

Housing and Planning Bill

Analysis of the application of Standing Order 83O in respect of Lords amendments

For the purposes of the Commons consideration of Lords amendments on 9 May 2016, the following is the Department's assessment of the application of Standing Order 83O in respect of the Lords amendments and of the amendments tabled by the government in lieu of Lords amendments.

Territorial application

1. Neither the Lords amendments nor the amendments in lieu would affect the territorial application of the Bill.
2. Apart from the amendment mentioned in paragraph 3 below, all of the Lords amendments and the amendments in lieu would apply to England only.
3. The drafting of Lords amendment 110 is not clear. However, that amendment appears to apply to England and Wales.

Subject matter and legislative competence of devolved administrations

4. All of the Lords amendments and amendments in lieu that apply to England deal, in general terms, with either housing or planning, which are within the competence of the National Assembly for Wales and the Scottish Parliament.
5. Lords amendment 110 deals with planning and drainage, which are within the competence of the Scottish Parliament.

The above assessment is presented in tabular form below.

Provision	England			Scotland		Northern Ireland	
	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Would the corresponding provision be within the competence of the National Assembly for Wales?	Applies to Scotland?	Would the corresponding provision be within the competence of the Scottish Parliament?	Applies to Northern Ireland?	Would the corresponding provision be within the competence of the Northern Ireland Assembly?
Lords amendments 10B, 47B, 47C, 97A, 97B, 108, 109B	Yes	No	Yes	No	Yes	No	Yes
Lords amendment 110	Yes	Yes	Yes	No	Yes	No	Yes