

Infrastructure Bill [HL]

COMMONS AMENDMENTS

[The page and line references are to Bill 124, the bill as first printed for the Commons.]

After Clause 3

1 Insert the following new Clause –

“Route strategies

- (1) The Secretary of State must from time to time direct a strategic highways company to prepare proposals for the management and development of particular highways in respect of which the company is appointed (“a route strategy”).
- (2) A route strategy must relate to such period as the Secretary of State may direct.
- (3) The strategic highways company must –
 - (a) comply with a direction given to it under subsection (1), and
 - (b) publish the route strategy in such manner as the company considers appropriate.
- (4) A direction under subsection (1) must be published by the Secretary of State in such manner as he or she considers appropriate.”

Clause 9

- 2** Page 6, line 28, at end insert “, and
 - (c) the effect of directions and guidance given by the Secretary of State to a strategic highways company under this Part.”
- 3** Page 6, line 42, at end insert –

“(8) The Secretary of State must lay a report published by the Office under this section before Parliament.”
- 4** Page 6, line 42, at end insert –

“(9) In Part 2 (Office of Rail Regulation) of the Railways and Transport Safety Act 2003, after section 15 insert –

“15A Change of name

- (1) The Secretary of State may by regulations make provision for the body established by section 15 to be known by a different name.
- (2) Regulations under this section may amend this Act or any other enactment, whenever passed or made.
- (3) Regulations under this section are to be made by statutory instrument.
- (4) A statutory instrument which contains regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

After Clause 12

5 Insert the following new Clause –

“Periodic reports by the Secretary of State

- (1) The Secretary of State must from time to time prepare and publish reports on the manner in which a strategic highways company exercises its functions.
- (2) The Secretary of State must lay a report prepared under subsection (1) before Parliament.”

After Clause 18

6 Insert the following new Clause –

“Cycling and Walking Investment Strategies

- (1) The Secretary of State may at any time –
 - (a) set a Cycling and Walking Investment Strategy for England, or
 - (b) vary a Strategy which has already been set.
- (2) A Cycling and Walking Investment Strategy is to relate to such period as the Secretary of State considers appropriate; but a Strategy for a period of more than five years must be reviewed at least once every five years.
- (3) A Cycling and Walking Investment Strategy must specify –
 - (a) objectives to be achieved during the period to which it relates, and
 - (b) the financial resources to be made available by the Secretary of State for the purpose of achieving those objectives.
- (4) The objectives to be achieved may include –
 - (a) activities to be performed;
 - (b) results to be achieved;
 - (c) standards to be met.

- (5) Before setting or varying a Cycling and Walking Investment Strategy the Secretary of State must consult such persons as he or she considers appropriate.
- (6) In considering whether to vary a Cycling and Walking Investment Strategy the Secretary of State must have regard to the desirability of maintaining certainty and stability in respect of Cycling and Walking Investment Strategies.
- (7) A Cycling and Walking Investment Strategy must be published in such manner as the Secretary of State considers appropriate.
- (8) Where a Cycling and Walking Investment Strategy has been published the Secretary of State must from time to time lay before Parliament a report on progress towards meeting its objectives.
- (9) If a Cycling and Walking Investment Strategy is not currently in place, the Secretary of State must—
 - (a) lay before Parliament a report explaining why a Strategy has not been set, and
 - (b) set a Strategy as soon as may be reasonably practicable.”

Clause 20

- 7 Page 13, line 8, at end insert “or
 (c) a person who for the time being exercises powers of management or control over the land.”
- 8 Page 14, line 23, at end insert—
 “Notice of compliance
- 8A Where an environmental authority considers that an owner of premises has complied with all the requirements in a species control agreement to carry out species control operations, the authority must give the owner notice to that effect.”

Clause 21

- 9 Page 23, line 4, at end insert—
 “NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.”
- 10 Page 23, line 8, at end insert—
 “Beaver, Eurasian (but not in relation to Wales) Castor fiber”
- 11 Page 23, line 9, at end insert—
 “NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.”

After Clause 26

12 Insert the following new Clause –

“Mayoral development orders

- (1) Schedule (*Mayoral development orders*) (Mayoral development orders) has effect.
- (2) The Secretary of State may by regulations make consequential provision in connection with any provision made by that Schedule.
- (3) Regulations under this section may amend, repeal, revoke or otherwise modify the application of any enactment (but, in the case of an Act, only if the Act was passed before the end of the Session in which this Act is passed).
- (4) In this section “enactment” includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978.”

