planning Act 1990 (as inserted by clause 92) to provide an exception to the duty to have regard to certain heritage assets when the Secretary of State is considering whether to grant planning permission under a street vote development order.

Secretary Michael Gove **Gov 58**

Page 105, line 15, leave out Clause 96

Member's explanatory statement

This amendment removes the placeholder clause 96.

Lisa Nandy **90**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Page 105, leave out Clause 97

Secretary Michael Gove **Gov 27**

Clause 98, page 115, line 16, at end insert—

"(11A) Nothing in this section authorises the disapplication of the condition under section 90B (condition relating to development progress reports in England)."

Member's explanatory statement

This is a consequential amendment to ensure that the power to make minor variations created by clause 98 cannot be used to disapply the mandatory planning condition which is to be created by NC48.

Secretary Michael Gove **Gov 24**

Clause 99, page 117, line 31, leave out subsection (4) and insert—

"(4) In section 69 (register of applications etc)—

(a) in subsection (1), after paragraph (f) (inserted by section *(Condition relating to development progress reports)*(4)(a)) insert—

"(g) commencement notices under section 93G.";

(b) in subsection (2), after paragraph (c) (inserted by section *(Condition relating to development progress reports)*(4)(b)) insert—

"(d) such information as is prescribed with respect to commencement notices under section 93G that are given to the local planning authority.""

Member's explanatory statement

This amendment is consequential on NC48.

Secretary Michael Gove **Gov 59**

Clause 100, page 118, line 21, at end insert—

"(e) a planning permission under a street vote development order is subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has begun within that period but has not been completed."

Member's explanatory statement

This amendment amends new section 93H of the Town and Country Planning Act 1990 (as inserted by clause 100) so that a local planning authority has, in certain circumstances, the power to serve a completion notice in relation to planning permission under a street vote development order.

Mrs Emma Lewell-Buck **73**

Mike Amesbury
Ian Lavery
Sarah Champion
Kim Johnson

Clause 100, page 118, line 31, at end insert—

"(3A) But notwithstanding subsection (3) the completion notice deadline may be less than 12 months after the completion notice was served if the local planning authority are of the opinion that—

(a) development has not taken place on the site for prolonged period,

(b) there is no reasonable prospect of development being completed within a reasonable period, and

(c) it is in the public interest to issue an urgent completion notice.

(3B) A completion notice may include requirements concerning the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of the completion period, and the carrying out of any works required for the reinstatement of land at the end of that period."

Member's explanatory statement

This amendment would enable the issuance of completion notices withdrawing planning permission with a deadline of less than 12 months when certain conditions are met, and enable completion notices to require that building works be removed from a site or a site be reinstated to its previous condition.

Secretary Michael Gove **Gov 28**

Clause 107, page 126, line 27, at end insert—

"(aa) section 90B (condition relating to development progress reports);"

Member's explanatory statement

This is a consequential amendment to ensure that the power to provide relief from the enforcement of planning conditions created by clause 107 cannot be used in relation to the mandatory planning condition which is to be created by NC48.

Lisa Nandy **81**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 115, page 132, line 21, leave out "a charge" and insert "an optional charge"

Member's explanatory statement

This amendment would ensure that application of the Infrastructure Levy would be optional rather than mandatory.

Lisa Nandy **91**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Page 132, leave out Clause 117

Lisa Nandy **87**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 118, page 134, line 17, leave out subsection (5) and insert—

"(5) Before making any EOR regulations which contain provision about what the specified environmental outcomes are to be, the Secretary of State must ensure they are in accordance with—

(a) the current environmental improvement plan (within the meaning of Part 1 of the Environment Act 2021),

(b) biodiversity targets including those required under sections 1 and 3 of the Environment Act 2021,

(c) the duty to conserve biodiversity as required under section 40 of the Natural Environment and Rural Communities Act 2006,

(d) local nature recovery strategies as required under section 104 of the Environment Act 2021, and

(e) lowering the net UK carbon account as required under section 1 of the Climate Change Act 2008."

Member's explanatory statement

This amendment would ensure that when using EOR regulations to specify environmental outcomes the Secretary of State would have to ensure they are in accordance with the current environmental improvement plan and additional criteria.

Margaret Greenwood **63**

Caroline Lucas

Clause 118, page 134, line 19, leave out from "to" to end of line 20 and insert—

"(a) the current environmental improvement plan (within the meaning of Part 1 of the Environment Act 2021);

(b) the protection of the climate, including through meeting the UK's domestic and international obligations in respect of the mitigation of, and adaption to, climate change;

(c) the preservation of the green belt;

(d) the protection of heritage in the built environment."

