

English Devolution and Community Empowerment Bill

THIRD MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON REPORT

The amendments have been marshalled in accordance with the Instruction of 18th March 2026, as follows –

Clauses 1 to 4	Clause 38
Schedule 1	Schedule 19
Clauses 5 and 6	Clause 39
Schedule 2	Schedule 20
Clauses 7 to 9	Clauses 40 to 43
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Clauses 10 to 20	Clauses 44 to 46
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Clauses 21 to 23	Clause 47
Schedule 5	Schedule 23
Clause 24	Clauses 48 to 50
Schedule 6	Schedule 24
Clause 25	Clauses 51 and 52
Schedule 7	Schedule 25
Clause 26	Clauses 53 to 57
Schedule 8	Schedule 26
Clauses 27 and 28	Clauses 58 and 59
Schedule 9	Schedule 27
Clauses 29 and 30	Clauses 60 and 61
Schedule 10	Schedule 28
Clause 31	Clauses 62 and 63
Schedule 11	Schedule 29
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Schedule 12	Schedule 30
Clause 33	Clause 74
Schedules 13 and 14	Schedule 31
Clause 34	Clause 75
Schedule 15	Schedule 32
Clause 35	Clauses 76 to 84
Schedule 16	Schedule 33
Clause 36	Clause 85
Schedule 17	Schedule 34
Clause 37	Clauses 86 to 93
Schedule 18	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 57

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

187 Leave out Clause 57

Schedule 26

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

188 Schedule 26, page 277, line 21, leave out “or direct”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

189 Schedule 26, page 277, line 26, at end insert—

“(1A) The Secretary of State may not give a direction under subsection (1) unless each relevant principal authority affected by the proposed reorganisation has consented to the giving of that direction.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

190 Schedule 26, page 277, line 26, at end insert—

“(1A) Where the Secretary of State gives a direction under this section, the Secretary of State must lay before Parliament a statement setting out—

- (a) the reasons for giving the direction,
- (b) the evidence that the direction is in the interests of effective and convenient local government, and
- (c) the views of the affected authorities.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

191 Schedule 26, page 278, line 12, leave out “believes” and insert “is satisfied, having regard to the views of the affected authorities and local electors”

BARONESS TAYLOR OF STEVENAGE

192 Schedule 26, page 281, leave out line 15

Member's explanatory statement

This amendment and the other amendment of this provision in my name would limit the regulation-making power conferred by the new section 11A of the Local Government and Public Involvement in Health Act 2007. They would remove the ability to amend Acts other than the 2007 Act.

BARONESS TAYLOR OF STEVENAGE

193 Schedule 26, page 281, line 18, at end insert –

“but it does not include an Act other than this Act.”

Member's explanatory statement

This amendment and the other amendment of this provision in my name would limit the regulation-making power conferred by the new section 11A of the Local Government and Public Involvement in Health Act 2007. They would remove the ability to amend Acts other than the 2007 Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

194 Leave out Schedule 26

After Clause 58BARONESS PINNOCK
BARONESS BENNETT OF MANOR CASTLE

195 After Clause 58, insert the following new Clause –

“Duty to review parish and town councils

- (1) It is the duty of the Secretary of State to review parish and town councils in England to assess their number, functions, and effectiveness in local governance.
- (2) In carrying out that duty, the Secretary of State must, in particular, take steps to ensure maximal geographical coverage of parish and town councils as a form of local democratic representation.
- (3) The Secretary of State must, annually, lay a report before each House of Parliament on the discharge of the duty under subsection (1), including any action taken or proposed to achieve the purpose in subsection (2).”

Member's explanatory statement

This amendment requires the Secretary of State to review parish and town councils and take steps to maximise their geographical coverage, with an annual report to Parliament.

BARONESS PINNOCK
BARONESS BENNETT OF MANOR CASTLE

196 After Clause 58, insert the following new Clause –

“Town and parish councils: establishment and consultation

- (1) A local authority may take such steps as it considers appropriate to facilitate the establishment of a town or parish council for any area within its jurisdiction.
- (2) In exercising its functions, a local authority must consult any relevant town or parish council on matters which affect the area of that council.
- (3) The duty under subsection (2) applies only in relation to matters directly affecting the area of the town or parish council, including, but not limited to –
 - (a) planning matters,
 - (b) the provision, maintenance, or management of parks and open spaces, and
 - (c) other local services or amenities.
- (4) A local authority must have regard to any representations made by a town or parish council pursuant to consultation under subsection (2) before making a final decision on the matter.”

Member's explanatory statement

This new clause enables local authorities to support the creation of town and parish councils and requires consultation with such councils on matters affecting their area. It further ensures transparency where local authorities depart from their views.

Clause 59

LORD SHIPLEY
BARONESS BENNETT OF MANOR CASTLE
LORD MOHAMMED OF TINSLEY

197 Leave out Clause 59

Member's explanatory statement

This amendment and another in Lord Shipley's name removes the requirement to retain a leader and cabinet structure in local government, instead allowing local authorities the choice of determining their own governance models.

Schedule 27

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

198 Schedule 27, page 282, line 31, at end insert—

“(1A) Subsection (1) does not prevent a local authority from ceasing to operate a leader and cabinet executive where a referendum has approved a change to a different form of governance.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

199 Schedule 27, page 282, line 35, leave out paragraph 2

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

200 Schedule 27, page 283, line 3, at end insert—

“(1A) A local authority may not be required to cease operating a committee system where that system was adopted or retained following a referendum, unless a further referendum has approved the change.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

201 Schedule 27, page 283, line 18, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

202 Schedule 27, page 283, line 33, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

203 Schedule 27, page 283, line 40, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

204 Schedule 27, page 284, line 3, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

205 Schedule 27, page 284, line 11, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

206 Schedule 27, page 285, line 33, leave out “1” and insert “3”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

207 Schedule 27, page 285, line 33, leave out “one” and insert “three”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

208 Schedule 27, page 286, line 24, leave out paragraph 3

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

209 Schedule 27, page 286, line 40, leave out paragraph 4

BARONESS TAYLOR OF STEVENAGE
LORD PARKINSON OF WHITLEY BAY

210 Schedule 27, page 288, line 18, leave out paragraph (a)

Member's explanatory statement

This would remove the amendment of section 9KC(2)(b) of the Local Government Act 2000. A resolution of a local authority to change governance arrangements would therefore still need to be publicised in a local newspaper.

BARONESS TAYLOR OF STEVENAGE
LORD PARKINSON OF WHITLEY BAY

211 Schedule 27, page 288, line 23, leave out sub-paragraph (3)

Member's explanatory statement

This would remove the amendment of section 9MA(7)(b) of the Local Government Act 2000. A referendum proposed by a local authority on a change in governance arrangements would therefore still need to be publicised in a local newspaper.

LORD SHIPLEY

212 Leave out Schedule 27

Member's explanatory statement

This amendment and another in Lord Shipley's name removes the requirement to retain a leader and cabinet structure in local government, instead allowing local authorities the choice of determining their own governance models.

Clause 60

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
BARONESS BENNETT OF MANOR CASTLE
LORD SHIPLEY

213 Clause 60, page 63, line 21 at end insert –

“(aa) requiring that structures under paragraph (a) must, wherever reasonably practicable, retain and strengthen the role and functions of existing town and parish councils in securing effective neighbourhood governance;”

Member's explanatory statement

This amendment would secure the continuing role of town and parish councils in providing effective neighbourhood governance.

After Clause 60

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
LORD SHIPLEY

214 After Clause 60, insert the following new Clause –

“Promotion of parish governance

- (1) The Secretary of State must develop and implement a strategy for parish governance in England, particularly for areas that are currently unparished.
- (2) In carrying out this duty, the Secretary of State must –
 - (a) issue guidance to principal authorities on identifying areas where a community governance review may be appropriate,
 - (b) encourage principal authorities to consider establishing parish or town councils where doing so would strengthen neighbourhood representation and community engagement, and
 - (c) publish information and examples of best practice on the establishment and operation of parish and town councils.

- (3) Principal authorities must act in accordance with guidance issued under subsection (2) when exercising their functions under Part 4 of the Local Government and Public Involvement in Health Act 2007.
- (4) In preparing guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate, including representatives of parish and town councils.”

Member's explanatory statement

This amendment would encourage the expansion of parish governance in currently unparished areas by promoting the use of existing community governance review processes and supporting principal authorities to consider the creation of parish or town councils where appropriate.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
LORD SHIPLEY

215 After Clause 60, insert the following new Clause—

“Engagement with parish and town councils in neighbourhood governance

- (1) When establishing neighbourhood governance arrangements under section 60, a principal local authority must have a duty to co-operate with parish and town councils.
- (2) Where a neighbourhood governance body or neighbourhood area committee is established in an area containing one or more parish or town councils, the authority must make arrangements to ensure those councils are consulted and enabled to participate in the exercise of the body’s functions.
- (3) In making arrangements under subsection (2), the authority must consider—
 - (a) inviting representatives of parish or town councils in the relevant area to attend meetings of the neighbourhood governance body,
 - (b) establishing formal liaison mechanisms with parish or town councils, and
 - (c) ensuring that the views of parish or town councils are taken into account in neighbourhood decision-making.
- (4) The Secretary of State may issue guidance to principal authorities on the involvement of parish and town councils in neighbourhood governance arrangements, to which authorities must have regard.”

Member's explanatory statement

This amendment would mandate consultation and engagement with parish and town councils in neighbourhood governance.

LORD FULLER

216 After Clause 60, insert the following new Clause –

“Unparished areas: community governance review

- (1) Where residents of an area meeting the requirements in subsection (2) make a proposal which meets the requirements in subsection (3), the Secretary of State must initiate a community governance review in relation to their proposal.
- (2) The requirements of this subsection are that the area is –
 - (a) unparished, and
 - (b) subject to governance arrangements under section 60.
- (3) The requirements of this subsection are that the proposal –
 - (a) advocates for the unparished area to be incorporated as an independent parish, town or community council,
 - (b) is supported by more than 5% of the electors in that area, via a public petition.”

Member's explanatory statement

This amendment seeks to ensure that residents in an unparished area can make representations using the community governance review process, following a petition. This amendment seeks to confer a power of initiation on residents in the unparished area.

Clause 61

LORD PACK

217 Clause 61, page 64, line 4, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Clause 61 and Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

218 Leave out Clause 61

Member's explanatory statement

This removes the provisions which re-introduce the supplementary vote system for the elections of mayors and police and crime commissioners.

After Clause 61

BARONESS TAYLOR OF STEVENAGE

218A★ After Clause 61, insert the following new Clause –**“Limit on delay of election in connection with local government reorganisation**

- (1) An election timing order (the “invalid order”) has no effect if –
 - (a) the order relates to an election of councillors of an English principal council (the “affected election”),
 - (b) the order is made for a reason which relates to a process of local government reorganisation affecting that council (the “reorganisation process”), whether that process is proposed or has begun at the time when the order is made, and
 - (c) the order would delay the affected election by more than 53 weeks.
- (2) For the purposes of this section –
 - (a) “process of local government reorganisation affecting” an English principal council means –
 - (i) the Secretary of State giving that council an invitation or direction under section 2 or 2A of LGPIHA 2007, or
 - (ii) the Local Government Boundary Commission making a recommendation for a boundary change relating to that council to the Secretary of State under section 8 of LGPIHA 2007;
 - (b) it does not matter if the reason which relates to the reorganisation process is the only reason, or one of several reasons, for the election timing order being made;
 - (c) the circumstances in which a process of local government reorganisation affecting a council “is proposed” include circumstances in which the Secretary of State has notified the council that the Secretary of State might give that council an invitation or direction under section 2 or 2A of LGPIHA 2007;
 - (d) an election timing order delays an election by more than 53 weeks if, as a result of the order, the election would take place after the end of the period of 53 weeks beginning with the original election date;
 - (e) it does not matter if the delay by more than 53 weeks would result –
 - (i) solely from the invalid order, or
 - (ii) from the cumulative effect of the invalid order and one or more previous related election timing orders;
 - (f) an election timing order is to be regarded as delaying the affected election even if the election would not actually take place on the date to which it is delayed because of the eventual outcome of the reorganisation process.
- (3) In this section –

“election timing order” means an order under –

 - (a) section 87 of LGA 2000 (power to change years in which elections held),

(b) section 7 of LGPIHA 2007 (implementation of proposals by order),
or

(c) section 10 of LGPIHA 2007 (implementation of recommendations
by order);

“English principal council” means –

(a) a county council in England,

(b) a district council, or

(c) a London borough council;

“original election date” means the date on which the affected election would
have been held, ignoring the effect of –

(a) the invalid order, and

(b) any previous related election timing order;

“previous related election timing order” means an election timing order
which –

(a) delays the affected election,

(b) was made for a reason which relates to the reorganisation process
(whether that was the only reason, or one of several reasons, for
the election timing order being made), and

(c) was made before the invalid order.”

Member's explanatory statement

This would prevent elections of English principal councils from being delayed by SI for more than 53 weeks for reasons which relate to a process of local government reorganisation under the Local Government and Public Involvement in Health Act 2007.

LORD PACK

219 After Clause 61, insert the following new Clause –

“Restriction on powers to change years of local elections

(1) In the Local Government Act 2000, for section 87 (power to change years in which
elections held) substitute –

“87 Restriction on changing years of ordinary elections

(1) The years in which ordinary elections of any local authority councillors
or mayors are held may be changed only by an Act of Parliament.

(2) No provision may be made under this Act enabling the Secretary of State
or any other person to change the years in which ordinary elections of
councillors are to be held by order, regulations or other delegated
legislation.”

(2) In section 88 (separate power to make incidental provisions) omit “or 87” in both
places it occurs.