Clause 28

13 Page 33, line 21, leave out “which is” and insert “the freehold interest in which was”

After Clause 28

14 Insert the following new Clause –

“Expenditure of Greater London Authority on housing or regeneration

- (1) In section 31 of the Greater London Authority Act 1999 (limits of the general power) after subsection (5A) insert –
 - “(5B) Nothing in subsection (1)(a) above shall be taken to prevent the Authority incurring expenditure in doing anything for the purposes of, or relating to, housing or regeneration.”
- (2) The amendment made by subsection (1) applies in relation to expenditure incurred before as well as after the coming into force of this section.”

Clause 38

15 Page 45, line 23, leave out subsection (5)

Clause 39

16 Page 46, line 12, leave out “or delict”

Clause 42

17 Page 47, line 39, leave out “the Scottish Ministers or”

Clause 43

- 18 Page 48, line 34, leave out from “area” to end of line 36 and insert “means those parts of the landward area (within the meaning of the Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014) that are in England and Wales or are beneath waters (other than waters adjacent to Scotland);”
- 19 Page 48, line 46, leave out from beginning to end of line 47

After Clause 43

- 20 Insert the following new Clause –

“Advice on likely impact of onshore petroleum on the carbon budget

- (1) The Secretary of State must from time to time request the Committee on Climate Change to provide advice (in accordance with section 38 of the CCA 2008) on the impact which combustion of, and fugitive emissions from, petroleum got through onshore activity is likely to have on the Secretary of State’s ability to meet the duties imposed by –
- (a) section 1 of the CCA 2008 (net UK carbon account target for 2050), and
 - (b) section 4(1)(b) of the CCA 2008 (UK carbon account not to exceed carbon budget).
- (2) As soon as practicable after each reporting period, the Secretary of State must produce a report setting out the conclusions that the Secretary of State has reached after considering the advice provided by the Committee on Climate Change during that reporting period in response to any request made under subsection (1).
- (3) The Secretary of State must lay a copy of any such report before Parliament.
- (4) In this section –
- “CCA 2008” means the Climate Change Act 2008;
 - “petroleum got through onshore activity” means petroleum got from the strata in which it exists in its natural condition by activity carried out on land in England and Wales (excluding land covered by the sea or any tidal waters);
 - “petroleum” has the same meaning as in Part 1 of the Petroleum Act 1998 (see section 1 of that Act);
 - “reporting period” means –
 - (a) the period ending with 1 April 2016, and
 - (b) each subsequent period of 5 years.”

- 21 Insert the following new Clause –

“Hydraulic fracturing: necessary conditions

Any hydraulic fracturing activity can not take place:

- (a) unless an environmental impact assessment has been carried out;
- (b) unless independent inspections are carried out of the integrity of wells used;

- (c) unless monitoring has been undertaken on the site over the previous 12 month period;
- (d) unless site-by-site measurement, monitoring and public disclosure of existing and future fugitive emissions is carried out;
- (e) in land which is located within the boundary of a groundwater source protection zone;
- (f) within or under protected areas;
- (g) in deep-level land at depths of less than 1,000 metres;
- (h) unless planning authorities have considered the cumulative impact of hydraulic fracturing activities in the local area;
- (i) unless a provision is made for community benefit schemes to be provided by companies engaged in the extraction of gas and oil rock;
- (j) unless residents in the affected area are notified on an individual basis;
- (k) unless substances used are subject to approval by the Environment Agency;
- (l) unless land is left in a condition required by the planning authority; and
- (m) unless water companies are consulted by the planning authority.”

After Clause 44

22 Insert the following new Clause –

“Reimbursement of persons who have met expenses of making electrical connections

- (1) The Electricity Act 1989 is amended in accordance with this section.
- (2) In section 19 (power to recover expenditure) –
 - (a) omit subsections (2) and (3);
 - (b) after subsection (3) insert –
 - “(3A) Schedule 5B (reimbursement of persons who have met expenses) has effect.”;
 - (c) in subsection (4), after “this section” insert “and Schedule 5B”.
- (3) After Schedule 5A insert –

“SCHEDULE 5B

REIMBURSEMENT OF PERSONS WHO HAVE MET EXPENSES

Power to make regulations

- 1 (1) The Secretary of State may, by regulations, make provision entitling the relevant electricity distributor to exercise the reimbursement powers in cases where conditions A, B, C and D are met.