Member's explanatory statement

This amendment would require the Secretary of State to have regard to climate obligations, the preservation of the green belt and the protection of heritage, as well as to the current environmental improvement plan, when setting EOR regulations.

Lisa Nandy **88**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 122, page 138, line 3, leave out subsection (1) and insert—

"(1) The Secretary of State may only make EOR regulations if doing so will result in no diminution of environmental protection as provided for by environmental law at the time this Act is passed."

Member's explanatory statement

This amendment would ensure that the new system of environmental assessment would not reduce existing environmental protections in any way rather than merely maintaining overall existing levels of environmental protection.

Lisa Nandy **89**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Clause 129, page 142, line 14, leave out "in particular" and insert "not"

Member's explanatory statement

This amendment would ensure that any specified environmental outcomes arising from EOR regulations made would augment not substitute those arising from existing environmental assessment legislation and the Habitats Regulations.

Secretary Michael Gove **Gov 34**

Clause 136, page 153, line 19, at end insert—

"(ca) in subsection (3)—

(i) in paragraph (a), omit "of the 1990 Act and the Planning (Listed Buildings and Conservation Areas) Act 1990";

(ii) in paragraph (b), omit "of those Acts";

(cb) after subsection (3) insert—

"(3A) A provision mentioned in paragraph 1, 3 or 5 of Part 1 of Schedule 29 may be specified under subsection (3)(a) only in relation to an urban development corporation for an area in England.";"

Member's explanatory statement

This amendment is consequential on Amendment 35.

Secretary Michael Gove **Gov 35**

Clause 136, page 154, line 14, at end insert—

"(4) In Part 1 of Schedule 29 (planning enactments conferring functions capable of being assigned to urban development corporations)—

(a) at the beginning insert—

"1 Section 17 of the Land Compensation Act 1961.";

(b) the paragraph referring to enactments in TCPA 1990 becomes paragraph 2;

(c) after that paragraph insert—

"3 Sections 171BA, 171E, 172ZA, 172A, 191, 192, 225, 225A, 225C, 225F to 225H, 225J and 225K of the 1990 Act.";

(d) the paragraph referring to enactments in the Listed Buildings Act becomes paragraph 4;

(e) after that paragraph insert—

"5 Section 44AA of the Planning (Listed Buildings and Conservation Areas) Act 1990.""

Member's explanatory statement

This amendment expands the range of planning functions that can be assigned to development corporations in England.

Secretary Michael Gove **Gov 36**

Clause 137, page 155, line 9, at end insert—

"(4A) An order under subsection (4) may provide—

(a) that any enactment relating to local planning authorities applies to the corporation for the purposes of any enactment specified in Schedule 29 to the Local Government, Planning and Land Act 1980 which relates to land in the specified area by virtue of the order;

(b) that any enactment so applied to the corporation applies to it subject to modifications specified in the order."

Member's explanatory statement

This amendment confers an ancillary power to apply planning legislation to new town development corporations, equivalent to a power that already exists for urban development corporations.

Secretary Michael Gove **Gov 30**

Clause 195, page 198, line 20, at end insert—

"(ba) under Part 4A;"

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that any regulations made under the new Part are subject to affirmative procedure.

Secretary Michael Gove **Gov 52**

Clause 195, page 198, line 20, at end insert—

"(ba) under section (*Pre-consolidation amendment of planning, development and compulsory purchase legislation*);"

Member's explanatory statement

This amendment ensures that regulations made under the new power inserted by NC66 will be subject to the affirmative procedure in Parliament.

Secretary Michael Gove **Gov 33**

Clause 195, page 199, line 7, at end insert—

"(fa) section 150;"

Member's explanatory statement

This amendment corrects a drafting omission by attaching the negative procedure to the new power to make regulations about compulsory purchase data standards.

Secretary Michael Gove **Gov 53**

Clause 197, page 199, line 38, at end insert—

"(c) section (*Pre-consolidation amendment of planning, development and compulsory purchase legislation*) extends to England and Wales, Scotland and Northern Ireland."

Member's explanatory statement

This amendment ensures that the new power inserted by NC66 extends to the entire United Kingdom.

Secretary Michael Gove **Gov 31**

Clause 197, page 200, line 1, leave out “Part 4 extends” and insert “Parts 4 and 4A extend”

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part extends to England and Wales only.

Secretary Michael Gove **Gov 65**

Clause 197, page 200, line 2, at end insert—

“(5A) Part 5A extends to England and Wales only.”