- (3) In the Police Reform and Social Responsibility Act 2011, in section 50 (ordinary elections), after subsection (5) insert—
 - “(5A) An order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of Police and Crime Commissioners would otherwise be held.”
- (4) In the Local Government and Public Involvement in Health Act 2007—
 - (a) in section 7 (implementation of proposals by order), after subsection (3) insert—
 - “(3A) Except where an order provides for the dissolution of a local authority, an order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of councillors for a local authority or mayors would otherwise be held.”;
 - (b) in section 10 (implementation of recommendations by order), after subsection (4) insert—
 - “(4A) Except where an order provides for the dissolution of a local authority, an order under this section must not include provision to cancel, postpone or otherwise change the year in which an ordinary election of councillors for a local authority would otherwise be held.”.
- (5) Any existing power in any other enactment which permits the Secretary of State by order or regulations to change the year in which a local government election is held shall cease to have effect in relation to that power.
- (6) Any Act whose effect shall include or solely be the changing of the years in which ordinary elections of councillors, mayors, or Police and Crime Commissioners are to be held, shall not be presented to His Majesty and become an Act of Parliament on the Royal Assent being signified, unless and until the Secretary of State has—
 - (a) made a statement to both Houses of Parliament certifying that due regard has been given to the impact of the proposed change on the administration and costs of any other elections or referendums scheduled to be held on the same day,
 - (b) made such relevant financial provision as is necessary to ensure that parish councils, town councils, or other smaller authorities do not incur additional financial liabilities resulting from the loss of cost-sharing arrangements with the cancelled or postponed election, and
 - (c) laid before Parliament a written statement setting out the arrangements for ensuring that the democratic mandate of any authority not subject to the change is not undermined by the administrative separation of the polls.”

Member's explanatory statement

This amendment ensures that the years in which ordinary elections for local councillors, mayors, and Police and Crime Commissioners are held can only be changed by an Act of Parliament.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

220 After Clause 61, insert the following new Clause –

“Limitation on delay to elections resulting from local government reorganisation

- (1) The Secretary of State may not make any order or regulations to delay the ordinary elections of councillors of any specified authority if –
 - (a) the order or regulations result from any change to local government organisation under or by virtue of this Act, and
 - (b) the effect of the order or regulations is to delay any such election by a period exceeding 53 weeks from the date on which it was originally scheduled to be held.
- (2) For the purposes of this section, “any order or regulations” includes –
 - (a) an order under section 87 (power to change years in which elections held) of the Local Government Act 2000;
 - (b) an order under sections 7 (implementation of proposals by order), 10 (implementation of recommendations by order) of the Local Government and Public Involvement in Health Act 2007;
 - (c) any other delegated power exercisable by order or by regulations in relation to the scheduling of ordinary elections of councillors.”

Member's explanatory statement

This new clause would prevent the Secretary of State from delaying by more than one year any local government election, if the delay results from local government reorganisation under this Act.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

221 After Clause 61, insert the following new Clause –

“Pilot schemes for new local electoral procedures: amendment

- (1) The Representation of the People Act 2000 is amended as follows.
- (2) In section 10 (pilot schemes for local elections in England and Wales), after subsection (4) insert –
 - “(4A) An order under subsection (1) shall be made by statutory instrument, and no such order shall be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament.”
- (3) Omit section 11 (revision of procedures in the light of pilot schemes).”

Member's explanatory statement

This amendment seeks to (1) apply the affirmative resolution procedure to orders establishing pilot schemes for new local government electoral procedures, and (2) repeal the Secretary of State's order-making power to apply the piloted procedures generally to other local government elections.

LORD PACK
BARONESS BENNETT OF MANOR CASTLE

222

After Clause 61, insert the following new Clause –

“Limitation on powers to delay or change years of local elections

- (1) The years in which ordinary elections of any local authority councillors, mayors, or Police and Crime Commissioners are held may be changed only by an Act of Parliament, subject to the exception in subsection (2).
- (2) The Secretary of State may by order or regulations make provision to delay the ordinary elections of councillors of a specified authority if –
 - (a) the specified authority has submitted a written request to the Secretary of State for such a delay,
 - (b) the Secretary of State is satisfied that the request is justified, having particular regard to –
 - (i) the necessity of the delay to implement a change to local government organisation under or by virtue of this Act,
 - (ii) the financial implications for the authority and the impact on the efficient administration of local government, and
 - (iii) the views of the Electoral Commission, which the Secretary of State must seek and publish prior to making the order or regulations,
 - (c) the effect of the order or regulations is to delay such an election by a period not exceeding 53 weeks from the date on which it was originally scheduled to be held, and
 - (d) the power under this subsection has not been exercised in relation to that specified authority at any time within the five years preceding the date of the request.
- (3) For the purposes of subsection (2), “order or regulations” includes –
 - (a) an order under section 87 of the Local Government Act 2000 (power to change years in which elections held),
 - (b) an order under section 7 or 10 of the Local Government and Public Involvement in Health Act 2007, and
 - (c) any other delegated power exercisable in relation to the scheduling of ordinary elections.
- (4) A statutory instrument containing an order or regulations is subject to affirmative resolution procedure.
- (5) Except as provided for in subsection (2), any existing power in any other enactment which permits the Secretary of State by order or regulations to change the year in which a local government election is held shall cease to have effect.”

Member's explanatory statement

This amendment would provide that the year of ordinary elections for local authority councillors, mayors and Police and Crime Commissioners may only be changed by Act of Parliament, except where the Secretary of State delays an election for up to 53 weeks at the request of the relevant authority and subject to specified conditions, including consultation with the Electoral Commission.

LORD PACK
BARONESS BENNETT OF MANOR CASTLE

223 After Clause 61, insert the following new Clause –

“Local government elections: single transferable vote

- (1) Elections of councillors for local authorities in England must be conducted using the single transferable vote system.
- (2) The Secretary of State must by regulations make provision for the conduct of elections under the single transferable vote system.
- (3) Regulations under subsection (2) may amend or modify any enactment relating to the conduct of local government elections in England, including –
 - (a) section 6 the Local Government Act 1972 (term of office and retirement of councillors);
 - (b) section 36 of the Representation of the People Act 1983 (local elections in England).
- (4) For the purposes of implementing subsection (1), the Local Government Boundary Commission for England must conduct electoral reviews of local authorities in England.
- (5) A review under subsection (4) must –
 - (a) establish multi-member electoral wards for the election of councillors,
 - (b) seek to ensure that each ward returns not fewer than three and not more than five councillors, unless the Commission considers that exceptional local circumstances justify a different number, and
 - (c) have regard to the need to secure –
 - (i) equality of representation,
 - (ii) the reflection of community identities and interests, and
 - (iii) effective local government.
- (6) Reviews carried out under this section must be completed before the first ordinary day of election for councillors occurring after the end of the period of three years beginning with the day on which this Act is passed.
- (7) A statutory instrument containing regulations is subject to the affirmative resolution procedure.”

LORD FULLER

224 After Clause 61, insert the following new Clause –

“Police Reform and Social Responsibility Act 2011: changes to election years

- (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 50 (ordinary elections) –
 - (a) in subsection (4), after “But,” insert “in cases of national emergency,”;
 - (b) after subsection (5), insert –
 - “(5A) In circumstances which are not cases of national emergency, the Secretary of State may, by order, make provision which changes the years in which the election of police and crime commissioners are to be held.
 - (5B) Proposals for orders under subsection (5A) must be laid before Parliament no less than six months before the ordinary date of the election.
 - (5C) Draft orders must be laid before Parliament for approval no less than three months before the ordinary date of the election.
 - (5D) Prior to making an order under subsection (5A), the Secretary of State must consult each principal council and Member of Parliament in the affected area.”
- (3) In section 154 (orders and regulations), after subsection (2), insert –
 - “(2A) A statutory instrument containing orders under section 50(5A) is subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006.””

Member's explanatory statement

This amendment seeks to enable full Parliamentary scrutiny of proposals to change timing of police and crime commissioner elections with a timetable to provide certainty for candidates and parties to prepare for the election.

LORD FULLER

225 After Clause 61, insert the following new Clause –

“Changes to time of mayoral elections

- (1) The Local Government Act 2000 is amended as follows.
- (2) In section 9HB (time of elections etc) –
 - (a) in subsection (1)(a), at end insert “, subject to subsections (2) and (3)”;
 - (b) at end insert –
 - “(2) Proposals for regulations made under the super-affirmative procedure as required by section 105(6ZA) must be laid before

Parliament no less than six months before the ordinary date of the election and draft regulations must be laid before Parliament for approval no less than three months before the ordinary date of the election.

- (3) Prior to making regulations under this section, the Secretary of State must consult each principal council and Member of Parliament in the affected area.”

- (3) In section 105 (orders and regulations) –

- (a) in subsection (5), after “(6)” insert “, (6ZA)”;
- (b) after subsection (6), insert –

“(6ZA) Regulations under section 9HB(1)(a) are subject to the super-affirmative procedure as defined by section 18 of the Legislative and Regulatory Reform Act 2006 unless they are being made in cases of national emergency.””

Member's explanatory statement

This amendment seeks to enable full Parliamentary scrutiny of proposals to change timing of mayoral elections with a timetable to provide certainty for candidates and parties to prepare for the election.

Schedule 28

LORD PACK

- 226** Schedule 28, page 289, line 8, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 227** Schedule 28, page 289, line 12, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

228 Schedule 28, page 289, line 29, leave out from beginning to end of line 30 on page 290 and insert –

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with –
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,
 and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 229 Schedule 28, page 290, line 37, leave out “second” and insert “subsequent”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 230 Schedule 28, page 291, line 7, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 231 Schedule 28, page 291, line 9, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 232 Schedule 28, page 291, line 19, leave out from beginning to end of line 22 on page 292 and insert —

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with —
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.

- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters' first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate's votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned."

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

233 Schedule 28, page 292, line 34, leave out "supplementary" and insert "alternative"

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

234 Schedule 28, page 292, line 37, leave out "second preference" and insert "subsequent preferences"

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to

the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

235 Schedule 28, page 293, line 10, leave out from beginning to end of line 11 on page 294 and insert —

“Alternative vote

- 2 (1) A voter votes by marking the ballot paper with —
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,and so on.
- (2) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (3) Subsections (4) to (7) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (4) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (5) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows —
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (6) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (7) If not, the process mentioned in paragraph (5) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (8) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 236 Schedule 28, page 294, line 25, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 237 Schedule 28, page 294, line 29, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 238 Schedule 28, page 294, line 33, leave out from beginning to end of line 26 on page 295 and insert –

- “(2) A voter votes by marking the ballot paper with –
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);
 - (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter’s second preference,
 and so on.
- (3) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (4) Subsections (5) to (8) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (5) Votes shall be allocated to candidates in accordance with voters’ first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (6) If not, the candidate with the fewest votes is eliminated and that candidate’s votes shall be dealt with as follows –
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;

- (b) any votes not reallocated shall play no further part in the counting.
- (7) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (8) If not, the process mentioned in paragraph (6) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (9) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned.”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 239** Schedule 28, page 296, line 4, leave out “supplementary” and insert “alternative”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 240** Schedule 28, page 296, line 8, leave out “second preference” and insert “subsequent preferences”

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

LORD PACK

- 241** Schedule 28, page 296, line 12, leave out from beginning to end of line 3 of page 297 and insert –

- “(2) A voter votes by marking the ballot paper with –
 - (a) the number 1 opposite the name of the candidate who is the voter’s first preference (or, as the case may be, the only candidate for whom the voter wishes to vote);

- (b) if the voter wishes, the number 2 opposite the name of the candidate who is the voter's second preference,
 and so on.
- (3) The voter may mark as many preferences (up to the number of candidates) as the voter wishes.
- (4) Subsections (5) to (8) set out how votes are to be counted, in one or more stages of counting, in order to give effect to the preferences marked by voters on their ballot papers and so to determine which candidate is elected.
- (5) Votes shall be allocated to candidates in accordance with voters' first preferences and, if one candidate has more votes than the other candidates put together, that candidate is elected.
- (6) If not, the candidate with the fewest votes is eliminated and that candidate's votes shall be dealt with as follows—
 - (a) each vote cast by a voter who also ranked one or more of the remaining candidates shall be reallocated to that remaining candidate or (as the case may be) to the one that the voter ranked highest;
 - (b) any votes not reallocated shall play no further part in the counting.
- (7) If after that stage of counting one candidate has more votes than the other remaining candidates put together, that candidate is elected.
- (8) If not, the process mentioned in paragraph (6) above shall be repeated as many times as necessary until one candidate has more votes than the other remaining candidates put together, and so is elected.
- (9) If at any stage only two candidates remain and they have an equal number of votes, the returning officer is to decide by lots which of them is to be elected and returned."

Member's explanatory statement

This amendment seeks to change the voting system for five types of local government election to the alternative vote. Currently, Schedule 28 changes the voting system from first past the post to the supplementary vote. This amendment is connected to others to Schedule 28 in the name of Lord Pack.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

242 Leave out Schedule 28

Member's explanatory statement

This removes the provisions which re-introduce the supplementary vote system for the elections of mayors and police and crime commissioners.

