



Levelling-up and Regeneration Bill

HL Bill 84 of 2022–23

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The House of Lords is scheduled to debate the [Levelling-up and Regeneration Bill](#) at second reading on 17 January 2023.

The bill would give effect to aspects of the government’s levelling up agenda to reduce economic, social and environmental disparities between and within different parts of the UK. In particular, it would provide for a new statutory requirement for ministers to set, report on progress against and review ‘levelling up missions’. The government set out 12 missions that are likely to form the basis of any future statutory goals in its [levelling up white paper](#) published in February 2022.

The bill would also provide for the creation of new ‘combined county authorities’ amongst other changes related to local democracy and devolution in England. In addition, the bill would make provision for significant changes to the planning system in England. The government has summarised these changes as falling under five ‘pillars’, listed as beauty, infrastructure, democracy, environment and neighbourhoods. The bill contains a wide range of other measures, some of which were added during the bill’s report stage in the House of Commons. Added measures include those concerning community land auction pilots, nutrient pollution standards applicable to sewage disposal works, the registration of short-term rental properties and marine licensing. One placeholder clause relating to vagrancy and begging was removed.

Alongside the proposals in the bill, on 22 December 2022 the government launched a [consultation on reforms to national planning policy in England](#). This includes proposals relating to housebuilding in communities and onshore wind. The consultation is open until 2 March 2023.

At [second reading in the House of Commons](#), the Labour Party said it would not oppose the bill. However, it criticised the government for a lack of ambition and argued the bill would require “significant changes and additions [...] if it is to deliver the change that communities up and down the country are waiting for”.

This briefing should be read in conjunction with the bill’s [explanatory notes](#), [impact assessment](#) and [delegated powers memorandum](#). Two House of Commons Library briefings, one published [ahead of the bill’s second reading](#) and the other [following committee stage](#), provide more detailed background information on the bill as it was considered in the House of Commons.

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1. Introduction

The [Levelling-up and Regeneration Bill](#) had its first reading in the House of Lords on 19 December 2022 and is scheduled to receive its second reading on 17 January 2023.¹

The bill is wide-ranging. As introduced in the Lords, it consists of 223 clauses, split into 13 parts, with 18 schedules.

This briefing focuses on how the bill changed in the House of Commons. It should be read in conjunction with the [explanatory notes](#) to the bill; a [House of Commons Library briefing published before the bill's second reading](#) and [another published after the bill's committee stage](#) in the House of Commons; and a [government policy paper](#) published in May 2022.² These documents set out detailed background information on the bill's provisions. Additional reading material is highlighted in section 5 below.

2. Why has the government introduced the bill?

The bill would give effect to aspects of the government's levelling up agenda to reduce economic, social and environmental disparities between and within different parts of the UK.

The 2019 Conservative Party manifesto said this agenda meant “not just investing in our great towns and cities, as well as rural and coastal areas, but giving them far more control of how that investment is made”.³

In February 2022, the government published a 300-page levelling up white paper. This provided an analysis of the causes of economic and social disparities across the UK, together with a programme for implementing levelling up in practice.⁴ In a foreword, Boris Johnson, then prime minister, said the concept was the “defining mission” of his administration.⁵ The government later described levelling up as a “moral, social and economic programme for the whole of government”.⁶

¹ [HL Hansard, 19 December 2022, col 1018](#).

² See: [Explanatory notes](#); House of Commons Library, '[Levelling-up and Regeneration Bill 2022–23](#)', 1 June 2022, and '[Levelling-up and Regeneration Bill 2022–23: Progress of the bill](#)', 9 November 2022; and Department for Levelling Up, '[Housing and Communities, Levelling up and regeneration: Further information](#)', 11 May 2022.

³ Conservative Party, '[Conservative Party manifesto 2019](#)', November 2019, p 26.

⁴ Department for Levelling Up, Housing and Communities, '[Levelling up the United Kingdom](#)', 2 February 2022, CP 604. See also: House of Commons Library, '[Levelling up: What are the Government's proposals?](#)', 18 February 2022.

⁵ Department for Levelling Up, Housing and Communities, '[Levelling up the United Kingdom](#)', 2 February 2022, CP 604, p viii.

⁶ Prime Minister's Office, '[Boris Johnson's first speech as prime minister](#)', 24 July 2019.

The white paper explained that, in the government’s view, levelling up would require a “focused, long-term plan of action and a clear framework to identify and act upon the drivers of spatial disparity”.⁷ It suggested that a “rich endowment” of six mutually reinforcing “capitals” would help communities fulfil their potential. These six “capitals” were listed as:

- **physical:** infrastructure, machines and housing
- **human:** workforce skills, health and experience
- **intangible:** innovation, ideas and patents
- **financial:** resources supporting company financing
- **social:** the strength of communities, relationships and trust
- **institutional:** local leadership, capacity and capability

The white paper added that a new policy regime was needed to reverse “embedded historical trends” in domestic economic development. It said this would be based on “five mutually reinforcing pillars”. Along with setting “clear and ambitious medium-term missions” and creating a means to oversee these, the new policy regime would also include:

- reorienting central government decision-making
- empowering local decision-makers
- transforming central government’s approach to data and evaluation

The white paper then listed 12 levelling up missions, organised within four focus areas, which the government said it would review periodically.