- (2) Condition A is met if any electric line or electrical plant is provided for the purpose of making a connection (the “first connection”) –
 - (a) between premises and a distribution system, or
 - (b) between two distribution systems.
- (3) Condition B is met if a payment in respect of first connection expenses is made by one or more of the following persons –
 - (a) a person requiring the first connection in pursuance of section 16(1);
 - (b) a person who otherwise causes the first connection to be made (including by means of contractual arrangements).
- (4) Condition C is met if any electric line or electric plant provided for the purpose of making the first connection is used for the purpose of making another connection (the “second connection”) –
 - (a) between premises and a distribution system, or
 - (b) between two distribution systems.
- (5) Condition D is met if the second connection is made within the prescribed period after the first connection was made.
- (6) “First connection expenses” are any expenses reasonably incurred by a person in providing any electric line or electric plant for the purpose of making the first connection.
- (7) It does not matter whether the first connection, or the second connection, is made by an electricity distributor or a person of another description.

The reimbursement powers

- 2 (1) The “reimbursement powers” are –
 - (a) the power to demand a reimbursement payment from –
 - (i) a person requiring the second connection in pursuance of section 16(1), or
 - (ii) a person who otherwise causes the second connection to be made (including by means of contractual arrangements); and
 - (b) the power to apply the reimbursement payment in making such payments as may be appropriate towards reimbursing any persons for any payments they were previously required to make in respect of first connection expenses (whether that requirement arose by virtue of paragraph (a) or otherwise).
- (2) A “reimbursement payment” is a payment, of such amount as may be reasonable in all the circumstances, in respect of first connection expenses.

Other provision about regulations under this Schedule

- 3 (1) The Secretary of State must consult the Authority before making regulations under this Schedule.

- (2) Regulations under this Schedule may make provision requiring relevant electricity distributors to exercise a reimbursement power (whether in all cases or in cases provided for in the regulations).
- (3) Regulations under this Schedule may make provision for the relevant electricity distributor to establish or estimate the amount of first connection expenses – or an amount of any aspect of those expenses – in cases where that distributor is not the person who made the first connection.
- (4) Regulations under sub-paragraph (3) may not require any person to supply the relevant electricity distributor with information about any expenses incurred.
- (5) Regulations under sub-paragraph (3) may provide for an estimate of an amount of first connection expenses to be calculated by a relevant electricity distributor by reference only to a combination of –
 - (a) expenses which that distributor would incur if that distributor were making the connection at the time of the estimate, and
 - (b) changes in prices since the time when the connection was actually made.

Interpretation

- 4 (1) In this Schedule –
 - “first connection” has the meaning given in paragraph 1;
 - “first connection expenses” has the meaning given in paragraph 1;
 - “reimbursement payment” has the meaning given in paragraph 2;
 - “reimbursement powers” has the meaning given in paragraph 2;
 - “relevant electricity distributor”, in relation to the exercise of a reimbursement power, means –
 - (a) in a case where the first connection was made between premises and a distribution system, the electricity distributor that (at the time of the exercise of the power) operates that distribution system;
 - (b) in a case where the first connection was made between two distribution systems, the electricity distributor that (at the time of the exercise of the power) operates the distribution system into which the first connection has been, or is expected to be, incorporated.
- (2) A reference in this Schedule to a payment in respect of first connection expenses includes a reference to such a payment made in pursuance of section 19(1).”

- (4) In section 16 (duty to connect on request), in subsection (4), after “23” insert “and Schedule 5B”.
- (5) In section 16A (procedure for requiring a connection), in subsection (5)(b) –
- (a) omit “or regulations under section 19(2)”;
 - (b) after “19(2)” insert “or regulations under Schedule 5B”.
- (6) In section 23 (determination of disputes) –
- (a) after subsection (1) insert –
 - “(1ZA) This section also applies to any dispute arising under regulations under Schedule 5B between –
 - (a) an electricity distributor, and
 - (b) a person in respect of whom the electricity distributor exercises the reimbursement powers conferred by the regulations.”;
 - (b) after subsection (1C) insert –
 - “(1D) No dispute arising under regulations under Schedule 5B may be referred to the Authority after the end of the period of 12 months beginning with the time when the second connection (within the meaning of Schedule 5B) is made.”;
 - (c) after subsection (2) insert –
 - “(2A) Where a dispute arising under regulations under Schedule 5B falls to be determined under this section, the Authority may give directions as to the circumstances in which, and the terms on which, an electricity distributor is to make or (as the case may be) to maintain the second connection (within the meaning of Schedule 5B) pending the determination of the dispute.”;
 - (d) in subsection (4), after “(2)” insert “, (2A)”.