After Clause 62

BARONESS TAYLOR OF STEVENAGE

243 After Clause 62, insert the following new Clause –

“CHAPTER**GRANTS TO JOINT COMMITTEES OF LONDON COUNCILS****Power to pay grant to joint committees of London councils**

After section 32 of the Local Government Act 2003 insert –

“32A Power to pay grant to joint committees of London councils

- (1) A Minister of the Crown may pay a grant to an eligible London joint committee towards expenditure incurred or to be incurred –
 - (a) by the committee, or
 - (b) by an eligible sub-committee of the committee.
- (2) The amount of a grant under this section and the manner of its payment are to be such as the person paying it may determine.
- (3) A grant under this section may be paid on such conditions as the person paying it may determine.
- (4) Conditions under subsection (3) may, in particular, include –
 - (a) provision as to the use of the grant;
 - (b) provision as to circumstances in which the whole or part of the grant must be repaid.
- (5) Where a Minister of the Crown wishes to pay a grant towards expenditure incurred or to be incurred by an eligible London joint committee or an eligible sub-committee, the Secretary of State may pay a grant under this section to one or more persons (other than the committee) to hold and use in respect of the expenditure by the committee or sub-committee.
- (6) The powers under this section are exercisable with the consent of the Treasury.
- (7) The Secretary of State may, by regulations –
 - (a) make provision for determining the question of whether a committee, or sub-committee, is “eligible”, including provision about conditions that must be met for a committee or sub-committee to become or remain eligible;
 - (b) make provision about the constitution, procedures, administration and oversight of London joint committees, or their sub-committees, that are eligible.
- (8) Regulations under subsection (7)(a) may (in particular) make provision about conditions that relate to –

- (a) the power under which, or way in which, the committee or sub-committee is established;
 - (b) the functions or purpose of the committee or sub-committee;
 - (c) the kinds of persons who are members of the committee or sub-committee;
 - (d) the constitution, procedures, administration or oversight of the committee or sub-committee.
- (9) Regulations under subsection (7) may amend any Act passed before, or in the same session as, the English Devolution and Community Empowerment Act 2026.
- (10) No regulations under subsection (7) may be made unless a draft of the statutory instrument containing the regulations (whether containing them alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.
- (11) In this section –
- “eligible” has the meaning determined in accordance with regulations under subsection (7)(a);
 - “London joint committee” means a joint committee established under section 101(5) of the Local Government Act 1972 by –
 - (a) all the London borough councils, and
 - (b) the Common Council of the City of London.”

Member’s explanatory statement

This would enable UK Government ministers to pay grants to joint committees of all the London boroughs and the City of London.

BARONESS MCINTOSH OF PICKERING

244

After Clause 62, insert the following new Clause –

“Local authorities: meetings

- (1) The Secretary of State may by regulations establish arrangements where, in circumstances specified in those regulations, a meeting of a local authority is not limited to a meeting of persons who are all present in the same place.
- (2) Circumstances specified may include circumstances affecting –
 - (a) individual councillors, such as illness or disability, or
 - (b) a council as a whole, such as adverse weather or flooding.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

This amendment seeks to ensure that local authorities can hold council meetings online, for example if travelling to the council chamber was made difficult by heavy snowfall or flooding.

After Clause 63

BARONESS TAYLOR OF STEVENAGE
 LORD BLUNKETT
 LORD SHIPLEY
 LORD BASSAM OF BRIGHTON

245 After Clause 63, insert the following new Clause —

“CHAPTER**PAVEMENT PARKING****Prohibition of parking on footways and verges**

Schedule (*Prohibition of parking on footways and verges*) makes provision about the prohibition of the parking of motor vehicles on footways and verges.”

Member's explanatory statement

This would introduce the new Schedule that would be inserted after Schedule 29 by another amendment in my name.

BARONESS MCINTOSH OF PICKERING
 THE EARL OF CLANCARTY
 LORD FREYBERG
 LORD PARKINSON OF WHITLEY BAY

246 After Clause 63, insert the following new Clause —

“Agent of change: integration of new development with existing businesses and facilities

(1) In this section —

“agent of change principle” means the principle requiring planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities so that those businesses and facilities do not have unreasonable restrictions placed on them as a result of developments permitted after they were established;

“development” has the same meaning as in section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”);

“licensing functions” has the same meaning as in section 4(1) of the Licensing Act 2003 (general duties of licensing authorities);

“provision of regulated entertainment” has the same meaning as in Schedule 1 to the Licensing Act 2003 (provision of regulated entertainment);

“relevant authority” means a local planning authority construed in accordance with Part I of the Town and Country Planning Act 1990, or a licensing authority within the meaning of section 3 of the Licensing Act 2003 (licensing authorities)

- (2) In exercising any functions under the Town and Country Planning Act 1990 or any licensing functions concerning development which is or is likely to be affected by an existing business or facility, a relevant authority shall have special regard to the agent of change principle.
- (3) An application for development within the vicinity of any premises licensed for the provision of regulated entertainment shall contain a noise impact assessment.
- (4) In determining whether noise emitted by or from an existing business or community facility constitutes a nuisance to a residential development, the decision-maker shall have regard to—
 - (a) the chronology of the introduction of the relevant noise source and the residential development, and
 - (b) what steps have been taken by the developer to mitigate the entry of noise from the existing business or facility to the residential development.”

BARONESS PINNOCK
BARONESS BENNETT OF MANOR CASTLE

247 After Clause 63, insert the following new Clause —

“Local authority acquisition of dormant assets

- (1) The Secretary of State must by regulations enable a local authority to carry out functions relating to compulsory acquisition of land under section 226A of the Town and Country Planning Act 1990 (inserted by Schedule 16 of this Act) where the local authority is satisfied that any land of community value to be purchased within the authority area is dormant.
- (2) Land of community value is considered dormant if —
 - (a) the land has been included in the authority’s list of assets of community value under section 86A (inserted by Schedule 29 of this Act) for five years continuously,
 - (b) a notice of relevant disposal under section 86M was issued at least once during the five year period under sub-paragraph (a),
 - (c) there has been a preferred community buyer whose offer was rejected despite the buyer offering the value price determined under section 86T or an agreed price with the owner by the end of the negotiation period (see section 86S(4)), and
 - (d) the owner has not entered into a relevant disposal of the land with any other buyer during the permitted sale period under section 86M(6).
- (3) Regulations made under this section are subject to affirmative resolution procedure.”

Member's explanatory statement

This new clause would allow the Secretary of State to authorise a local authority to engage the compulsory acquisition function under Schedule 16 of this Act if the land is considered dormant.

LORD BANNER
LORD GRABINER
LORD PANNICK

248 After Clause 63, insert the following new Clause –

“CHAPTER

LAND DISPOSED OF BY LOCAL COUNCILS

Discharge of statutory trusts

5 **Secretary of State to have power to discharge statutory trusts**

- (1) LGA 1972 is amended in accordance with this section.
- (2) After section 128 (consents to land transactions by local authorities and protection of purchasers) insert –

“Discharge of statutory trusts

10 **128A Statutory trust discharge orders**

- (1) The Secretary of State may make an order under this section in relation to land in England (a “statutory trust discharge order”).
- (2) The Secretary of State may not make a statutory trust discharge order in relation to land unless –
 - 15 (a) a person has applied to the Secretary of State for the statutory trust discharge order to be made in relation to the land, and
 - (b) the Secretary of State is satisfied that the qualifying conditions are met (see section 128D).
- (3) The effect of an order being made in relation to land is that the land is freed from any trust arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with –
 - 20 (a) section 164 of the Public Health Act 1875 (pleasure grounds), or
 - (b) section 10 of the Open Spaces Act 1906 (duty of local authority to maintain open spaces and burial grounds).
- (4) The order has that effect in relation to that land generally (and so its effect is not limited to that land as freehold or leasehold land as held by the applicant for the order).
- (5) The Secretary of State may, by regulations, make provision as to the making and determination of any application for a statutory trust discharge order.
- 30 (6) Regulations under subsection (5) may in particular make provision as to –
 - (a) the steps to be taken by a person before making an application;
 - (b) the form of an application;
 - (c) the information or evidence to be supplied with an application;

- 35 (d) the publication of an application;
(e) the holding of an inquiry before determination of an application;
(f) the evidence to be taken into account in making a determination
and the weight to be given to any evidence.
- 40 (7) Regulations under subsection (5) may include provision for the Secretary
of State to appoint a person to discharge any or all of the Secretary of
State's functions in relation to an application for a statutory trust discharge
order.
- (8) The power under subsection (5) to make regulations includes power to
make —
45 (a) different provision for different cases;
(b) incidental, supplementary or consequential provision;
(c) transitional or saving provision.
- (9) A statutory instrument containing regulations under subsection (5) is
subject to annulment in pursuance of a resolution of either House of
Parliament.
- 50 (10) Section 128G contains further provision about the making of statutory
trust discharge orders.

128B Applications for statutory trust discharge orders

- 55 (1) A person making an application must have regard to any guidance issued
by the Secretary of State (whether relating to how the application is made
or to its form or content).
- (2) Qualifying condition B (see section 128D(3)) limits which kind of person
is able to make a successful application.
- (3) An application may be varied after it has been made (and section 128A,
this section, and sections 128D to 128G then apply to the application as
60 varied).
- (4) The Secretary of State may require a person making an application to pay
a fee before the Secretary of State considers the application (the "application
fee").
- 65 (5) The application fee is to be of an amount specified in, or determined in
accordance with, regulations made under section 128A(5).
- (6) The determination of an application for a statutory trust discharge order
which relates to particular land does not prevent a further application
from being made subsequently in relation to the same land.
- 70 (7) But the Secretary of State may reject a further application if the Secretary
of State considers that there has not been a material change in the
circumstances relevant to the qualifying conditions.

- (8) If a further application is rejected, the Secretary of State must publish notice of the rejection in the manner which the Secretary of State considers appropriate.

128C Applications where land has been divided up

- (1) This section applies where —
- (a) a principal council, parish council or parish meeting appropriated or disposed of land, and
 - (b) the freehold or leasehold title to that land has subsequently been divided.
- (2) An application may be made in relation to the land comprised in any of the relevant titles.
- (3) A single joint application may be made in relation to the land comprised in two or more of the relevant titles, and, in the case of such an application, the question of whether the qualifying conditions are met must be decided separately in relation to the land comprised in each title.
- (4) For the purposes of this section —
- (a) a freehold title is “divided” if either or both of the following occurs —
 - (i) the title is divided into two or more different freehold titles;
 - (ii) a lease (including a sublease) is granted over some or all of the land comprised in the freehold title;
 - (b) a leasehold title is “divided” if —
 - (i) the title is divided into two or more different leasehold titles (for example by an assignment of part);
 - (ii) a sublease (including a sublease that is not immediately inferior to the leasehold title) is granted over some or all of the land comprised in the leasehold title.
- (5) In this section “relevant title” means —
- (a) the freehold title to the whole or a part of the land appropriated or disposed of;
 - (b) the title to a long lease of the whole or a part of the land appropriated or disposed of.

128D The qualifying conditions

- (1) This section sets out the “qualifying conditions” (referred to in section 128A(2)(b)).
- (2) *Qualifying condition A*: the application for the statutory trust discharge order identifies land in England in relation to which the order is being sought.
- (3) *Qualifying condition B*: the applicant for the order is —
- (a) the freehold owner of the relevant land, or

- 115 (b) the tenant of the relevant land under a long lease, whether granted before or after commencement, at the time of the application (whether or not by virtue of the previous appropriation or disposal).
- (4) *Qualifying condition C*: a principal council, parish council or parish meeting –
- 120 (a) appropriated, or
(b) disposed of,
the relevant land at a time before the application for the statutory trust discharge order is made (the “previous appropriation or disposal”).
- (5) It does not matter whether the previous appropriation or disposal occurred before or after commencement.
- 125 (6) *Qualifying condition D*: the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal.
- (7) For the purposes of determining whether qualifying condition D is met –
- (a) it is sufficient that the previous advertisement procedure was not complied with;
- 130 (b) accordingly, it is irrelevant –
- (i) whether the previous advertisement procedure in fact had to be complied with, or
- (ii) whether the land was in fact land held in trust for enjoyment by the public in accordance with a trust of the kind mentioned in section 128A(3).
- 135 (8) Section 128F includes provision for presuming that the previous advertisement procedure was not complied with; and qualifying condition D must be taken to be met if that presumption is made.
- (9) *Qualifying condition E*: the new publicity requirements have been complied with.
- 140 (10) *Qualifying condition F*: it is in the public interest for the relevant land to be freed from the trusts by virtue of the order.
- (11) The reference in subsection (10) to the public interest includes the public interest in –
- 145 (a) nature conservation;
- (b) the conservation of the landscape;
- (c) the protection of public rights of access to the relevant land;
- (d) the protection of archaeological remains and features of historic interest;
- 150 (e) development proposals relating to the relevant land;
- (f) economic, environmental or social benefits which the order would facilitate if made.

128E The new publicity requirements

- 155 (1) This section sets out the “new publicity requirements” (referred to in qualifying condition E in section 128D(9)).
- (2) The applicant must publish a notice of the application in four consecutive weeks –
- (a) in a local newspaper, and, if there are two or more local newspapers, it must be the main local newspaper;
- (b) if there is no local newspaper, either –
- 160 (i) in a national newspaper, or
- (ii) on a website with a readership in the local area that is comparable to the readership of a local newspaper.
- (3) If –
- (a) a newspaper is published in print and on a website, and
- 165 (b) it is possible to publish notices of the kind required by subsection (2) in both versions,
- a requirement under subsection (2) to publish a notice in the newspaper can only be complied with by publication of the notice in both versions.
- (4) If the applicant is a principal council, a parish council or parish trustees, they must also publish a notice of the application for a period of 28 days on their website (if they have one).
- 170 (5) The applicant must display a notice of the application for a period of 28 days at the point of entry, or at the main points of entry, to the relevant land.
- (6) The Secretary of State must publish a notice of the application for a period of 28 days on the website, or main website, containing information about the Secretary of State’s department.
- 175 (7) A notice under this section must identify the relevant land.
- (8) A notice under this section must –
- 180 (a) state that a person who wishes to make representations about whether or not the order should be made may notify the Secretary of State of the representations, and
- (b) state the manner in which, and date by which, representations must be notified;
- 185 and that date must be later than the last day of the period of 56 days beginning with the day when that notice is first published or displayed.
- (9) When publishing or displaying a notice under this section, the applicant must have regard to any guidance issued by the Secretary of State (whether relating to its publication or display or its form or content).
- 190 (10) In this section –
- “local area” means area in which the relevant land is situated;
- “local newspaper” means a newspaper circulating in the local area.