Table 1: The government’s 12 levelling up missions (February 2022)

Focus area	Mission
	Boost productivity, pay, jobs and living standards by growing the private sector, especially in those places where they are lagging.
1) Living standards	By 2030, pay, employment and productivity will have risen in every area of the UK, with each containing a globally competitive city, and the gap between the top performing and other areas closing.
2) Research and development (R&D)	By 2030, domestic public investment in R&D outside the greater south-east will increase by at least 40%, and over the spending review period by at least one-third. This additional government

⁷ Department for Levelling Up, Housing and Communities, ‘[Levelling up the United Kingdom](#)’, 2 February 2022, CP 604, pp xv–xvii.

Focus area	Mission
	funding will seek to leverage at least twice as much private sector investment over the long term to stimulate innovation and productivity growth.
3) Transport infrastructure	By 2030, local public transport connectivity across the country will be significantly closer to the standards of London, with improved services, simpler fares and integrated ticketing.
4) Digital connectivity	By 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population.
Spread opportunities and improve public services, especially in those places where they are weakest.	
5) Education	By 2030, the number of primary school children achieving the expected standard in reading, writing and maths will have significantly increased. In England, this will mean 90% of children will achieve the expected standard, and the percentage of children meeting the expected standard in the worst performing areas will have increased by over a third.
6) Skills	By 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the UK. In England, this will lead to 200,000 more people successfully completing high-quality skills training annually, driven by 80,000 more people completing courses in the lowest skilled areas.
7) Health	By 2030, the gap in healthy life expectancy (HLE) between local areas where it is highest and lowest will have narrowed, and by 2035 HLE will rise by five years.
8) Wellbeing	By 2030, wellbeing will have improved in every area of the UK, with the gap between top performing and other areas closing.
Restore a sense of community, local pride and belonging, especially in those places where they have been lost	
9) Pride in place	By 2030, pride in place, such as people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between top performing and other areas closing.
10) Housing	By 2030, renters will have a secure path to ownership with the number of first-time buyers increasing in all areas; and the government's ambition is for the number of non-decent rented homes to have fallen by 50%, with the biggest improvements in the lowest performing areas.
11) Crime	By 2030, homicide, serious violence and neighbourhood crime will have fallen, focused on the worst affected areas.

Focus area	Mission
	Empower local leaders and communities, especially in those places lacking local agency
12) Local leadership	By 2030, every part of England that wants one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement. ⁸

The white paper also said the government would bring forward legislation to implement a framework for the new policy regime.⁹ It stated this could include provisions to:

- introduce an obligation for the government to publish an annual report on delivery against set levelling up missions
- strengthen devolution in England in order to expand devolution to more places, deepen current devolution deals and enable the devolution process to be simpler and more transparent
- include reform of compulsory purchase powers and support for reusing brownfield land
- implement reforms to the planning system

In March 2022, Andy Haldane, a former Bank of England chief economist and then head of the government’s levelling up taskforce, said that forthcoming legislation would make it “difficult to upend” the 12 policy missions set out in the white paper.¹⁰ Mr Haldane now chairs the government’s levelling up advisory council.¹¹

The bill was later trailed in the Queen’s Speech delivered on 10 May 2022:

A bill will be brought forward to drive local growth, empowering local leaders to regenerate their areas, and ensuring everyone can share in the United Kingdom’s success. The planning system will be reformed to give residents more involvement in local development.¹²

In accompanying briefing notes, the government explained that the purpose of the bill would be to both “grow the economy in the places that need it

⁸ Department for Levelling Up, Housing and Communities, ‘[Levelling up the United Kingdom](#)’, 2 February 2022, CP 604, pp xii–xviii.

⁹ Department for Levelling Up, Housing and Communities, ‘[Levelling up the United Kingdom](#)’, 2 February 2022, CP 604, p 247.

¹⁰ Sebastian Payne, ‘[Levelling up chief warns inflation will make tackling UK inequalities harder](#)’, Financial Times (£), 23 March 2022.

¹¹ Department for Levelling Up, Housing and Communities, ‘[Levelling up advisory council](#)’, accessed 3 January 2023.