After Clause 45

23 Insert the following new Clause –

“Power to abolish Public Works Loan Commissioners

In the Public Bodies Act 2011, in Schedule 1 (power to abolish: bodies and offices), after “Plant Varieties and Seeds Tribunal.” insert –
 “Public Works Loan Commissioners.””

Clause 46

24 Page 52, line 32, after “17” insert “(1)(a)”

25 Page 52, line 32, after “17” insert “, (Mayoral development orders)”

Clause 47

26 Page 53, line 18, at end insert –

- “() Part 1A (Cycling and Walking Investment Strategies) extends to England and Wales only.”
- 27 Page 53, line 27, leave out first “section” and insert “sections (*Mayoral development orders*)(2) to (4)”
- 28 Page 53, line 27, leave out “28(11) and (12)” and insert “, 28(11) and (12) and (*Expenditure of Greater London Authority on housing or regeneration*)(2)”
- 29 Page 53, line 31, leave out “sections 38 to 43”
- 30 Page 53, line 32, after “45” insert “, section (*Reimbursement of persons who have met expenses of making electrical connections*)”
- 31 Page 53, line 33, leave out “and”
- 32 Page 53, line 34, leave out “extends” and insert “and section (*Advice on likely impact of onshore petroleum on the carbon budget*) extend”
- 33 Page 53, line 35, at end insert “, and
() sections 38 to 43 extend to England and Wales only.”
- 34 Page 53, line 35, at end insert –
“() Part 5A (Public Works Loan Commissioners) extends to England and Wales, Scotland and Northern Ireland.”

Clause 48

- 35 Page 53, line 42, at end insert –
“() Part 1A (Cycling and Walking Investment Strategies) comes into force on such day as the Secretary of State appoints by regulations.”
- 36 Page 54, line 16, leave out “section 26 comes” and insert “sections 26 and (*Expenditure of Greater London Authority on housing or regeneration*) come”
- 37 Page 54, line 16, after “passed” insert –
“(ca) section (*Mayoral development orders*) and Schedule (*Mayoral development orders*) come into force –
(i) in so far as they confer power to make provision by regulations or by development order within the meaning of the Town and Country Planning Act 1990, on the day on which this Act is passed, and
(ii) for all other purposes, on such day as the Secretary of State appoints by regulations,”
- 38 Page 54, line 24, leave out “43” and insert “(*Advice on likely impact of onshore petroleum on the carbon budget*)”
- 39 Page 54, line 26, after “37” insert “, section (*Reimbursement of persons who have met expenses of making electrical connections*)”
- 40 Page 54, line 29, at end insert –
“() Part 5A (Public Works Loan Commissioners) comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

- 41 Page 54, line 31, leave out “or (b)(ii)” and insert “, (b)(ii) or (ca)(ii)”

Clause 49

- 42 Page 54, line 41, leave out subsection (2)

Schedule 1

- 43 Page 69, line 17, at end insert –

“Public Records Act 1958 (c. 51)

67A In Schedule 1 to the Public Records Act 1958, in the table at the end of paragraph 3, at the appropriate place in Part 2 insert “A strategic highways company for the time being appointed under Part 1 of the Infrastructure Act 2014.”

Schedule 3

- 44 Page 87, line 5, at end insert –

“(1A) Where in accordance with a scheme a person employed by a transferor becomes an employee of a transferee, the scheme must provide for the transfer of all the rights and liabilities relating to the person’s contract of employment.”

- 45 Page 87, line 19, at end insert –

“(3A) No damages are payable by virtue of a constructive dismissal occurring under sub-paragraph (3) in respect of unpaid wages relating to a notice period which the employee has not worked.”