128F Previous advertisement procedure: co-operation by councils etc and presumption

- 195 (1) This section applies if an application has been made to the Secretary of State for a statutory trust discharge order.
- (2) The Secretary of State must notify the relevant council or parish trustees of –
- 200 (a) the application,
- (b) the relevant land, and
- (c) the information about the previous appropriation or disposal which the Secretary of State has as a result of the application.
- (3) Within the response period, the relevant council or parish trustees must give the Secretary of State –
- 205 (a) notice which –
- (i) confirms that the previous advertisement procedure was complied with in relation to the previous appropriation or disposal,
- 210 (ii) confirms that the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal, or
- (iii) states that the relevant council or parish trustees are not able to confirm either of those things, and
- (b) any information relating to compliance, or non-compliance, with the previous advertisement procedure which the relevant council or parish trustees have.
- 215 (4) If the relevant council or parish trustees –
- (a) give the Secretary of State a notice under subsection (3)(a)(iii) within the response period, or
- 220 (b) do not give the Secretary of State any notice under subsection (3)(a) within the response period,
- the Secretary of State must presume that the previous advertisement procedure was not complied with in relation to the previous appropriation or disposal, unless the Secretary of State is satisfied that the procedure
- 225 was complied with.
- (5) In this section –
- “relevant council or parish trustees” means –
- (a) in a case where a principal council undertook the previous appropriation or disposal, the principal council for the area where the relevant land is situated;
- 230 (b) in a case where a parish council undertook the previous appropriation or disposal –
- (i) the parish council or parish trustees for the area where the relevant land is situated, or

- 235 (ii) if the relevant land is no longer in the area of a
parish, the principal council for the area where the
relevant land is situated;
- (c) in a case where a parish meeting undertook the previous
appropriation or disposal –
- 240 (i) the parish trustees or parish council for the area
where the relevant land is situated, or
- (ii) if the relevant land is no longer in the area of a
parish, the principal council for the area where the
relevant land is situated;
- 245 “response period”, in relation to a notification given by the Secretary
of State under subsection (2), means the period of 28 days beginning
with the day on which the notice is received by the relevant council
or parish trustees.

128G Making statutory trust discharge orders

- 250 (1) In deciding whether to make a statutory trust discharge order, the Secretary
of State must take into account all matters that are relevant, including these
matters –
- (a) whether, and how, the person making the application has had
regard to the guidance issued by the Secretary of State under section
255 128B(1) and section 128E(9);
- (b) any representations about whether or not the order should be made
that are notified to the Secretary of State (including any
representations made by persons who are freehold owners, or
tenants, of land comprised in the previous appropriation or disposal
260 but who are not applying for the order).
- (2) A statutory trust discharge order may relate to only some of the relevant
land specified in the application.
- (3) A statutory trust discharge order takes effect –
- (a) on the day after the day on which the order is made, or
- 265 (b) if the order specifies a later day on which it is to take effect, on that
day.
- (4) In relation to each application for a statutory trust discharge order, the
Secretary of State –
- (a) must publish notice of the decision whether or not to make the
order, and
- 270 (b) if the order is made, must publish the order.
- (5) That notice, or the order, is to be published in the manner which the
Secretary of State considers appropriate.

128H Sections 128A to 128G: interpretation and application to the Crown

- 275 (1) In sections 128A to 128G and this section –

“application” means an application for a statutory trust discharge order;

“commencement” means the coming into force of section (*Secretary of State to have power to discharge statutory trusts*) of the English Devolution and Community Empowerment Act 2025;

“long lease” means a lease which was granted for a term of 20 years or longer;

“new publicity requirements” has the meaning given in section 128E(1);

“previous advertisement procedure” means whichever of the following applied to the previous appropriation or disposal –

(a) the requirement to advertise notice of the intention to make the appropriation in accordance with –

(i) section 122(2A) in the case of an appropriation by a principal council;

(ii) section 126(4A) in the case of an appropriation by a parish council or parish meeting;

(b) the requirement to advertise notice of the intention to make the disposal in accordance with –

(i) section 123(2A) in the case of a disposal by a principal council;

(ii) section 123(2A) as applied by section 127(2) in the case of a disposal by a parish council or parish meeting;

“previous appropriation or disposal” has the meaning given in section 128D(4);

“qualifying conditions” has the meaning given in section 128D(1);

“relevant land” means the land identified in the application for a statutory trust discharge order as the land relation to which the order is being sought;

“statutory trust discharge order” has the meaning given in section 128A(1).

(2) A reference in sections 128A to 128G to the freehold owner, or the tenant under a long lease, is a reference to –

(a) the Crown Estate Commissioners, if the freehold or long lease belongs to His Majesty in right of the Crown and forms part of the Crown Estate;

(b) the government department having the management of the freehold or long lease, if it belongs to His Majesty in right of the Crown but does not form part of the Crown estate;

(c) the government department concerned, if the freehold or long lease belongs to a government department or is held in trust for His Majesty for the purposes of a government department;

(d) a person appointed by His Majesty in writing under the Royal Sign Manual, or if no such appointment is made the Secretary of State, if the freehold or long lease belongs to His Majesty in right of His

private estates (which must be construed in accordance with section 1 of the Crown Private Estates Act 1862);

- (e) the Chancellor of the Duchy of Lancaster, if the freehold or long lease belongs to His Majesty in right of the Duchy of Lancaster;
- (f) a person appointed by the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, if the freehold or long lease belongs to the Duchy of Cornwall.”

- (3) In section 266(1) (orders which are to be made by statutory instrument), for “other than section 261 above” substitute “other than section 128A(1)”.

Member's explanatory statement

This amendment seeks to enable the Secretary of State to make an order in relation to land previously appropriated or disposed of by a council. The order would discharge the land from statutory trusts relating to open land that arise under section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1906.

LORD LUCAS

As an amendment to Amendment 248

248A [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

248B [Withdrawn]

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

As an amendment to Amendment 248

248C [Withdrawn]

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

As an amendment to Amendment 248

This amendment replaces Amendment 248C

248D★ In subsection (2), after inserted section 128A(2)(b), insert —

- “(c) the Secretary of State has undertaken a review of the availability of open spaces in the United Kingdom, published a report on the findings of the review, and laid that report before both Houses of Parliament, and has had regard to the outcomes of the review.”

Member's explanatory statement

This amendment would prevent regulations in respect of statutory trust orders from being made until the Government's review on open spaces has taken place, and require the Secretary of State to have regard to the outcomes of the review.

BARONESS PINNOCK
BARONESS MILLER OF CHILTHORNE DOMER

As an amendment to Amendment 248

249 In subsection (2), after inserted section 128A(2), insert —

- “(2A) The Secretary of State may not make a statutory trust discharge order unless —
- (a) the Secretary of State has consulted the relevant local authority and obtained its express written consent to the making of the order in respect of the of the land subject to the statutory trust,
 - (b) the relevant local authority has, prior to providing such consent —
 - (i) published a notice of the proposed order in such a manner as to bring it to the attention of persons residing in the area to which the land relates,
 - (ii) conducted a public consultation to invite representations from constituents, and
 - (iii) prepared and published a report certifying that it has had due regard to any representations received during that consultation, and
 - (c) the written consent provided under paragraph (a) includes a statement confirming that the authority is satisfied that the discharge of the statutory trust is in the public interest of the local community.”

Member's explanatory statement

This amendment seeks to ensure that any discharge of statutory trusts over land previously held for public enjoyment cannot occur without the clear consent of the relevant local authority and meaningful engagement with the local community. It reinforces the principle that decisions affecting local open spaces should be led locally, not imposed centrally.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

As an amendment to Amendment 248

250 [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250A [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250AA In subsection (2), in inserted section 128A(5), leave out “may” and insert “must”

Member's explanatory statement

This amendment seeks to ensure that the Secretary of State is required to make regulations as to the making and determination of any application for a statutory trust discharge order.

LORD LUCAS

As an amendment to Amendment 248

250B [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250C [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250D [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250E In subsection (2), in inserted section 128A(8)(a), at beginning insert “save for the requirement to demonstrate compensatory benefit for those to be affected by any statutory trust discharge order, and the requirement for due publication of an application,”

LORD LUCAS

As an amendment to Amendment 248

250F [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250G [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250H [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250I In subsection (2), in inserted section 128B(6), at end insert “, provided that a period of at least five calendar years has elapsed between the determination and the further application.”

Member's explanatory statement

This amendment seeks to ensure that five years has elapsed before an application can be re-submitted.

LORD LUCAS

As an amendment to Amendment 248

250J [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250K In subsection (2), in inserted section 128B(8), leave out “appropriate” and insert “is likely to come to the attention of those affected by the application.”

LORD LUCAS

As an amendment to Amendment 248

250L [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250M In subsection (2), in inserted section 128D(3)(a) leave out “or” and insert “, whether in the freeholder’s own right or at the behest of a leaseholder of a subordinate long leasehold in the relevant land”

Member's explanatory statement

This amendment, connected with another in the name of Lord Lucas, seeks to prevent an application being made by a leaseholder alone.

LORD LUCAS

As an amendment to Amendment 248

250N [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

- 250P** In subsection (2), in inserted section 128D(4), at end insert “except that nothing in this subsection applies to any land in respect of which proceedings concerning any appropriation or disposal or the application of section 164 of the Public Health Act 1875 (provision of places of public recreation) or section 10 of the Open Spaces Act 1906 (maintenance of open spaces) started before the day on which this section comes into force.”

Member's explanatory statement

This amendment seeks to ensure that Qualifying Condition C does not apply to cases which are already before the courts.

LORD LUCAS

As an amendment to Amendment 248

- 250Q** [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

- 250QA** In subsection (2), after inserted section 128D(5), insert —
- “(5A) *Qualifying condition C1:* In the case of a disposal, the disposal was not made to another local authority which acquired the land to hold for one of the purposes mentioned in section 123(2B) (disposal of a playing field by a council).”

Member's explanatory statement

This amendment seeks to exclude the application of a statutory trust discharge order in a case where a local authority had disposed of open space to another local authority which also was to acquire and hold it as open space.

LORD LUCAS

As an amendment to Amendment 248

- 250R** [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

- 250S** [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250T [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250U [Withdrawn]

LORD LUCAS

BARONESS PINNOCK

As an amendment to Amendment 248

250V [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250W In subsection (2), after inserted section 128D(11)(c) insert –

“(ca) whether the relevant land is needed as open space in the local area;”

Member's explanatory statement

This amendment seeks to ensure that the public interest test for an application for a statutory trust discharge order takes into account whether the relevant land is surplus to local requirements for open space.

LORD LUCAS

BARONESS PINNOCK

As an amendment to Amendment 248

250X In subsection (2), after inserted section 128D(11)(f) insert –

“(g) economic, environmental or social benefits which would be preserved if the order were not made.”

Member's explanatory statement

This amendment seeks to ensure that the public interest test takes into account detriments which might result from an application, as well as improvements.

LORD LUCAS

As an amendment to Amendment 248

250Y In subsection (2), leave out inserted section 128E(2)(b) and insert –

- “(b) on a website with a readership in the local area that is comparable to the readership of a local newspaper, if there is one;
- (c) if there is no local newspaper, in a national newspaper;

- (d) by a notice read out at a full, public meeting of all local councils, or trustees as the case may be, so affected.”

Member's explanatory statement

This amendment seeks to improve the arrangements for bringing the proposal to the notice of the affected public.

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YA [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YB [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YC [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YD [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YE [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YF [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YG [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YH [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YI [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YJ [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YK [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YL [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YM [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YN [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YP [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YQ [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YR [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YS [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YT [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YU [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

This amendment has been renumbered to correct an amendment numbering error on the Second Marshalled List

250YV [Withdrawn]

LORD LUCAS

As an amendment to Amendment 248

250YW In subsection (3), leave out from first “section” to the end of subsection, and insert “266 (orders which are to be made by statutory instrument) —

- (a) in subsection (1), for “other than section 261 above” substitute “other than section 128A(1)”;
- (b) in subsection (2), after “Act” insert “, other than section 128A(1),”.

Member's explanatory statement

This amendment seeks to provide that a statutory trust discharge order is not to be capable of revocation or amendment by a further such order. The effect of section 266(2) of the LGA 1972, which otherwise would apply to this amendment, is to the contrary.

BARONESS COFFEY

251 After Clause 63, insert the following new Clause –

“Permitted development and demolition: assets of community value

In paragraph B.1 of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) (permitted development rights: heritage and demolition), after sub-paragraph (e) insert –

“(f) the building is designated as an asset of community value under the Localism Act 2011.””

LORD LUCAS

251A After Clause 63, insert the following new Clause –

“Local authority disposal of open space to other local authorities

In section 123 of LGA 1972 (disposal of land by principal councils), after subsection (2B), insert –

“(2C) Subsection (2B) does not apply to a disposal to another local authority or to a National Park authority which acquires the land to be held for the purposes mentioned in that subsection.””

Member's explanatory statement

This amendment provides that, where a local authority disposes of open space to another local authority or a National Park authority, which is to hold the land in trust for public enjoyment, the public trust is not abrogated because the authority has followed the disposal process in section 123(2A) and (2B) of the Local Government Act 1972.

Schedule 29

BARONESS TAYLOR OF STEVENAGE

252 Schedule 29, page 298, line 1, leave out “5” and insert “10”

Member's explanatory statement

This changes the time period during which an asset of community value is to be included on a local authority's list from 5 years to 10 years.

THE EARL OF CLANCARTY
LORD FREYBERG

253 Schedule 29, page 298, line 37, after “economic” insert “, cultural”

THE EARL OF CLANCARTY
LORD FREYBERG

254 Schedule 29, page 298, line 38, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE
BARONESS FREEMAN OF STEVENTON
LORD FREYBERG

255 Schedule 29, page 298, line 41, after “economic” insert “, environmental”

Member's explanatory statement

This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.