¹² [HL Hansard, 10 May 2022, col 1](#). See also: House of Lords Library, ‘[Queen’s Speech 2022: Levelling up, housing and communities](#)’, 4 May 2022.

most and regenerate our towns and cities”, and “improve the planning system to give communities a louder voice”.¹³ It added that the main elements of the bill would include:

- placing a duty on the government to set levelling up missions and produce an annual report updating the country on the delivery of these missions
- creating a new model of combined authority, the ‘county deal’, which would provide local leaders with powers to enhance local accountability, join up services and provide transparent decision-making to rejuvenate their communities
- unlocking new powers for local authorities to bring empty premises back into use and instigate rental auctions of vacant commercial properties in town centres and on high streets
- giving residents more of a say over changing street names and ensuring everyone can continue to benefit from al fresco dining
- strengthening neighbourhood planning and digitalising the system to make local plans easier to find, understand and engage with

The government introduced the bill in the House of Commons the following day.¹⁴ At the same time, it separately published both a press release and policy paper expanding on the bill’s aims.¹⁵

In an impact assessment dated 6 April 2022 but published on 12 December 2022, the government said it was introducing the bill to do three things:¹⁶

- set in place the frameworks for systems change for levelling up, placing an obligation on the government to report on progress each year
- devolve power, and enable it to be done so more efficiently, giving local leaders the powers they need to regenerate their communities
- give local communities more tools to bring about regeneration, including through a planning system that places beauty, infrastructure, democracy, the environment and neighbourhoods at its heart

¹³ Prime Minister’s Office, ‘[Queen’s Speech 2022: Background briefing notes](#)’, 10 May 2022, p 25.

¹⁴ [HC Hansard, 11 May 2022, col 148](#).

¹⁵ Department for Levelling Up, Housing and Communities, ‘[New bill to level up the nation](#)’, 11 May 2022; and ‘[Levelling up and regeneration: Further information](#)’, 11 May 2022.

¹⁶ Department for Levelling Up, Housing and Communities, ‘[Levelling-up and Regeneration Bill: Impact assessment](#)’, 12 December 2022, p 1. Note the government’s independent Regulatory Policy Committee deemed the Department for Levelling Up, Housing and Communities’ original impact assessment “not fit for purpose”. It was subsequently revised before publication. Regulatory Policy Committee, ‘[Levelling-up and Regeneration Bill: RPC opinion](#)’, 19 July 2022.

During the bill's passage through the House of Commons, the government said it intended the 12 missions set out in the levelling up white paper to form the basis of statutory missions set to be put in place under the act.¹⁷

3. What do the bill's provisions cover?

As introduced in the House of Lords, the bill's 13 parts and 18 schedules are organised as follows.

Part 1 (clauses 1 to 6) establishes a new statutory requirement for ministers to set levelling up missions and report on progress against these. It would also allow progress methodology, metrics and/or target dates to be amended and the missions themselves to be reviewed.

Part 2 (clauses 7 to 77) and schedules 1 to 5 concern local democracy and devolution in England.

- **Chapter 1** (clauses 7 to 55) provides for the creation of new 'combined county authorities' (CCAs) ahead of new devolution deals within England.
- **Chapter 2** (clauses 56 to 70) would amend existing legislation to support the establishment of combined authorities and conferral of powers on combined authorities and local authorities. Other clauses in this chapter (clauses 71 to 77) concern matters such as police and crime commissioner participation in local authority committee meetings, alternative mayoral titles, local government capital finance risk management, council tax rates applicable on empty homes and second homes, and the process for altering street names in England.

Part 3 (clauses 78 to 123) and schedules 6 to 10 make planning changes in relation to data, development plans, heritage, decision-making and enforcement.

- **Chapter 1** (clauses 78 to 84) deals with the processing, provision, availability and format of planning data.
- **Chapter 2** (clauses 85 to 94) concerns development plans in the context of national policy in England, spatial development in London, and local and neighbourhood planning.
- **Chapter 3** (clauses 95 to 98) makes provision on heritage matters, including for temporary stop notices and urgent works on listed buildings.

¹⁷ House of Commons Public Bill Committee, '[Levelling-up and Regeneration Bill](#)', 28 June 2022, session 2022–23, 6th sitting, col 198.

- **Chapter 4** (clauses 99 to 106) deals with planning permission, including provision for ‘street votes’.
- **Chapter 5** (clauses 107 to 113) concerns the enforcement of planning controls.
- **Chapter 6** (clauses 114 to 123) includes other provisions, including those relating to consultation before planning applications, duties regarding self-build and custom housebuilding, fees and deadlines.

Part 4 (clauses 124 to 126) and schedule 11 concern the introduction of an infrastructure levy, which would allow local authorities to raise money from developments for regeneration without negotiating with a developer.

Part 5 (clauses 127 to 137) deals with community land auctions, including arrangements, permissions and duties relating to receipts. This part was added at report stage in the House of Commons.

Part 6 (clauses 138 to 152) replaces the EU environmental assessment system with a new framework for environmental outcomes reports.

Part 7 (clauses 153 to 155) and schedule 12 concern nutrient pollution standards applicable to certain sewage disposal works. This part, along with schedule 12, was added at report stage in the House of Commons.