After Schedule 3

- 46 Insert the following new Schedule –

“MAYORAL DEVELOPMENT ORDERS

PART 1

MAIN AMENDMENTS

- 1 After section 61D of the Town and Country Planning Act 1990 insert –

“Mayoral development orders

61DA Mayoral development orders

- (1) The Mayor of London may by order (a Mayoral development order) grant planning permission for development specified in the order on one or more sites specified in the order.
- (2) The site or sites must fall within –
 - (a) the area of a local planning authority in Greater London, or

- (b) the areas of two or more local planning authorities in Greater London.
- (3) The Secretary of State may by development order specify an area or class of development in respect of which a Mayoral development order must not be made.

61DB Permission granted by Mayoral development order

- (1) Planning permission granted by a Mayoral development order may be granted—
 - (a) unconditionally, or
 - (b) subject to such conditions or limitations as are specified in the order.
- (2) A condition imposed by a Mayoral development order may provide for the consent, agreement or approval to a matter specified in the condition to be given by one or more persons specified in the condition.
- (3) A person specified in a condition must be the Mayor of London or a relevant local planning authority.
- (4) The Secretary of State may by development order provide that, if the consent, agreement or approval of a person required by a condition imposed by a Mayoral development order is not given within a specified period, that consent, agreement or approval may be sought from a specified person.
- (5) In subsection (4) “specified” means specified, or of a description specified, in the development order.
- (6) The Secretary of State may by development order make provision for a person to apply for planning permission for the development of land without complying with a condition imposed on the grant of planning permission by a Mayoral development order.
- (7) A development order under subsection (6) may, in particular make provision similar to that made by section 73, subject to such modifications as the Secretary of State thinks appropriate.
- (8) So far as the context requires, in relation to—
 - (a) an application for the consent, agreement or approval of the Mayor of London to a matter specified in a condition imposed by a Mayoral development order, or
 - (b) the determination of such an application,any reference in an enactment to a local planning authority (however expressed) includes a reference to the Mayor.
- (9) For the purposes of this Act a local planning authority is a relevant local planning authority in relation to a Mayoral development order or proposed Mayoral development order if a site or part of a site to which the order or proposed order relates is within the authority’s area.

61DC Preparation and making of Mayoral development order

- (1) The Secretary of State may by development order make provision about the procedure for the preparation and making of a Mayoral development order.
- (2) A development order under subsection (1) may in particular make provision about—
 - (a) notice, publicity and inspection by the public;
 - (b) consultation with and consideration of views of such persons and for such purposes as are specified in the order;
 - (c) the making and consideration of representations.
- (3) A Mayoral development order may be made only in response to an application to the Mayor of London by each relevant local planning authority.
- (4) A proposed Mayoral development order may be consulted on only with the consent of each relevant local planning authority.
- (5) A Mayoral development order may not be made unless the order has been approved, in the form in which it is made, by each relevant local planning authority.
- (6) If the Mayor of London makes a Mayoral development order, the Mayor must send a copy to the Secretary of State as soon as is reasonably practicable after the order is made.

61DD Revision or revocation of Mayoral development order

- (1) The Mayor of London may at any time revise or revoke a Mayoral development order with the approval of each relevant local planning authority.
- (2) The Mayor of London must revise a Mayoral development order if the Secretary of State directs the Mayor to do so (and the requirement for the approval of each relevant local planning authority does not apply in those circumstances).
- (3) The Secretary of State may at any time revoke a Mayoral development order if the Secretary of State thinks it is expedient to do so.
- (4) The power under subsection (3) is to be exercised by order made by the Secretary of State.
- (5) If the Secretary of State revokes a Mayoral development order the Secretary of State must state the reasons for doing so.
- (6) The Secretary of State may by development order make provision about—
 - (a) the steps to be taken by the Secretary of State before giving a direction or making an order under this section;
 - (b) the procedure for the revision or revocation of a Mayoral development order.

- (7) A development order under subsection (6) may in particular make provision about—
- (a) notice, publicity and inspection by the public;
 - (b) consultation with and consideration of views of such persons and for such purposes as are specified in the order;
 - (c) the making and consideration of representations.