THE EARL OF CLANCARTY
LORD FREYBERG

256 Schedule 29, page 299, line 1, after “economic” insert “, cultural”

BARONESS BENNETT OF MANOR CASTLE
BARONESS FREEMAN OF STEVENTON
LORD FREYBERG

257 Schedule 29, page 299, line 1, after “economic” insert “, environmental”

Member's explanatory statement

This amendment and another in my name to Schedule 29 seek to extend the community right to buy to include assets that further the environmental wellbeing of local communities, alongside economic and social benefits; provided that the land is not allocated otherwise for the local development plan.

THE EARL OF CLANCARTY
LORD FREYBERG

258 Schedule 29, page 299, line 9, after the first “economic” insert “, cultural”

THE EARL OF CLANCARTY
LORD FREYBERG

259 Schedule 29, page 299, line 9, after the second “economic” insert “, cultural”

THE EARL OF CLANCARTY
LORD FREYBERG

- 260 Schedule 29, page 299, line 14, after “economic” insert “, cultural”

THE EARL OF CLANCARTY
LORD FREYBERG

- 261 Schedule 29, page 299, line 15, after “economic” insert “, cultural”

THE EARL OF CLANCARTY
LORD FREYBERG

- 262 Schedule 29, page 300, line 8, at end insert—

““cultural interests” includes those represented by venues for the furthering of specialist skills, performance or exhibition including (but not limited to) music venues, recording studios, theatres, rehearsal spaces, visual artists’ studios and other creative spaces.”

Member’s explanatory statement

This amendment seeks to establish the status of “cultural interests” as being on a par with economic or social interests; and confirms the nature of these interests, citing examples of relevant assets.

THE EARL OF CLANCARTY
LORD FREYBERG

- 263 Schedule 29, page 300, leave out line 10

BARONESS COFFEY

- 263ZA★ Schedule 29, page 300, line 21, at end insert “or is used wholly or mainly for sporting or physical recreational activities.”

Member’s explanatory statement

This amendment seeks to broaden the definition of sporting asset to cover more grassroots sports clubs and playing fields.

BARONESS COFFEY

- 263ZB★ Schedule 29, page 300, line 21, at end insert—

“(1A) The relevant local authority must consult Sport England in the consideration and designation of land of community value as a sporting asset of community value.”

Member's explanatory statement

This instates Sport England as a statutory consultee regarding consideration and designation of sporting assets of community value.

BARONESS HOEY

- 263A** Schedule 29, page 313, line 5, at end insert “and the market value is to be assessed assuming no planning permission would be granted for residential or commercial development on the asset of community value (but this shall not prevent unexpired planning permission that has already been granted being taken into account).”

BARONESS HOEY

- 263B** Schedule 29, page 313, line 28, at end insert—
- “(9A) Where—
- (a) there is disagreement between the owner of the land and the preferred community buyer regarding the market value as determined by the valuer,
 - (b) the asset of community value is in danger of being lost, or
 - (c) the owner of the asset is unwilling to sell,
- the relevant local authority may use their power under section 226 of the Town and Country Planning Act 1990 to acquire compulsorily the relevant asset of community value, and pay the market value of the asset in accordance with section 14A of the Land Compensation Act 1961.”

BARONESS TAYLOR OF STEVENAGE

- 264** Schedule 29, page 319, line 38, at end insert—
- “1A (1) A list of land of community value maintained immediately before the relevant day by a local authority in England under section 87(1) of the Localism Act 2011 (“the original asset list”) is to have effect on and after that day as a list of land of community value maintained by that authority under section 86A(1) of that Act (“the new asset list”).
- (2) Any land that is included in the new asset list by virtue of sub paragraph (1) is to be treated as entered in that list on the date on which the land was entered in the original asset list.
- (3) A list of land nominated by unsuccessful community nominations maintained immediately before the relevant day by a local authority in England under section 93(1) of the Localism Act 2011 (“the original unsuccessful nominations list”) is to have effect on and after that day as a list of land nominated by unsuccessful community nominations maintained by that authority under section 86I(1) of that Act (“the new unsuccessful nominations list”).
- (4) Any land that is included in the new unsuccessful nominations list by virtue of sub paragraph (3) is to be treated as entered in that list on the date on which the land was entered in the original unsuccessful nominations list.

- (5) This paragraph does not limit the power under section 92(10) to make any other transitional provision in connection with the coming into force of paragraph 1 of this Schedule.
- (6) In this paragraph, “the relevant day” is the day on which paragraph 1 of this Schedule comes into force.”

Member's explanatory statement

This makes transitional provision so that the list of assets of community value and unsuccessful community nominations currently held by a local authority will become the list of assets of community value and unsuccessful community nominations under the new community right to buy provisions for England inserted by Schedule 29 to the Bill.

After Schedule 29

BARONESS TAYLOR OF STEVENAGE
LORD BLUNKETT
BARONESS BENNETT OF MANOR CASTLE
LORD BASSAM OF BRIGHTON

265 After Schedule 29, insert the following new Schedule —

“SCHEDULE

PROHIBITION OF PARKING ON FOOTWAYS AND VERGES

Prohibition of parking

- 1 (1) The Secretary of State may make regulations for the purpose of giving each English local transport authority the power to impose a prohibition on the parking of motor vehicles on the footways and verges which form part of the relevant highways in the authority’s area.
- (2) But parking regulations may not give an English local transport authority the power to impose a prohibition on parking in any place that is not in a civil enforcement area for parking contraventions under Part 2 of Schedule 8 to the Traffic Management Act 2004.
- (3) Parking regulations may make provision about the meaning of “parking” (and cognate expressions) for the purposes of parking prohibitions.
- (4) Parking regulations may amend an Act passed before, or in the same session as, this Act.
- (5) Parking regulations are subject to affirmative procedure.
- (6) Paragraphs 2 to 9 deal with particular kinds of provision that may be made by parking regulations.

Imposition of, and publicity for, a parking prohibition

- 2 Parking regulations may make provision about —

- (a) the process by which, and manner in which, the power to prohibit parking is exercisable;
- (b) the manner in which the imposition of a parking prohibition may or must be publicised.

Exclusions: roads etc

- 3 (1) Parking regulations may exclude particular descriptions of relevant highways or parts of relevant highways from parking prohibitions (including parts of relevant highways designated by, or by virtue of, an Act or secondary legislation as a place where parking is permitted).
- (2) Parking regulations may give an English local transport authority the power to exclude—
 - (a) particular relevant highways or parts of relevant highways, or
 - (b) particular parts of the authority’s area,
 from a parking prohibition.
- (3) Parking regulations made in accordance with this paragraph may provide for an exclusion to apply only if particular conditions are met.

Exclusions: vehicles and usage

- 4 (1) Parking regulations may exclude any of the following from parking prohibitions—
 - (a) particular descriptions of motor vehicles;
 - (b) motor vehicles which are used or parked for particular purposes or in particular circumstances.
- (2) Parking regulations made in accordance with this paragraph may provide for an exclusion to apply only if particular conditions are met.

Traffic signs

- 5 (1) Parking regulations may make provision about traffic signs relating to parking prohibitions (“relevant traffic signs”).
- (2) Parking regulations made under sub-paragraph (1) may—
 - (a) require traffic authorities to carry out functions in relation to relevant traffic signs (including provision giving English local transport authorities the power to give directions to traffic authorities to carry out such functions);
 - (b) may require co-operation among, or between, one or more of the following in respect of functions relating to relevant traffic signs—
 - (i) English local transport authorities;
 - (ii) traffic authorities;
 - (iii) local authorities.
- (3) This paragraph does not limit any power or duty relating to traffic signs arising under any other Act or secondary legislation; but that does not limit the provision that may be made under this paragraph.

- (4) In this paragraph—
“local authority” means—
(a) a county council in England,
(b) a unitary district council, or
(c) a metropolitan district council;
“traffic sign” has the same meaning as in the Road Traffic Regulation Act 1984 (see section 64 of that Act).

Defences

- 6 Parking regulations may provide for defences to contraventions of a parking prohibition.

Consultation and guidance

- 7 (1) Parking regulations may require English local transport authorities to carry out consultation in connection with the exercise of functions under parking regulations.
- (2) Parking regulations—
(a) may give the Secretary of State power to issue guidance;
(b) may require a person to whom the guidance is directed to have regard to it.

Enforcement

- 8 (1) Schedule 7 to the Traffic Management Act 2004 (road traffic contraventions subject to civil enforcement) is amended in accordance with this paragraph.
- (2) In paragraph 4 (contraventions outside Greater London involving stationary vehicles), after sub-paragraph (2) insert—
“(3) Outside Greater London there is a parking contravention in relation to a vehicle if it is parked in contravention of a prohibition imposed by an English local transport authority in accordance with regulations made under Schedule (*Prohibition of parking on footways and verges*) to the English Devolution and Community Empowerment Act 2026 (parking on footways and verges).”

Repeal of existing legislation

- 9 Parking regulations may repeal an Act if, or to the extent that, it prohibits the parking of motor vehicles on footways and verges, or any similar part of a road, whether or not a relevant highway as defined in paragraph 11, in England, or any part of England, outside Greater London.

Crown application

- 10 This Schedule applies to the parking of—

- (a) motor vehicles in the public service of the Crown that are required to be registered under the Vehicle Excise and Registration Act 1994, and
- (b) motor vehicles belonging to, or used for the purposes of, a Minister of the Crown or Government department.

Interpretation

11 In this Schedule –

“carriageway” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);

“cycle track” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);

“English local transport authority” means –

- (a) a local transport authority (which has the same meaning as in Part 2 of the Transport Act 2000 – see section 108(4) of that Act) in England, and
- (b) the Council of the Isles of Scilly;

“footway” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);

“highway maintainable at the public expense” has the same meaning as in the Highways Act 1980 (see section 328 of that Act);

“motor vehicle” has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 136 to 140 of that Act);

“parking” includes stopping (and “parked” is to be construed accordingly);

“parking prohibition” means a prohibition on the parking of motor vehicles imposed by an English local transport authority through the exercise of a power conferred by parking regulations;

“parking regulations” means regulations made under paragraph 1(1);

“relevant highway” means any length of highway maintainable at the public expense, but does not include any special road;

“special road” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act);

“unitary district council” means the council for a non-metropolitan district for which there is no county council;

“verge” means any part of a relevant highway which is not a carriageway, footway or cycle track.”

Member's explanatory statement

This would enable the Secretary of State to make regulations which give English local transport authorities the power to prohibit the parking of motor vehicles on footways and verges.

Clause 64

BARONESS TAYLOR OF STEVENAGE

Member's explanatory statement

This would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

267 Clause 64, page 65, line 28, leave out subsection (2)

Member's explanatory statement

The definition of “regulated licence” would be added to clause 72 by another amendment in my name.

Clause 65

LORD BORWICK
BARONESS BRINTON
BARONESS GREY-THOMPSON

268 Clause 65, page 66, line 3, at end insert “, which must require taxis to conform with minimum taxi accessibility requirements under section 160(1) to (3) of the Equality Act 2010 within three years of the day on which such regulations are made.”

Member's explanatory statement

This amendment, and another in the name of Lord Borwick, seeks to commence section 160(1) to (3) of the Equality Act 2010 in relation to minimum taxi accessibility requirements and ensure that the standards prescribed under Clause 65 of this Bill conform with those taxi accessibility requirements in the Equality Act 2010, with the intention of ensuring disabled persons can use taxis to travel in comfort and dignity.

BARONESS TAYLOR OF STEVENAGE

269 Clause 65, page 66, line 4, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

270 Clause 65, page 66, line 21, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 66

BARONESS TAYLOR OF STEVENAGE

271 Clause 66, page 66, line 29, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

272 Clause 66, page 67, line 15, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 67

BARONESS TAYLOR OF STEVENAGE

273 Clause 67, page 67, line 28, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

274 Clause 67, page 68, line 4, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

Clause 68

BARONESS TAYLOR OF STEVENAGE

275 Clause 68, page 68, line 9, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

276 Clause 68, page 68, line 17, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

277 Clause 68, page 68, line 19, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

278 Clause 68, page 68, line 22, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

After Clause 68

BARONESS TAYLOR OF STEVENAGE

279 After Clause 68, insert the following new Clause —

“Duty to report concerns about drivers licensed in other areas

- (1) The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 is amended in accordance with this section.
- (2) Section 5 (duty to report concerns about drivers licensed in other areas) is amended in accordance with subsections (3) and (4).
- (3) In subsection (1), for paragraph (a) substitute —
 - “(a) an English licensing authority (“the first authority”) becomes aware of —
 - (i) relevant information, or
 - (ii) information about a breach of a national standard,
 - (aa) the information relates to a person who has driven in the first authority’s area in reliance on a driver’s licence or a relevant licence granted by another licensing authority or a relevant authority (“the second authority”),”.
- (4) In subsection (2) —

- (a) in paragraph (a), for “relevant information” substitute “information of which it has become aware”;
 - (b) in the words after paragraph (b), omit “relevant”.
- (5) After section 6 insert —

“6A Production and publication of collated data

- (1) The Secretary of State may, by regulations made by statutory instrument —
 - (a) specify descriptions of relevant collated data, and
 - (b) require English licensing authorities to produce and publish that collated data.
- (2) In this section “relevant collated data” means —
 - (a) data derived from information provided in accordance with section 5, and
 - (b) data derived from information about actions taken in accordance with section 6.
- (3) Regulations under this section may make different provision for different purposes.
- (4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This would amend the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 by extending the duty to report in section 5 (so that it also applies to information about breaches of national standards) and enabling collated data to be produced and published.

BARONESS TAYLOR OF STEVENAGE

280

After Clause 68, insert the following new Clause —

“Temporary suspension of licences

Power to suspend licence temporarily

- (1) An enforcement officer may suspend a regulated driver licence if —
 - (a) the licence relates to the driver of a relevant vehicle being driven in the officer’s enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (2) An enforcement officer may suspend a regulated vehicle licence if —
 - (a) the licence relates to a relevant vehicle being driven in the officer’s enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (3) An enforcement officer may suspend a regulated PHV operator licence if —

- (a) the licence relates to the operation of a relevant vehicle being driven in the officer's enforcement area, and
 - (b) the officer considers that it is necessary in the interests of public safety to temporarily suspend the licence with immediate effect .
- (4) A power under this section to suspend a licence is exercisable by an enforcement officer in respect of a licence granted by any licensing authority in England (whether or not it is the licensing authority which appointed or authorised the officer)."