Part 8 (clauses 156 to 164) and schedules 13 and 14 make provision concerning development corporations, including for urban and new town areas.

Part 9 (clauses 165 to 175) and schedule 15 concern compulsory purchase, including powers, procedures and compensation arrangements.

Part 10 (clauses 176 to 203) and schedules 16 and 17 contain provisions that deal with vacant commercial properties in town centres and high streets, including procedures for letting vacant premises and high street rental auctions.

Part 11 (clauses 204 to 209) concerns information about dealings in and the ownership and control of land, including rules for making certain data public.

Part 12 (clauses 210 to 214) contains miscellaneous provisions, including on the registration of short-term rental properties (due to be the subject of a consultation published before summer recess in 2023), pavement licensing (set out in schedule 18), historic environment records, a governance review

of the Royal Institution of Chartered Surveyors and marine licensing.¹⁸

Part 13 (clauses 215 to 223) deals with general technical matters, including on data protection, crown application, powers to make consequential provision and commencement.

Many provisions extend to England and Wales and apply to England only.¹⁹ Exceptions include the provisions in part 1 (levelling up missions), part 5 (community land auction pilots) and part 6 (environmental outcomes reports), which extend and apply UK-wide.

The government has said the bill contains four elements, including around planning and environmental outcomes reports, which fall within the competence of the devolved legislatures in Wales, Scotland and/or Northern Ireland. It is seeking legislative consent motions for these provisions where applicable. The bill's explanatory notes set out more detailed information about each provision's territorial extent and application.²⁰

4. What happened in the House of Commons?

4.1 Second reading debate

The bill received its second reading in the House of Commons on 8 June 2022.²¹ Introducing the bill on behalf of the government, Secretary of State for Levelling Up, Housing and Communities Michael Gove said the bill:

[...] looks specifically at how we can ensure that the government's levelling-up missions laid out in our white paper published in February can be given effect, how we can have a planning system that priorities urban regeneration and the use of brownfield land, and how we can strengthen our democratic system overall.²²

Speaking on behalf of the Labour Party, Shadow Secretary of State for Levelling Up, Housing, Communities and Local Government Lisa Nandy criticised the provisions in part 1 concerning the levelling up missions which she said would allow the government to "tear up those missions on a whim".²³ She also alleged that the bill contained "more aimed at dealing with housing and planning than it does on levelling up, democracy and

¹⁸ For information on the proposed timeframe for the short lets registration scheme, see: House of Commons, [Written question: Holiday Accommodation: Licensing](#), 13 December 2022, 109636.

¹⁹ [Explanatory notes](#), pp 23–4.

²⁰ [Explanatory notes](#), pp 23–5 and 266–72.

²¹ [HC Hansard, 8 June 2022, cols 821–916](#).

²² [HC Hansard, 8 June 2022, col 821](#).

²³ [HC Hansard, 8 June 2022, col 836](#).

devolution”. Later on in the debate, shadow minister Alex Norris said that the Labour Party would “not seek to stand in the way of the bill at this stage”.²⁴ However, he cautioned that “significant changes and additions will be necessary if it is to deliver the change that communities up and down the country are waiting for”.

The SNP’s spokesperson Patricia Gibson criticised the provisions in part I on the basis that the government had “given themselves the power to move the goalposts and change targets that look as if they will not be met”.²⁵ Ms Gibson later added that the bill was a “blunt instrument to attack devolved powers”.²⁶

Speaking on behalf of the Liberal Democrats, Tim Farron characterised the bill as a missed opportunity, adding that it felt like an “unambitious planning bill”.²⁷ He said there were “huge environmental, housing and planning control crises to be solved” for which the bill was an inadequate response.

4.2 Committee stage

The government sought a relatively small number of changes to the bill at committee stage, which took place over 27 sittings held between 21 June and 20 September 2022.²⁸ Together with minor technical and drafting amendments, the main changes—agreed to without division—included:

- an amendment to schedule 11 to allow the infrastructure levy to be spent on non-infrastructure items²⁹
- a new clause to change how prospects of planning permission are considered when assessing land value for purposes of compulsory purchase compensation³⁰
- new clauses setting a shorter deadline for the examination of applications for development consent orders and making provision about the decision-making process for non-material changes to development consent orders³¹

²⁴ [HC Hansard, 8 June 2022, col 908.](#)

²⁵ [HC Hansard, 8 June 2022, col 847.](#)

²⁶ [HC Hansard, 8 June 2022, col 849.](#)

²⁷ [HC Hansard, 8 June 2022, col 855.](#)

²⁸ House of Commons Library, ‘[Levelling-up and Regeneration Bill 2022–23: Progress of the bill](#)’, 9 November 2022, p 7. See also: House of Commons, ‘[Levelling-up and Regeneration Bill: Committee stage decisions](#)’, 20 October 2022.