Member's explanatory statement

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to extend to England and Wales

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Secretary Michael Gove **Gov 60**

Clause 197, page 200, line 7, leave out “sections 188 and 190” and insert “section 188”

Member's explanatory statement

This amendment makes a change which is consequential on Amendment 1.

Secretary Michael Gove **Gov 48**

Clause 197, page 200, line 9, leave out “section 189 extends” and insert “sections 189 and (*Marine licensing*) extend”

Member's explanatory statement

This amendment provides that NC63 extends to England and Wales, Scotland and Northern Ireland.

Secretary Michael Gove **Gov 51**

Clause 198, page 200, line 30, after “68” insert “, *(Participation of police and crime commissioners at certain local authority committees)*”.

Member's explanatory statement

This amendment is consequential on NC65 and provides for that new clause to come into force two months after the Act is passed.

Secretary Michael Gove **Gov 25**

Clause 198, page 201, line 2, leave out "section 100 (so far as it confers)" and insert "sections 100 and *(Condition relating to development progress reports)* (so far as conferring"

Member's explanatory statement

This amendment provides that the power to make regulations in NC48 is to be commenced two months after Royal Assent.

Secretary Michael Gove **Gov 55**

Clause 198, page 201, line 2, leave out "section 100 (so far as it confers" and insert "sections 100 and *(power to decline to determine applications in cases of earlier non-implementation etc)* (so far as conferring"

Member's explanatory statement

This amendment provides for the regulation-making powers conferred by NC67 to come into force two months after Royal Assent.

Secretary Michael Gove **Gov 50**

Clause 198, page 201, line 3, after "sections 107" insert ", (*Fees for certain services in relation to nationally significant infrastructure projects*)"

Member's explanatory statement

This amendment provides that NC64 comes into force 2 months after Royal Assent.

Secretary Michael Gove **Gov 54**

Clause 198, page 201, line 3, leave out "and 114" and insert ", 114 and (*Pre-consolidation amendment of planning, development and compulsory purchase legislation*)"

Member's explanatory statement

This amendment ensures that the new power inserted by NC66 commences two months after Royal Assent.

Secretary Michael Gove **Gov 26**

Clause 198, page 201, line 6, leave out "and 100" and insert ", 100 and *(Condition relating to development progress reports)*"

Member's explanatory statement

This amendment provides that the provisions inserted by NC48, other than the power to make regulations (see Amendment 25), are to be commenced on a date to be appointed by regulations.

Secretary Michael Gove **Gov 56**

Clause 198, page 201, line 6, leave out "and 100" and insert ", 100 and *(power to decline to determine applications in cases of earlier non-implementation etc)*"

Member's explanatory statement

This amendment provides for NC67, so far as not conferring regulation-making powers, to come into force by commencement regulations.

Secretary Michael Gove **Gov 32**

Clause 198, page 201, line 9, leave out "Part 4 comes" and insert "Parts 4 and 4A come"

Member's explanatory statement

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part is to be brought into force by regulations made by the Secretary of State.

Secretary Michael Gove **Gov 66**

Clause 198, page 201, line 12, at end insert—

"(5A) Part 5A comes into force at the end of the period of two months beginning with the day on which this Act is passed."

Member's explanatory statement

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to come into force two months after the Act is passed.

Secretary Michael Gove **Gov 49**

Clause 198, page 201, line 17, leave out "and section 188" and insert ", section 188 and section (*Marine licensing*)"

Member's explanatory statement

This amendment provides that NC63 comes into force on a day appointed by the Secretary of State in regulations.

Secretary Michael Gove **Gov 61**

Clause 198, page 201, line 19, leave out "sections 189 and 190 come" and insert "section 189 comes"

Member's explanatory statement

This amendment makes a change which is consequential on Amendment 1.

Daisy Cooper **92**

Helen Morgan

Schedule 7, page 242, line 11, at end insert—

"(6A) In preparing their local plan, a local planning authority may have regard to whether a nationally significant infrastructure development has been granted in their area, and adjust their housing need calculation accordingly."

Member's explanatory statement

This amendment would allow local authorities to consider the impact on available land of the imposition of nationally significant infrastructure developments in their area, such as rail freight terminals, power stations, or expansion of airport facilities.

Rachael Maskell **93**

Schedule 7, page 243, line 14 at end insert—

"(ha) Environmental Outcomes Reports,"

Member's explanatory statement

This amendment would require local planning authorities to have regard to Environmental Outcomes Reports in preparing a local plan.