Member's explanatory statement

This would give a taxi or PHV licensing authority a power to temporarily suspend a licence (whether it was issued by that authority or a different licensing authority) in the interests of public safety.

LORD MOYLAN

As an amendment to Amendment 280

280A Leave out subsection (3)

Member's explanatory statement

This amendment removes the power in Government Amendment 280 for an enforcement officer to temporarily suspend a regulated private hire vehicle operator licence.

BARONESS TAYLOR OF STEVENAGE

281 After Clause 68, insert the following new Clause —

“Suspension under section (Power to suspend licence temporarily)

- (1) This section applies if an enforcement officer decides to suspend a licence under section (*Power to suspend licence temporarily*).
- (2) The enforcement officer must give notice of the suspension to the person the officer believes to have been driving the relevant vehicle at the time the officer decided to suspend the licence.
- (3) The suspension takes effect at the time when the notice is given to the person.
- (4) The effect of the suspension is that the licence holder may not exercise any of the rights granted by the licence.
- (5) The suspension ceases to have effect at the end of the period of 48 hours beginning with the time when the notice was given.
- (6) But that is subject to section (*Responsible licensing authority's response to suspension of licence*)(3).
- (7) The Secretary of State may, by regulations —
 - (a) amend subsection (5) so as to provide for suspensions to cease to have effect at a different time, and

- (b) make consequential amendments of section (*Responsible licensing authority to be notified of suspension*)(2).
- (8) The Secretary of State may, by regulations, make provision about—
 - (a) the form or contents of suspension notices;
 - (b) the manner in which suspension notices are to be given.”

Member's explanatory statement

This would set out how a licence is temporarily suspended and the duration of the suspension.

BARONESS TAYLOR OF STEVENAGE

282 After Clause 68, insert the following new Clause—

“Suspension notice given to person who is not licence holder

- (1) This section applies if—
 - (a) an enforcement officer gives a suspension notice to a person, and
 - (b) before the end of the suspension, the enforcement officer becomes aware that a different person is the holder of the licence (the “licence holder”).
- (2) The enforcement officer must notify the licence holder that the suspension notice has been given.
- (3) The Secretary of State may, by regulations, make provision about—
 - (a) the form or contents of notifications under this section;
 - (b) the period within which notifications under this section are to be given;
 - (c) the manner in which notifications under this section are to be given.”

Member's explanatory statement

This would require the holder of a suspended licence to be notified of the suspension if they were not driving the vehicle at the time of the suspension.

BARONESS TAYLOR OF STEVENAGE

283 After Clause 68, insert the following new Clause—

“Responsible licensing authority to be notified of suspension

- (1) This section applies if—
 - (a) an enforcement officer gives a suspension notice in respect of a licence, and
 - (b) the responsible licensing authority is not the licensing authority which appointed or authorised the officer.
- (2) The enforcement officer must notify the responsible licensing authority of the suspension before the end of the period of 24 hours beginning with the time when the notice was given.
- (3) The Secretary of State may, by regulations, make provision about—

- (a) the form or contents of notifications under this section;
- (b) the manner in which notifications under this section are to be given.”

Member's explanatory statement

If a licence is temporarily suspended and the licence was granted by a different authority, this would require the suspension to be notified to the licensing authority which granted the licence.

BARONESS TAYLOR OF STEVENAGE

284

After Clause 68, insert the following new Clause –

“Responsible licensing authority’s response to suspension of licence

- (1) This section applies if an enforcement officer gives a suspension notice in respect of a licence (the “suspended licence”).
- (2) If the suspending authority is not the responsible licensing authority, this section does not apply unless the notification required by section (*Responsible licensing authority to be notified of suspension*) has been given.
- (3) The responsible licensing authority must –
 - (a) terminate the suspension,
 - (b) extend the period of suspension, or
 - (c) allow the suspension to cease to have effect at the end of the period of suspension.
- (4) The responsible licensing authority must notify the holder of the suspended licence of –
 - (a) the authority’s decision under subsection (3), and
 - (b) any further extension of the period of suspension.
- (5) If the responsible licensing authority does not terminate the suspension, it may also notify the holder of any steps which would (if taken) result in the suspension being terminated.
- (6) After making the decision under subsection (3), the responsible licensing authority must decide whether and how to exercise its other functions as a licensing authority in relation to the suspended licence.
- (7) If the suspending authority is not the responsible licensing authority, the responsible licensing authority must notify the suspending authority of –
 - (a) any decision by the responsible licensing authority under subsection (3);
 - (b) any further extension of the period of suspension;
 - (c) any decision by the responsible licensing authority under subsection (6).
- (8) The Secretary of State may, by regulations, make provision about the making of decisions under subsection (3) or (6).
- (9) The regulations may, in particular, make provision about the period within which those decisions must be made.

- (10) The Secretary of State may, by regulations, make provision about the extension of periods of suspension.
- (11) The regulations may, in particular, make provision about —
 - (a) the length by which periods of suspension may be extended under subsection (3);
 - (b) whether and how, and the length by which, periods of suspension may be extended more than once.
- (12) The Secretary of State may, by regulations, make provision about —
 - (a) the form or contents of notifications under this section;
 - (b) the period within which notifications under this section are to be given;
 - (c) the manner in which notifications under this section are to be given.
- (13) In this section —
 - “period of suspension” means —
 - (a) the period of suspension under section (*Power to suspend licence temporarily*) (5), or
 - (b) if that period has been extended under this section, that extended period;
 - “suspended licence” has the meaning given in subsection (1);
 - “suspending authority”, in relation to the suspended licence, means the licensing authority which appointed or authorised the enforcement officer who suspended the licence.”

Member's explanatory statement

This would set out what a licensing authority is required to do if a licence issued by it is temporarily suspended.

BARONESS TAYLOR OF STEVENAGE

285

After Clause 68, insert the following new Clause —

“Appeals and compensation

- (1) The Secretary of State must make regulations providing for the holder of a licence that is suspended under the licence suspension provisions to appeal to a magistrates’ court against —
 - (a) the suspension, or
 - (b) any decision under section (*Responsible licensing authority’s response to suspension of licence*) (3).
- (2) The Secretary of State may make regulations providing for compensation to be payable by licensing authorities in cases where —
 - (a) an appeal under regulations under subsection (1) is successful, or
 - (b) an enforcement officer gives a suspension notice but fails to give notice as required under section (*Suspension notice given to person who is not licence holder*)(2) in circumstances where it was reasonably practicable for the officer to have done so.

- (3) The regulations may provide for –
 - (a) the amounts of compensation, or
 - (b) the minimum or the maximum amounts of compensation.
- (4) The regulations may, in particular, confer (whether on a court or tribunal or person) –
 - (a) the function of determining liability to pay compensation,
 - (b) the function of determining the amount of compensation that is payable (in cases where the amount is not fixed by regulations under subsection (3)), or
 - (c) other functions relating to compensation.”

Member's explanatory statement

This would enable a person to be paid compensation if certain provisions relating to the suspension of licences are not complied with.

BARONESS TAYLOR OF STEVENAGE

286

After Clause 68, insert the following new Clause –

“Enforcement officers

- (1) In the licence suspension provisions, “enforcement officer” means a person appointed or authorised by a licensing authority in England (the “appointing licensing authority”) to carry out functions conferred by those provisions on behalf of that authority.
- (2) Accordingly –
 - (a) functions expressed in the licence suspension provisions as functions of enforcement officers are functions of the appointing licensing authority that are exercisable on that authority’s behalf by the officers appointed or authorised by that authority in accordance with subsection (1), and
 - (b) a reference to a licensing authority in section 69 includes a reference to an enforcement officer.
- (3) Where a function is expressed as a function of the enforcement officer who gave a suspension notice, that function may instead be exercised by any other enforcement officer appointed or authorised by the appointing licensing authority.
- (4) The Secretary of State may make regulations providing for the issue and use of documents, clothing or badges or other marks to identify persons as enforcement officers.”

Member's explanatory statement

This would make provision about the “enforcement officers” who are to exercise the new functions relating to temporary suspension of licences.

LORD BORWICK
BARONESS BRINTON
BARONESS GREY-THOMPSON

287 After Clause 68, insert the following new Clause –

“Minimum accessibility requirements for taxis

- (1) In section 160(1) of the Equality Act 2010 (taxi accessibility regulations), after “regulations”)” insert “which must be adhered to in the prescribing of standards for the licensing of taxis under section 65 (standards relating to the grant of a regulated licence) of the English Devolution and Community Empowerment Act 2026.”
- (2) The Secretary of State must, by regulations under section 216(3) of the Equality Act 2010, commence section 160(1) to (3) (taxi accessibility regulations) of that Act on the day on which this Act is passed.”

Member's explanatory statement

This amendment, and another in the name of Lord Borwick, seeks to commence section 160(1) to (3) of the Equality Act 2010 in relation to minimum taxi accessibility requirements and ensure that the standards prescribed under clause 65 of this Bill conform with those taxi accessibility requirements in the Equality Act 2010, with the intention of ensuring disabled persons can use taxis to travel in comfort and dignity.

LORD MOYLAN

287A After Clause 68, insert the following new Clause –

“Duty to collect and publish data on out-of-area licence suspensions

- (1) Every licensing authority in England must collect data about the exercise of functions relating to the suspension of licences under this Chapter where the licence was granted by another licensing authority in England.
- (2) The data collected under subsection (1) must include, in particular –
 - (a) the number of driver licences suspended,
 - (b) the number of vehicle licences suspended,
 - (c) the number of private hire vehicle operator licences suspended,
 - (d) the number of suspensions which ceased to have effect without being extended,
 - (e) the number of suspensions which were terminated,
 - (f) the number of suspensions which were extended, and
 - (g) the number of licences in respect of which the licence holder was again permitted to exercise the rights granted by the licence.
- (3) Every licensing authority in England must publish the data collected under this section once in every calendar year.”

Member's explanatory statement

This amendment seeks to require licensing authorities in England to collect and publish annual data on the suspension of out-of-area licences, including the number suspended, extended, terminated and reinstated.

Clause 70

BARONESS TAYLOR OF STEVENAGE

288 Clause 70, page 68, line 32, leave out “Sections 65 to 67 do” and insert “This Chapter does”

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

289 Clause 70, page 69, line 2, leave out “regulations under those sections” and insert “or under this Chapter”

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

290 Clause 70, page 69, leave out lines 6 to 10 and insert—

““36A Licensing: national standards and temporary suspension

The provisions of this Act relating to the licensing of hackney carriages are subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

291 Clause 70, page 69, leave out lines 13 to 15 and insert—

““45A Licensing: national standards and temporary suspension

This Part is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

292 Clause 70, page 69, leave out lines 17 to 20 and insert—

““2A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

293 Clause 70, page 69, leave out lines 22 to 25 and insert—

““2A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

294 Clause 70, page 69, leave out lines 27 to 30 and insert—

““1A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

295 Clause 70, page 69, leave out lines 32 to 35 and insert—

““1A Licensing: national standards and temporary suspension

This Act is subject to Chapter 3 of the English Devolution and Community Empowerment Act 2026 (which makes provision about national standards for licences and the temporary suspension of licences).””

Member's explanatory statement

This would be in consequence in of the new functions relating to temporary suspension of licences.

Clause 71

BARONESS TAYLOR OF STEVENAGE

- 296 Clause 71, page 70, line 5, leave out “(whenever passed)” and insert “passed before, or in the same session as, this Act”

Member's explanatory statement

This would limit the power to make regulations amending Acts of Parliament, so that it cannot be used in relation to future Acts.

BARONESS TAYLOR OF STEVENAGE

- 297 Clause 71, page 70, line 6, leave out “The first”

Member's explanatory statement

This would make all regulations about national standards subject to the affirmative resolution procedure.

BARONESS TAYLOR OF STEVENAGE

- 298 Clause 71, page 70, line 7, at end insert —

“(3A) Regulations under —

- (a) section (*Suspension under section (Power to suspend licence temporarily)*)(7),
or
- (b) section (*Responsible licensing authority's response to suspension of licence*)(11),
are subject to affirmative resolution procedure.”

Member's explanatory statement

This would make certain regulations relating to the new functions of temporarily suspending licences.

Clause 72

BARONESS TAYLOR OF STEVENAGE

- 299 Clause 72, page 70, line 14, at end insert —

““enforcement area”, in relation to an enforcement officer, means both of the following —

- (a) the area of the licensing authority which appointed or authorised the officer, in relation to the suspension of any regulated licence;
- (b) the whole of the rest of England, but only in relation to the suspension of a regulated licence granted by the licensing authority which appointed or authorised the officer;

“enforcement officer” has the meaning given in section (*Enforcement officers*)(1);

“licence suspension provisions” means sections (*Power to suspend licence temporarily*) to (*Enforcement officers*) and this section;”

Member's explanatory statement

This would add new definitions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

300 Clause 72, page 70, line 23, leave out “minimum”

Member's explanatory statement

This is consequential on the amendment in my name that would provide for the standards that can be imposed under Chapter 3 to be known as “national standards”

BARONESS TAYLOR OF STEVENAGE

301 Clause 72, page 70, line 38, at end insert —

““regulated driver licence” means —

(a) a taxi driver licence, or

(b) a PHV driver licence,

granted by a licensing authority in England;”

Member's explanatory statement

This would add a new definition relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

302 Clause 72, page 70, line 39, leave out “has the meaning given in section 64” and insert “means —

(a) a taxi driver licence,

(b) a taxi vehicle licence,

(c) a PHV driver licence,

(d) a PHV vehicle licence, or

(e) a PHV operator licence,

granted by a licensing authority in England;”

Member's explanatory statement

This would move the definition of “regulated licence” from clause 64 to clause 72.