²⁹ House of Commons, ‘[Levelling-up and Regeneration Bill: Committee stage decisions](#)’, 20 October 2022, pp 53–4.

³⁰ House of Commons, ‘[Levelling-up and Regeneration Bill: Committee stage decisions](#)’, 20 October 2022, p 80.

³¹ House of Commons, ‘[Levelling-up and Regeneration Bill: Committee stage decisions](#)’, 20 October 2022, pp 79–80.

No non-government amendments were accepted. A large number of opposition amendments, including proposed new clauses, were either withdrawn after debate, defeated on division, not called or not selected. The following House of Commons Library briefing includes a detailed summary of withdrawn or defeated opposition amendments:

- House of Commons Library, '[Levelling-up and Regeneration Bill 2022–23: Progress of the bill](#)', 9 November 2022

In addition, a full list of amendments considered and their outcomes can be found in the following committee stage decision summary document:

- House of Commons, '[Levelling-up and Regeneration Bill \(committee stage decisions\)](#)', 20 October 2022

4.3 Government statements ahead of report stage sittings

Ahead of both the bill's first and second days at report stage, Secretary of State for Levelling Up, Housing and Communities Michael Gove made written statements in which he explained the rationale for proposed changes to the bill. These statements trailed the changes that would later be made during proceedings at report stage in the House of Commons.

In the first, issued on 17 November 2022, Mr Gove said that changes would be brought forward to the devolution provisions in part 2:

The amendments clarify that there is no possibility of district councils in two tier authorities having their functions taken away from them and given to combined county authorities. The amendments also enhance powers for mayors to manage their key routes networks to increase transport connectivity, and will enable stronger partnership working between police and crime commissioners and local government by removing a perceived barrier to commissioners participating in local government committee meetings.³²

Mr Gove went on to explain that a series of changes would also be made to the planning provisions in the bill. He said the government's planning reforms were based on five key principles: beauty, infrastructure, democracy, environmental and neighbourhoods. He elaborated on the changes as follows (bolded words in original):

It is vital that the places we build are **beautiful**, durable and sustainable. I am already taking steps through the bill to ensure that

³² House of Commons, '[Written statement: An update on the Levelling-up and Regeneration Bill](#)', 17 November 2022, HCWS375.

every local authority has a design code which can set high standards that reflect local views. National policy has also been strengthened to make clear that development which is not well designed should be refused. I will announce more details shortly about how the Office for Place—our new body which will uphold high aesthetic standards in architecture—will support authorities in this important work.

Development must also be accompanied by the **infrastructure** needed to support it. Alongside the proposals for a more streamlined and non-negotiable infrastructure levy which are already contained in the bill, our amendments will introduce powers to allow piloting of community land auctions. These would give local planning authorities new powers to capture value from land when it is allocated for development, which can then be used to enhance local infrastructure and services.

Strengthening local **democracy** is central to levelling up, and local communities rightly expect that permissions which they have democratically approved should be delivered. The amendments which I have laid add to the tools which local planning authorities can use to monitor and challenge slow delivery: by requiring developers to report annually on build-out of housing permissions, and giving them the power to decide whether to entertain future applications made by developers who have previously failed to build out existing planning permissions.

I am also firmly committed to enhancing our natural **environment** while enabling sustainable growth—and will further update the House of my plans to do so in due course. We are also creating a power for the secretary of state to give new charging powers to certain statutory consultees so that they have greater resources to engage more quickly with nationally significant infrastructure projects.

We are giving local people more opportunity to shape their **neighbourhoods** by introducing an amendment setting out the full range of powers needed for street votes, giving residents the ability to vote for additional housing where they feel it is appropriate on their street. I have also tabled an amendment implementing a recommendation from Richard Bacon [Conservative MP for South Norfolk]'s review into the self and custom build sector, removing an ambiguity around the statutory duty to permission land for self and custom-built housing; providing further opportunities for those who wish to build or commission their own home, and for the small- and medium-sized builders who are often part of this process, enabling communities to deliver the homes they want.³³

³³ House of Commons, [‘Written statement: An update on the Levelling-up and Regeneration](#)

Mr Gove added that a placeholder clause relating to vagrancy and begging would be removed from the bill. This had initially been included to act as a replacement for provisions in the Vagrancy Act 1824 ahead of their repeal under provisions in the Police, Crime, Sentencing and Courts Act 2022. Mr Gove said the current bill would no longer be used as a vehicle for this replacement. He added that responses to a consultation had provided a “useful basis to inform the shape of future replacement legislation” and that a response to the relevant consultation would be published in due course.³⁴

Mr Gove continued by listing a series of technical amendments which he said would improve the bill. He explained these included:

[...] making sure that development corporations can, where they are designated, take on certain supplementary planning functions where appropriate, so that their powers to drive regeneration and development are effective and up to date. The amendments also clarify the powers introducing high street rental auctions, to make it harder for those landlords who are sitting on empty premises to avoid their property being subject to an auction, and make sure these powers can address the blight of empty high street shops. We will also make sure that regulations for the compulsory purchase regime in clause 150, which require authorities to comply with data standards, will be subject to the negative parliamentary procedure. The amendments also add a ‘pre-consolidation’ clause to the bill. This technical measure will enable the future consolidation of over 40 different acts relating to planning and compulsory purchase law, making it much easier to access and understand for all users of the system.³⁵

In a second statement, published after the bill’s first day of report stage consideration on 23 November 2022 but ahead of a rescheduled second day, Mr Gove set out further changes that the government planned to bring forward.³⁶ Several of these focused on the planning system through changes to the national planning policy framework in England, including strengthening the role of local decision-making in determining housing needs. The government’s proposals were set out in further detail in a consultation

[Bill](#), 17 November 2022, HCWS375. See also: Ministry of Housing, Communities and Local Government, [‘Independent review into scaling up self-build and custom housebuilding: Report’](#), 21 August 2021.

³⁴ Department for Levelling Up, Housing and Communities, Home Office and Ministry of Justice, [Review of the Vagrancy Act: Consultation on effective replacement](#), 7 April 2022. At the time of writing the government had yet to publish a response. See also: House of Lords Library, [‘Decriminalising rough sleeping and begging: Calls for repealing the Vagrancy Act 1824’](#), 17 April 2020.

³⁵ House of Commons, [‘Written statement: An update on the Levelling-up and Regeneration Bill’](#), 17 November 2022, HCWS375.

³⁶ House of Commons, [‘Written statement: Update on the Levelling-up and Regeneration Bill’](#), 6 December 2022, HCWS415. See also: Department for Levelling Up, Housing and Communities, [‘Communities put at heart of planning system as government strengthens Levelling-up and Regeneration Bill’](#), 5 December 2022.

published on 22 December 2022.³⁷ This consultation is set to close on 2 March 2023. Other proposed changes to the bill concerned local plans, planning fees and a new tourist accommodation registration scheme.

The second package of changes, including those relating to the national planning policy framework, was reportedly brought forward in response to concerns raised by backbench Conservative MPs about housing targets and other matters including onshore wind.³⁸ For example, a new clause tabled by Theresa Villiers (Conservative MP for Chipping Barnet) attracted support from a large number of Conservative backbench MPs.³⁹ Ms Villiers' proposed new clause, supported by Bob Seely (Conservative MP for the Isle of Wight) and others, would have prohibited mandatory housing targets and abolished the five-year land supply rule applicable to local authorities. In a statement on her website, Ms Villiers said that "intensive discussions" with ministers had resulted in a compromise that would "give us a better planning system and help deliver the right homes in the right places".⁴⁰ The proposed clause was subsequently withdrawn alongside several other proposed new clauses.

In a third statement published ahead of the bill's second day of report stage, Mr Gove announced that a series of devolution deals had been agreed subject both to provisions in the bill becoming law and local consent.⁴¹ These included a new mayoral CCA for part of the east Midlands covering Derby, Derbyshire, Nottingham and Nottinghamshire, and new county deals for Cornwall, Norfolk and Suffolk. Mr Gove said a further deal had been agreed with York and North Yorkshire earlier in the year and that negotiations on a devolution deal for north-east England were at an "advanced" stage. The latter was subsequently agreed and details were announced on 28 December 2022.⁴²

4.4 Report stage

In total, the government sought and received support for 25 new clauses and the removal of one clause during the bill's report stage, which took place over two sittings on 23 November and 13 December 2022.⁴³ (A second day

³⁷ Department for Levelling Up, Housing and Communities, '[Levelling-up and Regeneration Bill: Reforms to national planning policy](#)', 22 December 2022.

³⁸ See for example: Alain Tolhurst, '[Government's double climbdown exposes 'varied' whipping operation, MP says](#)', PoliticsHome, 7 December 2022.

³⁹ See NC21: House of Commons, '[Levelling-up and Regeneration Bill, as amended \(amendment paper\)](#)', 2 December 2022, p 68.

⁴⁰ Theresa Villiers, '[Villiers secures planning reform to give local communities a greater say in what gets built](#)', 6 December 2022.

⁴¹ House of Commons, '[Written statement: Devolution in England](#)', 8 December 2022, HCWS424.

⁴² Department for Levelling Up, Housing and Communities, '[Historic £1.4 billion devolution deal for north-east](#)', 28 December 2022.

⁴³ [HC Hansard, 23 November 2022, cols 331–408](#); and [HC Hansard, 13 December 2022, cols 917–1082](#).

had been initially scheduled for 28 November 2022 but was subsequently delayed pending the outcome of discussions between ministers and others). Many of these had been trailed in Mr Gove's written statements.