Richard Fuller **75**

Schedule 7, page 252, line 5, at end insert—

"15EZA Development prior to the adoption of a local plan

(1) This section applies—

(a) after a draft local plan has been submitted for independent examination under section 15D but before it has been adopted under section 15EA; and

(b) when a local planning authority considers that a planning application might conflict with the provisions of the draft local plan.

(2) The local planning authority may defer a decision on the granting of planning permission for the application in paragraph (1)(b) until the draft local plan has been adopted."

Lisa Nandy **80**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 7, page 274, line 31, at end insert—

"(4) In this part—

"mitigation of climate change" means compliance with the objectives and relevant budgetary provisions of the Climate Change Act 2008;

"adaptation to climate change" means the achievement of long-term resilience to climate-related risks, including the mitigation of the risks identified in relation to section 56 of the Climate Change Act 2008, and the achievement of the objectives of the relevant flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010."

Member's explanatory statement

This amendment requires references to climate change mitigation and adaptation in the inserted sections on plan making to be interpreted in line with the Climate Change Act 2008.

Lisa Nandy **85**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 11, page 286, line 34, at end insert—

"(2A) The intention of IL is to enable local authorities to raise money from developments to fund infrastructure to support the development of their areas while allowing planning obligations under section 106 of the Town and Country Planning Act 1990 to continue to be used to provide affordable housing and ensure that development is acceptable in planning terms."

Lisa Nandy **82**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 11, page 287, leave out lines 28 and 29 and insert—

"(1) A charging authority in England may, if it determines that IL would be more effective than the community infrastructure levy for delivering infrastructure in its area and would not prevent it meeting the level of affordable housing need identified in its local development plan, in accordance with IL regulations, charge IL in respect of development in its area."

Member's explanatory statement

This amendment to inserted section 204B, which is connected to Amendment 142, would ensure that application of the Infrastructure Levy would be optional rather than mandatory.

Mike Amesbury **97**

Schedule 11, page 289, line 30, leave out "may" and insert "must"

Ben Everitt **3**

Greg Smith

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
Daisy Cooper

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.

Richard Fuller **76**

Schedule 11, page 291, line 36 and end insert—

"(1A) A charging schedule must, in accordance with IL regulations require—

(a) that a developer pay their full IL liability for a development before being permitted to commence work on that development,

(b) that infrastructure funded by IL associated with a development be built before work on that development may commence.

(1B) Subsection (1A) applies only to proposed developments of more than 50 units."

Lisa Nandy **84**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 11, page 291, leave out from line 37 to line 3 on page 292 and insert—

"(2) A charging authority, in setting rates or other criteria, must ensure that—

(a) the level of affordable housing which is funded by developers and provided in the authority's area, and

(b) the level of the funding provided by the developers, is maintained at a level which, over a specified period, enables it to meet the level of affordable housing need identified in the local development plan."

Member's explanatory statement

This amendment would require Infrastructure Levy rates to be set at such a level as to meet the level of affordable housing need specified in a local development plan.

Lisa Nandy **86**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 11, page 292, line 14, after "development" insert "of the area"

Member's explanatory statement

This amendment seeks to ensure consistency with inserted section 204A(2) on page 282 and ensure that consideration of viability relates to the area as a whole.

Rachael Maskell **96**

Schedule 11, page 292, line 28, at end insert—

"(4A) IL regulations must make provision for a sliding scale of charges increasing in proportion to the share of the development that is on greenfield land, for the purposes of incentivising brownfield development, unless any development on greenfield land is offset by the re-greening of an agreed area of brownfield land in a densely developed or populated area."

Member's explanatory statement

This amendment is offered as an alternative proposition to Amendment 59, adding safeguards intended to prevent extremely dense development in urban centres with an undersupply of open space.

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.

Mike Amesbury **98**

Schedule 11, page 301, line 36, at end insert—

"(c) all provision that is captured through the section 106 system."

Lisa Nandy **83**

Matthew Pennycook
Alex Norris
Sarah Owen
Paula Barker

Schedule 11, page 312, leave out from line 40 to line 13 on page 313 and insert "may be given under subsection (4) for authorities that have adopted an IL charging schedule, only if it is necessary for– (a) delivering the overall purpose of IL mentioned in section 204A(2), or (b) avoiding charging a specific development more than once for the same infrastructure project through both IL and the following powers—

"(i) Part 11 (Community Infrastructure Levy) (including any power conferred by CIL regulations under that Part),

(ii) Section 106 of TCPA 1990 (planning obligations), and

(iii) Section 278 of the Highways Act 1980 (execution of works) unless this is essential to rendering the development acceptable in planning terms."