BARONESS TAYLOR OF STEVENAGE

303 Clause 72, page 70, line 39, at end insert —

““regulated PHV operator licence” means a PHV operator granted by a licensing authority in England;

“regulated vehicle licence” means –

- (a) a taxi vehicle licence, or
- (b) a PHV vehicle licence,

granted by a licensing authority in England;

“relevant vehicle” means a vehicle that an enforcement officer reasonably believes is licensed by –

- (a) a taxi vehicle licence, or
- (b) a PHV vehicle licence;

“responsible licensing authority”, in relation to a regulated licence, means the licensing authority with the power to revoke the licence;”

Member's explanatory statement

This would add new definitions relating to temporary suspension of licences.

BARONESS TAYLOR OF STEVENAGE

304 Clause 72, page 71, line 2, at end insert –

““suspension notice” means notice of a suspension given in accordance with section (Suspension under section (Power to suspend licence temporarily))(2);”

Member's explanatory statement

This would add a new definition relating to temporary suspension of licences.

After Clause 72

BARONESS TAYLOR OF STEVENAGE
LORD FOSTER OF BATH

305 After Clause 72, insert the following new Clause –

“CHAPTER

LICENSING OF GAMBLING PREMISES

Licensing of gambling premises: impact assessments

- (1) The Gambling Act 2005 is amended in accordance with this section.
- (2) In section 153 (licensing authorities’ functions: principles to be applied), in subsection (3), for “section” substitute “sections 165A and”.
- (3) After section 153 insert –

“153A Gambling impact assessments

- (1) A licensing authority may publish a document (“a gambling impact assessment”) containing a statement that the licensing authority consider that the grant of any relevant licence, or of any further relevant licences, in respect of premises in one or more parts of their area described in the

assessment (the “affected part or parts”) is not likely to be reasonably consistent with one or more of the licensing objectives because of—

- (a) the cumulative impact of relevant licences in respect of premises in the affected part or parts, or
 - (b) other reasons which relate to that licensing objective, or those licensing objectives, and to the affected part or parts.
- (2) A gambling impact assessment must set out the evidence for the authority's opinion as set out in the assessment in accordance with subsection (1).
- (3) A gambling impact assessment may include a statement which is framed by reference to the grant of relevant licences in excess of a number specified in the statement.
- (4) A gambling impact assessment may relate—
 - (a) to all relevant licences, or
 - (b) only to relevant licences of a kind described in the assessment.
- (5) A licensing authority must—
 - (a) from time to time review any gambling impact assessment published by them,
 - (b) if they think it necessary in the light of a review, revise or withdraw the assessment, and
 - (c) publish any revision.
- (6) Before publishing a gambling impact assessment (including a revised assessment), the licensing authority must consult the persons mentioned in section 349(3).
- (7) For the purposes of the consultation, the licensing authority must provide the persons mentioned in section 349(3) with the following information—
 - (a) the reasons why they are considering publishing or revising a gambling impact assessment;
 - (b) a general indication of the part or parts of their area which they are considering describing in the assessment;
 - (c) whether they consider that the assessment will relate to all relevant licences or only to relevant licences of a particular kind.
- (8) In determining—
 - (a) whether to publish a gambling impact assessment (including a revised assessment) or withdraw an assessment, or
 - (b) the terms of a gambling impact assessment,
 a licensing authority may not have regard to the expected demand for facilities of the kinds that would require relevant licences to be operated lawfully.
- (9) If a licensing authority have published a gambling impact assessment, the authority must include a summary of the assessment in the three-year licensing policy.

- (10) For provision about the role of gambling impact assessments in the process of applying for relevant licences, see section 165A.
- (11) In this section –
 - “relevant licence” means –
 - (a) a bingo premises licence,
 - (b) an adult gaming centre premises licence,
 - (c) a family entertainment centre premises licence, or
 - (d) a betting premises licence;
 - “three-year licensing policy” means the statement published in accordance with section 349.”
- (4) After section 165 insert –
 - “165A Rejection of application: gambling impact assessment**
 - (1) This section applies to an application for a relevant licence (the “prospective licence”) if –
 - (a) the licensing authority have published a gambling impact assessment in accordance with section 153A, and
 - (b) the licensing authority’s three-year licensing policy includes a presumption that the authority will reject an application for a relevant licence if the licence is within the scope of the assessment.
 - (2) It is lawful for the licensing authority to reject the application solely on the ground that the prospective licence is within the scope of the gambling impact assessment (and therefore regardless of anything, including any legislation, which would otherwise support or require the grant of the prospective licence).
 - (3) But a rejection of the application is not lawful on that ground (whether by virtue of subsection (2) or otherwise) if the person applying for the prospective licence –
 - (a) asserts in the application that the grant of the prospective licence would be reasonably consistent with the licensing objective or objectives to which the gambling impact assessment relates, and
 - (b) then shows that the grant of the prospective licence would be reasonably consistent with that licensing objective or those licensing objectives;(and, accordingly, inconsistency with that licensing objective or those licensing objectives cannot otherwise be a ground for rejecting the application).
 - (4) For the purposes of this section, a licence is “within the scope of” a gambling impact assessment if the licence would (if granted) –
 - (a) relate to premises in the part or parts of the authority’s area described in the assessment in accordance with section 153A(1), and

- (b) be a kind of licence to which the assessment applies in accordance with section 153A(1) (whether by virtue of section 153A(4)(a) or (b)).
- (5) But if the assessment is framed by reference to the grant of relevant licences in excess of a number specified in the statement, a licence is not within the scope of the assessment unless (additionally) –
 - (a) the grant of the prospective licence, or
 - (b) the grant of that licence and any other relevant licences for which applications are being considered at the same time, would result in that number being exceeded.
- (6) This section does not affect the powers of a licensing authority to decide what is included in their three-year licensing policy; and, in particular, it does not affect any powers –
 - (a) to make other kinds of presumptions, and
 - (b) to act lawfully in accordance with the terms of other kinds of presumptions.
- (7) In this section –
 - “relevant licence” has the same meaning as in section 153A;
 - “three-year licensing policy” means the statement published in accordance with section 349.”
- (5) In section 349 (three-year licensing policy), after subsection (3) insert –
 - “(3A) Subsection (3) does not require consultation in relation to a –
 - (a) gambling impact assessment (within the meaning of section 153A) of which a summary is included in the statement being prepared or revised, or
 - (b) a presumption of the kind referred to in section 165A(1)(b) included in that statement;
 and, instead, see section 153A(6).”

Member's explanatory statement

This would amend the Gambling Act 2005 to enable licensing authorities to adopt, and act in accordance with, policies aimed at preventing the grant of gambling licences in order to respond to (a) the cumulative impact of multiple gambling premises or (b) other reasons relating to the licensing objectives in that Act.

After Clause 73

BARONESS MCINTOSH OF PICKERING

306 After Clause 73, insert the following Clause—

“Local planning authority: duty to consult fire and rescue services

- (1) Where a local planning authority is considering a planning application relating to energy infrastructure, the local planning authority must consult the local fire and rescue service for the place which the application relates to.
- (2) The local planning authority must have regard to any increased fire risk arising from the infrastructure project when assessing the application.”

Member's explanatory statement

This probing amendment seeks to ensure that where a planning application relates to energy projects (for example, battery energy storage systems), fire and rescue services are statutory consultees.

LORD BEST

LORD SHIPLEY

LORD LANSLEY

BARONESS BENNETT OF MANOR CASTLE

307 After Clause 73, insert the following new Clause—

“Chief Planner

After section 1 of the Town and Country Planning Act 1990 (local planning authorities), insert—

“1A Local planning authorities and strategic authorities: Chief Planner

- (1) Each local planning authority and each strategic authority, as defined in section 1(2) of the English Devolution and Community Empowerment Act 2026 (strategic authorities), must appoint an officer, to be known as Chief Planner, for the purposes of their functions in relation to planning and spatial development.
- (2) Two or more authorities may, if they consider that the same person can efficiently discharge for both or all of the authorities the functions of Chief Planner, concur in the same appointment of a person as Chief Planner for both or all of these authorities.
- (3) An authority may not appoint a person as Chief Planner unless satisfied that the person has appropriate qualifications and experience for the role.”

Member's explanatory statement

This amendment would require authorities with planning and spatial development functions to appoint a Chief Planner to lead this professional work.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
LORD SHIPLEY

308 After Clause 73, insert the following new Clause –

“Neighbourhood priorities statement

- (1) In inserted section 15K (neighbourhood priorities statements) in Schedule 7 of LURA 2023 –
 - (a) in subsection (13), after paragraph (d) insert –
 - “(da) a single foundation strategic authority,
 - (db) a development corporation which exercises the responsibilities of a local planning authority, or”;
 - (b) in subsection (14), in the definition for “qualifying body”, omit “a parish council” and insert –
 - “(a) a town or parish council or organised structure for a neighbourhood area established under section 60 of the English Devolution and Community Empowerment Act 2026 (local authorities: effective neighbourhood governance),”.
- (2) Within two months of the day on which this Act is passed, the Secretary of State must, by regulations, make provision commencing section 15K of the Planning and Compulsory Purchase Act 2004, as inserted by Schedule 7 of LURA 2023.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

LORD RICHARD
LORD SHIPLEY

309 After Clause 73, insert the following new Clause –

“Duty of local service partners to cooperate

- (1) The Secretary of State must by regulations designate certain persons or bodies as local public service partners for the purposes of this section.
- (2) Regulations made under subsection (1) must include –
 - (a) integrated care boards and NHS Trusts,
 - (b) police and fire authorities, and
 - (c) any other public service provider,
 exercising functions wholly or partly in the area of the strategic authority or principal council.
- (3) A local public service partner in subsection (2) must, in exercising its functions so far as they affect that area, cooperate with –
 - (a) the strategic authority, and
 - (b) the principal councils for that area.

- (4) The duty to cooperate under subsection (3) includes –
 - (a) a duty to attend any meeting reasonably convened by the mayor of the strategic authority under section 21 (or by the strategic authority acting collectively), when given due notice,
 - (b) a duty to provide information and assistance to the strategic authority and principal councils, insofar as reasonably required to facilitate the exercise of their functions or any joint planning of services for that area, and
 - (c) a duty to engage constructively, actively and on an ongoing basis with the strategic authority and principal councils when formulating or implementing policies, plans or services that affect the area.
- (5) In performing the duty under subsection (3), a local public service partner must have regard to any guidance issued by the Secretary of State on the implementation of the whole-area public service collaboration.
- (6) Regulations made under this section are subject to affirmative resolution procedure.
- (7) In this section, “principal councils” means the county, district or London borough councils (including the Common Council of the City of London) whose territories lie within the area of the strategic authority.”

Member's explanatory statement

This amendment seeks to introduce a statutory duty on local public service partners (such as NHS bodies and police and fire authorities) to cooperate with strategic authorities and principal councils. It ensures reciprocal engagement in local decision-making, service planning and policy implementation, strengthening whole-area collaboration across public services.

BARONESS ROYALL OF BLAISDON
LORD CAMERON OF DILLINGTON
LORD BEST
BARONESS BENNETT OF MANOR CASTLE

310 After Clause 73, insert the following new Clause –

“Rural communities

Duty to consider the needs of rural communities

- (1) When considering whether or how to exercise any of its functions a combined authority, a CCA and each district council or county council that is a strategic authority must have regard to the needs of rural communities in relation to land use, the development of land and regeneration, housing, employment, public and active transport provision, health and wellbeing.
- (2) When considering whether or how to exercise any function, the mayor for the area of a combined authority and the mayor for the area of a CCA must have regard to the considerations set out in subsection (1).”

Member's explanatory statement

This amendment would require strategic authorities and their mayors, when considering whether or how to exercise any of their functions, to have regard to the needs of rural communities.

BARONESS WILLIS OF SUMMERTOWN
 BARONESS BENNETT OF MANOR CASTLE
 BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

311 After Clause 73, insert the following new Clause –

“Duty to deliver on the environment and climate change

Strategic authorities, mayoral, or local authorities must, in the exercise of their functions, and when delivering on areas of competence in section 2, take all reasonable steps to contribute to –

- (a) the achievement of targets set under Part 1 of the Climate Change Act 2008;
- (b) the achievement of biodiversity targets set under sections 1 to 3 of the Environment Act 2021;
- (c) adapting to any current or predicted impacts of climate change identified in the most recent report under section 56 of the Climate Change Act 2008.”

Member's explanatory statement

This amendment would ensure that local government was aligned with the Government's national targets for climate change and the environment, and give them a duty to advance progress towards meeting them.

Schedule 33

BARONESS TAYLOR OF STEVENAGE

312 Schedule 33, page 350, line 21, at end insert –

“18A In section 32(3) (consultation about proposed accounts and audit regulations) –

(a) for paragraph (a) substitute –

“(a) the Local Audit Office,”;

(b) for paragraph (c) substitute –

“(c) any external registration body.””

Member's explanatory statement

This amendment would add two minor amendments consequential on the new local audit regime.

BARONESS TAYLOR OF STEVENAGE

313 Schedule 33, page 361, line 25, at end insert –

“(2A) In section 104(9A) (which is inserted by Schedule (*Mayoral combined authorities: overview and scrutiny committees*) to this Act and introduces Schedule 5AA to LDEDCA 2009), omit “and audit committees”.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral combined authorities, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

314 Schedule 33, page 361, line 29, at end insert—

- “(4) In Schedule 5AA (inserted by Schedule (*Mayoral combined authorities: overview and scrutiny committees*) to this Act) —
- (a) in the heading, omit “and audit committee”;
 - (b) omit paragraph 9 and the preceding italic heading.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral combined authorities, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

315 Schedule 33, page 361, line 32, at end insert—

- “(2A) In section 15(1A) (which is inserted by Schedule (*Mayoral CCAs: overview and scrutiny committees*) to this Act and introduces Schedule 1A to LURA 2023), omit “and audit committees”.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral CCAs, including provision which would maintain the current arrangements for audit. This amendment would repeal wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

BARONESS TAYLOR OF STEVENAGE

316 Schedule 33, page 362, line 4, at end insert—

- “(5) In Schedule 1A (inserted by Schedule (*Mayoral CCAs: overview and scrutiny committees*) to this Act) —
- (a) in the heading, omit “and audit committee”;
 - (b) omit paragraph 9 and the preceding italic heading.”