In addition, 48 further government amendments were accepted. Some of these were technical or consequential amendments, while a smaller number were substantive changes or additions. No opposition amendments were accepted during report stage.

4.4.1 Government amendments

The following clauses were added to the bill without division:⁴⁴

- **Clauses 22, 60 and 71** in part 2 of the bill, which concern respectively the designation of key route network roads in CCA areas; functions in respect of these roads; and clarifying that police and crime commissioners may participate in local authority committee meetings where business does not relate to fire and rescue matters.
- **Clauses 100, 105 and 106** in chapter 4 of part 3 of the bill concerning the grant and implementation of planning permission. In particular, clause 100 would permit the levying of the community infrastructure levy on development consented to through street vote development orders; clause 105 would grant local planning authorities a new discretionary power to decline to determine planning applications where earlier planning permission on the same site was not pursued at a satisfactory pace; and clause 106 would introduce a new requirement for developers to provide local planning authorities with information about the actual and projected delivery of new homes on sites with residential planning permission.
- **Clauses 115, 118 and 123** in chapter 6 of part 3 of the bill about other provision in respect of planning. Clause 115 seeks to clarify what planning permissions should be counted by a relevant authority to satisfy self-build and custom housebuilding demands; clause 118 would make provision for certain public authorities to charge for their services in connection with nationally significant infrastructure projects; and clause 123 would enable the secretary of state to make changes to the law relating to planning, development and compulsory purchase to consolidate some or all of that law.
- **Clauses 127 to 137**, comprising part 5 of the bill. These provisions concern community land auction pilots and would temporarily permit participating local planning authorities to

⁴⁴ House of Commons, '[Levelling-up and Regeneration Bill \(report stage decisions\)](#)', 13 December 2022; and [Explanatory notes](#), pp 29–253.

invite landowners to grant options over land with a view to the land being allocated for development in the next local plan for the authority's area.

- **Clauses 156, 157 and 158**, comprising part 7 of the bill concerning nutrient pollution standards applicable to certain sewage disposal works. They would allow the secretary of state to designate catchment areas for certain habitat sites polluted by nitrogen and/or phosphorus. They would also require sewerage undertakers, unless exempted, to ensure that treated effluent discharged into such catchments meets specified standards.
- **Clause 210**, which would require the secretary of state to make regulations for a new registration scheme for short-term rental properties in England.
- **Clause 214**, which would create new fee charging powers related to the monitoring, variation, and/or transfer of a marine licence and certain connected expenses. These would replace expired powers conferred under the Public Bodies Act 2011.

In addition, MPs accepted a new schedule (schedule 12) to accompany new part 7 of the bill.

One clause, a placeholder clause concerning vagrancy and begging, was removed from the bill in line with Mr Gove's earlier statements.

Alongside technical and consequential changes, other government amendments accepted at report stage included those relating to rental auctions, development corporations, the territorial extent of certain provisions, the procedure applicable to certain regulations, and commencement timeframes.

4.4.2 Opposition views and proposals

The Labour Party expressed a range of concerns about the bill at report stage. Labour spokespersons reiterated their view that the bill was a "missed opportunity" and was primarily a planning bill rather than representing "genuinely transformative change".⁴⁵ Further criticisms concerned:⁴⁶

- the delay accompanying the publication of the government's impact assessment for the bill, which the Regulatory Policy Committee deemed fit for purpose in July 2022
- the provisions in part 1 of the bill allowing the government to "mark their own homework" on the levelling up missions

⁴⁵ [HC Hansard, 23 November 2022, col 343.](#)

⁴⁶ See [HC Hansard, 23 November 2022, cols 343–48](#) and [HC Hansard, 13 December 2022, cols 963–72.](#)

- the absence of “Office for Budget Responsibility-style external, high-quality scrutiny” of the government’s efforts to reduce geographical disparities
- provisions in part 2 that could allow CCA mayors to assume police and crime commissioner powers unilaterally
- the absence of provision to allow a “proper community right to buy important assets, high street or otherwise”
- provisions in chapter 2 of part 3 concerning the future relationship between local development plans and national planning policy
- the proposed infrastructure levy potentially disadvantaging local authorities which may believe the existing system of developer contributions may be more suitable for their areas
- an alleged lack of evidence the infrastructure levy would result in more affordable housing
- perceived loopholes in the provisions about environmental outcomes reports

Two proposed new clauses and three amendments tabled by the Labour Party frontbench were defeated on division during report stage.⁴⁷

- **New clause 41** aimed to commit the government to fully fund combined authority and CCA projects they had committed to in cases where costs rose due to inflation.
- **New clause 98** sought to place an overarching duty on the secretary of state, local planning authorities and those involved in neighbourhood plan-making to “achieve the mitigation and adaptation of climate change when preparing plans and policies or exercising their functions in planning decision-making”.
- **Amendment 14** would have removed the “provision in the bill allowing a minister to make changes to [levelling up] mission progress methodology and metrics or target dates”.
- **Amendment 78** would have given “precedence to local development plans over national policies, reversing the current proposal”.
- **Amendment 84** would have required infrastructure levy rates to be set at “such a level as to meet the level of affordable housing need specified in a local development plan”.