Member's explanatory statement

This amendment would avoid restrictions being placed on the use of the community infrastructure levy, section 106 obligations, and section 278 agreements at the Secretary of State's discretion unless necessary to avoid double charging for the same infrastructure provision.

Secretary Michael Gove **Gov 37**

Schedule 13, page 317, line 16, at end insert—

"(5) In section 62B(5) (planning authorities that cannot be designated for the purposes of allowing direct planning applications to the Secretary of State), after paragraph (c) insert—

"(ca) a development corporation established under section 3 of the New Towns Act 1981;".

(6) In section 70(4) (definitions relating to local finance considerations to be taken into account in planning decisions), in the definition of "relevant authority", after paragraph (e) insert—

"(ea) a development corporation established under section 3 of the New Towns Act 1981;".

(7) In paragraph 5 of Schedule 1 (local highway authority restrictions on grant of planning permission)—

(a) in sub-paragraph (2), for the words from "is to be", where they first occur, to "2011," substitute "does not include a development corporation planning authority;";

(b) in sub-paragraph (3), for the words from "an" to "local planning authority," in the second place it occurs, substitute "a development corporation planning authority";

(c) after sub-paragraph (3) insert—

"(4) In this paragraph, "development corporation planning authority" means—

(a) an urban development corporation which is the local planning authority by virtue of an order under section 149 of the Local Government, Planning and Land Act 1980,

(b) a development corporation established under section 3 of the New Towns Act 1981 which is the local planning authority by virtue of an order under section 7A of that Act, or

(c) a Mayoral development corporation which is the local planning authority by virtue of an order under section 198(2) of the Localism Act 2011.""

Member's explanatory statement

This amendment adds further consequential amendments concerning the conferral of planning functions on new town development corporations.

Secretary Michael Gove **Gov 38**

Schedule 13, page 317, leave out line 21 and insert—

"(i) after "7", where it first occurs, insert ", 7ZA, 7A,";"

Member's explanatory statement

This amendment expands a consequential amendment about planning functions to cover mayoral development corporations.

Secretary Michael Gove **Gov 39**

Schedule 13, page 317, leave out line 23 and insert—

"(b) in paragraph 4(1), after "7" insert ", 7ZA, 7A,"."

Member's explanatory statement

This amendment expands a consequential amendment about planning functions to cover mayoral development corporations.

REMAINING PROCEEDINGS ON CONSIDERATION

Secretary Michael Gove **Gov 67**

Title, line 5, after "plans;" insert "about nutrient pollution standards;"

Member's explanatory statement

This amendment makes a change to the Long Title which is consequential on NC77.

Secretary Michael Gove **Gov 68**

Title, line 8, after "Surveyors;" insert "about the charging of fees in connection with marine licences;"

Member's explanatory statement

This amendment makes a change to the long title to cover NC63.

Secretary Michael Gove **Gov 62**

Title, line 8, leave out "about vagrancy and begging;"

Member's explanatory statement

This amendment makes a change which is consequential on Amendment 1.

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.

Order of the House

[23 November 2022]

That the Order of 8 June 2022 (Levelling-up and Regeneration Bill: Programme), as varied on 22 September 2022 (Levelling-up and Regeneration Bill: Programme (No. 2)), be further varied as follows:

(1) Paragraphs (4) and (5) of the Order shall be omitted.

(2) Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.

(3) Proceedings on Consideration—

(a) shall be taken on each of those days in the order shown in the first column of the following Table, and

(b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
First day	
New Clauses and new Schedules relating to Part 1, 2, 7, 8 or 9, Clauses 187 to 190 or Schedule 17; amendments to Parts 1, 2, 7, 8 and 9, Clauses 187 to 190 and Schedule 17	The moment of interruption on the first day
Second day	
New Clauses and new Schedules relating to Part 3, 4, 5, 6 or 11 and any other new Clauses and new Schedules; amendments to Parts 3, 4, 5, 6 and 11; remaining proceedings on Consideration	One hour before the moment of interruption on the second day

(4) Proceedings on Third Reading shall be taken on the second day and shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Wi6thdrawn Amendments

The following amendments were withdrawn on 24 November 2022:

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The following amendments were withdrawn on 29 November 2022:

NC113

The following amendments were withdrawn on 5 December 2022:

6, 7, NC21 to NC33, NC35, NC36, NC37, NC38 and NC39.