61DE Effect of revision or revocation on incomplete development

- (1) This section applies if planning permission for development granted by a Mayoral development order is withdrawn at a time when the development has been started but not completed.
- (2) For this purpose planning permission for development granted by a Mayoral development order is withdrawn—
 - (a) if the order is revoked under section 61DD, or
 - (b) if the order is revised under that section so that it ceases to grant planning permission for the development or materially changes any condition or limitation to which the grant of permission is subject.
- (3) The development may, despite the withdrawal of the permission, be completed, subject as follows.
- (4) If the permission is withdrawn because the Mayoral development order is revoked by the Mayor of London, the Mayor may make a determination that subsection (3) is not to apply in relation to development specified in the determination.
- (5) A determination under subsection (4) must be published in such manner as the Mayor of London thinks appropriate.
- (6) If the permission is withdrawn because the Mayoral development order is revoked by an order made by the Secretary of State under section 61DD, the order under that section may provide that subsection (3) is not to apply in relation to development specified in that order.
- (7) If the permission is withdrawn because the order is revised as mentioned in subsection (2)(b), the revised order may provide that subsection (3) is not to apply in relation to development specified in the order.
- (8) The power under this section to include provision in an order under section 61DD or a Mayoral development order may be exercised differently for different purposes.”

PART 2

CONSEQUENTIAL AMENDMENTS

- 2 The Town and Country Planning Act 1990 is amended as follows.
- 3 In section 56(5)(a) (time when development begun where planning permission granted by general or local development order) for “or a local

- development order” substitute “, a local development order or a Mayoral development order”.
- 4 In section 57(3) (planning permission not required for normal use of land where planning permission for development of land granted by development order etc) after “a local development order” insert “, a Mayoral development order”.
- 5 In section 58(1) (planning permission may be granted by development order etc) after “a local development order” insert “, a Mayoral development order”.
- 6 In section 62(2A) (applications for planning permission: references in subsections (1) and (2) to applications for planning permission to include applications under section 61L(2)) after “references to” in the second place insert “ –
- (a) applications for consent, agreement or approval as mentioned in section 61DB(2), and
 - (b) ”.
- 7 In section 65(3A) (notice etc of applications for planning permission: references in subsections (1) and (3) to applications for planning permission etc to include applications under section 61L(2) etc) after “references to” in the second place insert “ –
- (a) any application for consent, agreement or approval as mentioned in section 61DB(2) or any applicant for such consent, agreement or approval, and
 - (b) ”.
- 8 (1) Section 69 (register of applications etc) is amended as follows.
- (2) In subsection (1) (duty of local planning authority to keep register containing information about planning applications etc) after paragraph (c) insert –
- “(cza) Mayoral development orders;”.
- (3) In subsection (2)(b) (requirement for register to contain information about local development orders etc) after “local development order,” insert “Mayoral development order,”.
- 9 (1) Section 71 (consultations in connection with determinations under section 70) is amended as follows.
- (2) In subsection (2ZA) (references in subsections (1) and (2) to applications for planning permission to include applications under section 61L(2)) after “references to” in the second place insert “ –
- (a) an application for consent, agreement or approval as mentioned in section 61DB(2), and
 - (b) ”.
- (3) In subsection (3A) (disapplication of consultation requirement relating to caravan sites in case of neighbourhood development order) after “granted by” insert “a Mayoral development order or”.
- 10 In section 74(1ZA) (directions etc as to method of dealing with applications: references in subsections (1)(c) and (f) to planning permission etc to include approvals under section 61L(2) etc) –

- (a) in paragraph (a) after “reference to” in the second place insert “—
 - (i) a consent, agreement or approval as mentioned in section 61DB(2), and
 - (ii) ”, and
 - (b) in paragraph (b) after “references to” in the second place insert “—
 - (i) applications for consent, agreement or approval as mentioned in section 61DB(2), and
 - (ii) ”.
- 11 In section 77(1) (reference of applications to the Secretary of State)—
 - (a) for “approval” substitute “consent, agreement or approval”, and
 - (b) after “a local development order” insert “, a Mayoral development order”.
- 12 In section 78(1)(c) (right of appeal against refusal of application for approval under development order etc.) after “a local development order” insert “, a Mayoral development order”.
- 13 In section 88(9) (provision for permission for development in enterprise zones does not prevent planning permission from being granted by other means) after “a local development order” insert “, a Mayoral development order”.
- 14 In section 91(4)(a) (provisions about general condition limiting duration of planning permission do not apply to permission granted by development order etc) after “a local development order” insert “, a Mayoral development order”.
- 15 (1) Section 108 (compensation for refusal etc of planning permission formerly granted by development order etc) is amended as follows.
 - (2) In the heading after “local development order” insert “, Mayoral development order”.
 - (3) In subsection (1)—
 - (a) in paragraph (a) after “a local development order” insert “, a Mayoral development order”, and
 - (b) after “the local development order” insert “, the Mayoral development order”.
 - (4) After subsection (1) insert—
 - “(1A) Where section 107 applies in relation to planning permission granted by a Mayoral development order—
 - (a) subsection (1) of that section has effect as if it provided for a claim to be made to, and compensation to be paid by, the Mayor of London rather than the local planning authority, and
 - (b) subject to subsection (1B), sections 109 to 112 have effect where compensation is payable by the Mayor of London under section 107(1) as if references to the local planning authority (however expressed) were references to the Mayor of London.