Member's explanatory statement

Other amendments in my name would make provision about overview and scrutiny of mayoral CCAs, including provision which would maintain the current arrangements for audit. This

amendment would repeal that wording about the current audit arrangements when the new local audit provisions in Part 4 come into force.

After Clause 85

BARONESS BERRIDGE

317 After Clause 85, insert the following new Clause —

“Rutland: status as a ceremonial county

- (1) The Lieutenancies Act 1997 is amended as follows.
- (2) In paragraph 3 of Schedule 1 (counties and areas for the purposes of the lieutenancies in Great Britain), in the Table, after “Nottingham” insert as a new row —

“Rutland	Rutland”
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Member's explanatory statement

This new Clause would preserve Rutland's Lord Lieutenancy and ceremonial county status.

LORD FULLER

318 After Clause 85, insert the following new Clause —

“Major precepting authorities: parish and community councils

- (1) Section 39 of the Local Government Finance Act 1992 (precepting and precepted authorities) is amended as follows.
- (2) In subsection (1), after paragraph (ac) insert —
 - “(ad) a parish or community council where —
 - (i) the population of the authority area is greater than 50,000 people, or
 - (ii) the precept issued in the previous financial year totalled over £1,000,000;
 - (ae) the chairman of a parish meeting where the parish council's authority area —
 - (i) has a population greater than 50,000 people, or
 - (ii) issued a precept in the previous financial year totalling over £1,000,000;”
- (3) In subsection (2) —
 - (a) in paragraph (c), at end insert “of an area with a population less than 50,000 people or which issued a precept in the previous financial year totalling over £1,000,000”;

- (b) in paragraph (d), after “meeting” insert “for a parish council of an area with a population less than 50,000 people or which issued a precept in the previous financial year totalling over £1,000,000”.
- (4) After subsection (2), insert –
 - “(2A) The Secretary of State may, by regulations made by statutory instrument, change the value of the precept for the purposes of subsection (1)(ad)(ii) and (1)(ae)(ii) and subsection (2)(c) and (2)(d).”

Member's explanatory statement

This amendment seeks to ensure that parish and community councils with populations over 50,000 or precepts over £1,000,000 in the previous financial year are constrained in their ability to raise council tax in line with the restrictions placed on major precepting authorities, as defined in the Local Government Finance Act 1992.

THE LORD BISHOP OF MANCHESTER

318A After Clause 85, insert the following new Clause –

“Duty relating to community empowerment

- (1) Within one year beginning on the date on which this Act is passed, and each year thereafter, the Secretary of State must publish and lay before Parliament a report assessing the effectiveness of Part 5 of the Localism Act 2011 (community empowerment).
- (2) The report must consider the effectiveness of the provisions in Part 5 of the Localism Act 2011 against the criteria in subsection (3), and set out a plan for better meeting those criteria, including potential legislative provision.
- (3) The criteria are, in relation to people in England –
 - (a) access to a clean and healthy environment;
 - (b) access to land or space to play, roam, and swim;
 - (c) access to land for food growing;
 - (d) the ability to contribute to and challenge decisions made at a local level;
 - (e) access to, use of, and ability to propose acquisition of assets of community value.
- (4) Within the period of 21 days beginning on the day on which a report is published under this section, a Minister of the Crown must move a motion in the House of Commons that the House has considered the report.
- (5) In reckoning any period of 21 days under subsection (4), no account is taken of any time during which Parliament is dissolved or prorogued, or during which the House of Commons is adjourned for more than four days.”

Member's explanatory statement

This new clause would require the Government to report annually on the effectiveness of community empowerment measures under the Localism Act 2011. It requires that Ministers assess how well

communities can access land, green space, and local decision-making mechanisms. The report must include plans to strengthen these rights, including potential new legislation.

LORD NORTON OF LOUTH

318B After Clause 85, insert the following new Clause –

“Review of the Act

- (1) The Secretary of State must –
 - (a) carry out a review of the operation and effect of this Act,
 - (b) set out the conclusions of the review in a report,
 - (c) publish the report, and
 - (d) lay a copy of the report before Parliament.
- (2) The report must be published before the end of the period of five years beginning with the day on which this Act is passed.
- (3) The report must, in particular –
 - (a) assess the extent to which the objectives intended to be achieved by this Act have been achieved, and
 - (b) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved more effectively in any other way.
- (4) In carrying out the review, the Secretary of State must –
 - (a) consult each body specified in Part 1 of this Act and such other bodies as the Secretary of State considers appropriate, and
 - (b) publish an invitation for other interested parties to make submissions on the operation of the Act.”

Schedule 34

LORD THURLOW

318C Schedule 34, page 363, line 26, at end insert –

- “2A In this schedule, “business tenancy” and “business tenancy with a rent review” refer only to a business that is a small or medium-sized enterprise, as defined by the section 123 of the Procurement Act 2023.”

Member's explanatory statement

This amendment seeks to ensure that the removal of upward only rent reviews will apply only to SMEs, so as to mitigate any potential loss in value for larger commercial properties and to protect investors and lenders against loss in value as a direct result of this Bill.

BARONESS TAYLOR OF STEVENAGE

319 Schedule 34, page 363, line 31, leave out from “if” to end of line 38 and insert “—

- (a) at that time it is a business tenancy with a rent review,
 - (b) the tenancy was —
 - (i) granted, or
 - (ii) varied so that it is subject to rent review terms, after this Schedule came into force, and
 - (c) that grant or variation was not made under protected pre-commencement arrangements.
- (2) For that purpose “protected pre-commencement arrangements” means arrangements that were entered into before this Schedule came into force.
- (3) But arrangements under which the tenancy was granted are not protected pre-commencement arrangements if —
- (a) the tenancy is a new tenancy within the meaning of Schedule 7B,
 - (b) the arrangements are a tenancy renewal arrangement within the meaning of Schedule 7B, and
 - (c) the tenancy renewal arrangement was entered into on or after 17 March 2026,
- (and see paragraph 3(2) of Schedule 7B for the meaning of “new tenancy” and “tenancy renewal arrangement”).”

Member's explanatory statement

This would restructure paragraph 3 and make these changes: use “subject to” rent review terms (for consistency with paragraph 2(1)(b)); use “arrangements” (to catch any kind of arrangements, whether or not they would be regarded as a contract, eg. an option); and ensure that a tenancy is caught if granted by virtue of a pre-commencement tenancy renewal arrangement that is itself caught by Schedule 7B.

BARONESS TAYLOR OF STEVENAGE

320 Schedule 34, page 364, line 27, leave out from “if” to end of line 2 on page 365 and insert “—

- (a) at that time it is a business tenancy with a rent review,
- (b) at that time the rent review terms —
 - (i) do not specify new passing rent, and
 - (ii) include elements 1 and 2,
- (c) the tenancy was —
 - (i) granted, or
 - (ii) varied so that it is subject to rent review terms that do not specify the new passing rent and include elements 1 and 2, after this Schedule came into force, and

- (d) that grant or variation was not made under protected pre-commencement arrangements.
- (2) For that purpose “protected pre-commencement arrangements” means arrangements that were entered into before this Schedule came into force.
- (3) But arrangements under which the tenancy was granted are not protected pre-commencement arrangements if –
 - (a) the tenancy is a new tenancy within the meaning of Schedule 7B,
 - (b) the arrangements are a tenancy renewal arrangement within the meaning of Schedule 7B, and
 - (c) the tenancy renewal arrangement was entered into on or after 17 March 2026,
 (and see paragraph 3(2) of Schedule 7B for the meaning of “new tenancy” and “tenancy renewal arrangement”).”

Member's explanatory statement

This would restructure paragraph 6 and make these changes: use “subject to” rent review terms (for consistency with paragraph 2(1)(b)); use “arrangements” (to catch any kind of arrangements, whether or not they would be regarded as a contract, eg. an option); and ensure that a tenancy is caught if granted by virtue of a pre-commencement tenancy renewal arrangement that is itself caught by Schedule 7B.

BARONESS TAYLOR OF STEVENAGE

- 321** Schedule 34, page 367, line 17, leave out “includes” and insert “is subject to”

Member's explanatory statement

This would ensure that the language of paragraph 11(2)(a)(ii) is consistent with paragraph 2(1)(b).

BARONESS TAYLOR OF STEVENAGE

- 322** Schedule 34, page 367, line 23, leave out “includes” and insert “is subject to”

Member's explanatory statement

This would ensure that the language of paragraph 11(2)(b)(ii) is consistent with paragraph 2(1)(b).

BARONESS TAYLOR OF STEVENAGE

- 323** Schedule 34, page 367, line 27, leave out “a contract” and insert “arrangements”

Member's explanatory statement

This would ensure that any pre-commencement arrangements for the grant or variation of a tenancy would be caught by this provision, whether or not they would be regarded as a contract (eg. an option).

BARONESS TAYLOR OF STEVENAGE

- 324** Schedule 34, page 371, line 3, leave out “after this Schedule comes into force” and insert “on or after 17 March 2026”

Member's explanatory statement

This would provide for the provisions of Schedule 7B to apply to a “new lease” if it is granted under a tenancy renewal arrangement entered into on or after the day on which this amendment was tabled.

Clause 86

BARONESS TAYLOR OF STEVENAGE

- 324A★** Clause 86, page 85, line 10, at end insert —
““LGA 2000” means the Local Government Act 2000;”

Member's explanatory statement

This would add a definition of “LGA 2000” to the Bill.

BARONESS TAYLOR OF STEVENAGE

- 324B★** Clause 86, page 85, line 11, at end insert —
““LGPIHA 2007” means the Local Government and Public Involvement in Health Act 2007;”

Member's explanatory statement

This would add a definition of “LGPIHA 2007” to the Bill.

After Clause 88

BARONESS TAYLOR OF STEVENAGE

- 325** [Withdrawn]

BARONESS TAYLOR OF STEVENAGE

- 325A** After Clause 88, insert the following new Clause —
“Certain orders and regulations provided for by Parts 1 and 2
(1) Section 117 of LDEDCA 2009 (orders and regulations) is amended in accordance with subsections (2) to (5).
(2) In subsection (2) for “An order to which subsection (2A) applies” substitute “Subject to subsections (2A) and (3), an order under this Part”.
(3) In subsection (2A) —

- (a) for “This subsection applies to an order under this Part other than—” substitute “Subsection (2) does not apply to—”;
- (b) before paragraph (a) insert—
 - “(za) an order under section 107FA,”;
- (c) in paragraph (b), omit the second “or”;
- (d) after paragraph (b) insert—
 - “(ba) an order under section 113E,”.
- (e) at the end of paragraph (c) insert “, or”
 - (d) an order under Schedule 5BA.”
- (4) In subsection (3A), after “107K(1)” insert “or Schedule 5AA”
- (5) In subsection (5), for “(2A)(a) or (b)” substitute “(2A)(za) to (ba) or (2A)(d)”.
- (6) Section 252 of LURA 2023 (regulations) is amended in accordance with subsections (7) to (9).
- (7) In subsection (2)—
 - (a) for “(8)(a)” substitute “(8)(aa)”;
 - (b) before “, includes” insert “or (8)(l), or regulations under Schedule 1A”.
- (8) In subsection (5)(a)—
 - (a) after “subsection” insert “(8)(ac) or”;
 - (b) after “(c)” insert “or (8)(l)”.
- (9) In subsection (8), before paragraph (a) insert—
 - “(ac) under section 33A;”.

Member’s explanatory statement

This would ensure that new powers added to LDEDCA 2009 or LURA 2023 by the Bill are subject to the intended level of Parliamentary scrutiny and do not include the power to amend any enactment.

Clause 89

BARONESS MCINTOSH OF PICKERING

326 Clause 89, page 86, line 35, at end insert—

- “(A1) Before making any regulations under this Act, the Secretary of State must publish an assessment of the impact of this Act on rural areas, including its costs and benefits.”

Clause 92

BARONESS TAYLOR OF STEVENAGE

327 Clause 92, page 88, line 3, leave out subsections (2) and (3) and insert –

“(1A) But none of the following provisions comes into force in accordance with subsection (1)(c) –

- (a) section (*Mayoral combined authorities and CCAs: overview and scrutiny committees*) (and Schedules (*Mayoral CCAs: overview and scrutiny committees*) and (*Mayoral combined authorities: overview and scrutiny committees*)) (*mayoral combined authorities and CCAs: overview and scrutiny committees*);
- (b) section 25 (and Schedule 7) (charges payable by undertakers executing works in maintainable highways);
- (c) Chapter 3 of Part 3 (licensing of taxis and private hire vehicles);”

Member's explanatory statement

This would provide for a single subsection setting out which powers are excluded from royal assent commencement under clause 92(1)(c). In the new subsection, paragraphs (b) and (c) replicate the current effect of clause 92(2) and (3); and paragraph (a) relates to the new section and Schedules that would be inserted after clause 10 and Schedule 3 by other amendments in my name.

BARONESS TAYLOR OF STEVENAGE

328★ Clause 92, page 90, line 2, at end insert –

“(za1) section (*Limit on delay of election in connection with local government reorganisation*) (limit on delay of election in connection with local government reorganisation);”

Member's explanatory statement

This would provide for commencement two months after Royal Assent for the new clause which would limit the power to delay elections in connection with local government reorganisation.

English Devolution and Community Empowerment Bill

THIRD MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

9 April 2026

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