In addition, two new clauses tabled by Tim Farron were defeated on division.⁴⁸ Mr Farron was the Liberal Democrats’ spokesperson on housing,

⁴⁷ House of Commons, ‘[Levelling-up and Regeneration Bill \(report stage decisions\)](#)’, 13 December 2022, pp 7–147.

⁴⁸ House of Commons, ‘[Levelling-up and Regeneration Bill \(report stage decisions\)](#)’, 13 December 2022, pp 8 and 116.

communities and local government until after the bill's second reading and was also a member of the public bill committee.

- **New clause 46** would have required the secretary of state to review the business rates system.
- **New clause 120** would have amended the Town and Country Planning (Use Classes) Order 1987 to insert new use classes for second homes.

A new clause proposed by Margaret Greenwood (Labour MP for Wirral West) would have required the government to include a target to reduce geographical disparities in adult literacy as one of its levelling up missions. The proposed new clause was defeated on division.⁴⁹

A large number of proposed new clauses and other amendments were either not selected, not called or not moved. This included proposals from Clive Betts, chair of the House of Commons Levelling Up, Housing and Communities Committee and Labour MP for Sheffield South East.

A full list of the amendments considered by MPs at report stage and their outcomes can be found in the following report stage decision summary document:

- House of Commons, [Levelling-up and Regeneration Bill \(report stage decisions\)](#), 13 December 2022

During report stage proceedings, Dehenna Davison, a parliamentary under secretary of state at the Department for Levelling Up, Housing and Communities, said the government intended to table further amendments to the bill in the House of Lords. She said these would address “circumstances in which authorities have to pay hope value when they compulsorily purchase land in an effort to regenerate their area”.⁵⁰

4.5 Third reading

During a brief exchange at third reading, Mr Gove said the bill had been “improved by the great contribution of many great back benchers”.⁵¹

⁴⁹ House of Commons, ‘[Levelling-up and Regeneration Bill \(report stage decisions\)](#)’, 13 December 2022, p 13.

⁵⁰ [HC Hansard, 23 November 2022, col 343](#). See also, for example: Savills, ‘[In plain English: Hope value](#)’, 3 August 2017.

⁵¹ [HC Hansard, 13 December 2022, col 1082](#).

For the Labour Party, Ms Nandy concluded as follows:

We started by saying that this was a levelling up bill with no levelling up in it—it was just a housing bill. Then the government stripped out the housing, and now we are left with just a bill. Nevertheless, we will make good on our promises and see the bill through.

5. Read more

Parliamentary material

- UK Parliament, '[Levelling-up and Regeneration Bill](#)', accessed 4 January 2023 (see the documents under 'written evidence' for evidence submitted ahead of the bill's committee stage)
- House of Commons Library, '[Levelling-up and Regeneration Bill 2022–23: Progress of the bill](#)', 9 November 2022; and '[Levelling-up and Regeneration Bill 2022–23](#)', 1 June 2022
- House of Commons Levelling Up, Housing and Communities Committee, '[The future of the planning system in England](#)', 10 June 2021, HC 38 of session 2021–22; '[Government response](#)', 17 May 2022, CP 673; and '[Funding for levelling up](#)', accessed 4 January 2023

Government material

- Department for Levelling Up, Housing and Communities, '[Communities put at heart of planning system as government strengthens Levelling-up and Regeneration Bill](#)', 5 December 2022
- Department for Levelling Up, Housing and Communities, '[Impact assessment for the Levelling-up and Regeneration Bill](#)' and '[Impact assessment annexes](#)', 12 December 2022
- Department for Levelling Up, Housing and Communities, '[Memorandum concerning the delegated powers in the bill for the Delegated Powers and Regulatory Reform Committee](#)', 20 December 2022
- Department for Levelling Up, Housing and Communities, '[Levelling-up and Regeneration Bill: Reforms to national planning policy \(open consultation\)](#)', 22 December 2022
- Department for Levelling Up, Housing and Communities, '[Levelling-up and Regeneration Bill](#)', updated 5 July 2022

Other briefing material

- Local Government Association, '[Levelling-up and Regeneration Bill: Remaining stages on 23 and 28 November 2022](#)', 22 November 2022; and '[Levelling-up and Regeneration Bill: Remaining stages on 13 December 2022](#)', 9 December 2022
- Town and Country Planning Association, '[The Levelling-up and Regeneration Bill: A decisive shift of power to Whitehall](#)', 12 May 2022
- Royal Town Planning Institute, '[Levelling up](#)', accessed 4 January 2023

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