- (1B) Subsection (1A)(b) does not apply to section 110(2) or (4).”
- (5) In subsection (2) –
- (a) after “a local development order” insert “, a Mayoral development order”, and
 - (b) after “revocation” in both places insert “, revision”.
- (6) In subsection (3B) after paragraph (b) insert –
- “(ba) in the case of planning permission granted by a Mayoral development order, the condition in subsection (3DA) is met, or”.
- (7) After subsection (3D) insert –
- “(3DA) The condition referred to in subsection (3B)(ba) is that –
- (a) the planning permission is withdrawn by the revocation or revision of the Mayoral development order,
 - (b) notice of the revocation or revision was published in the prescribed manner not less than 12 months or more than the prescribed period before the revocation or revision took effect, and
 - (c) either –
 - (i) the development authorised by the Mayoral development order had not begun before the notice was published, or
 - (ii) section 61DE(3) applies in relation to the development.”
- 16 In section 109(6) (apportionment of compensation for depreciation: interpretation) in the definition of “relevant planning decision” after “the local development order” insert “, the Mayoral development order”.
- 17 In section 171H(1)(a) (compensation for temporary stop notice: application where activity authorised by development order etc) after “a local development order” insert “, a Mayoral development order”.
- 18 In section 264(5)(ca) (land which is treated as operational land of a statutory undertaker by virtue of planning permission for its development granted by a local development order etc) after “a local development order” insert “, a Mayoral development order”.
- 19 (1) Section 303 (fees for planning applications etc) is amended as follows.
- (2) After subsection (1) insert –
- “(1ZA) The Secretary of State may by regulations make provision for the payment of a fee to –
- (a) the Mayor of London in respect of an application for consent, agreement or approval as mentioned in section 61DB(2) or the giving of advice about such an application;
 - (b) a specified person in respect of an application for consent, agreement or approval for which provision is made under section 61DB(4) or the giving of advice about such an application.”
- (3) After subsection (10) insert –

- “(10A) If the Mayor of London or a specified person calculates the amount of fees in pursuance of provision made by regulations under subsection (1ZA) the Mayor of London or the specified person must secure that, taking one financial year with another, the income from the fees does not exceed the cost of performing the function.”
- (4) After subsection (11) insert—
- “(12) In this section “specified person” means a person specified by development order under section 61DB(4).”
- 20 In section 305(1)(a) (contributions by Ministers towards compensation paid by local authorities) after “local authority” insert “, the Mayor of London”.
- 21 In section 324 (rights of entry) after subsection (1A) insert—
- “(1B) Any person duly authorised in writing by the Secretary of State, a local planning authority or the Mayor of London may at any reasonable time enter any land for the purpose of surveying it in connection with—
- (a) a proposal by a local planning authority to apply to the Mayor of London for the Mayor to make a Mayoral development order, or
- (b) a proposal by the Mayor of London to make a Mayoral development order.”
- 22 (1) Section 333 (regulations and orders) is amended as follows.
- (2) In subsection (4) after “61A(5)” insert “, 61DD(4),”.
- (3) In subsection (5) after “Wales),” insert “61DD(4),”.
- 23 In section 336(1) (interpretation) at the appropriate place insert—
- ““relevant local planning authority” is to be construed in accordance with section 61DB(9);”.

In the Title

- 47 Line 15, after “incentives;” insert “to make provision about the reimbursement of persons who have paid for electricity connections;”
- 48 Line 15, after “incentives;” insert “to make provision for enabling the Public Works Loan Commissioners to be abolished;”