



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 10

#### LETTING BY LOCAL AUTHORITIES OF VACANT HIGH-STREET PREMISES

##### *General and supplementary provision*

PROSPECTIVE

#### **218 Interpretation of Part 10**

- (1) The following provisions apply for the purposes of this Part.
- (2) Each of the following is a local authority—
  - (a) a district council in England,
  - (b) a county council in England for any area for which there is no district council,
  - (c) a London borough council,
  - (d) the Common Council of the City of London, and
  - (e) the Council of the Isles of Scilly.
- (3) “Premises” means—
  - (a) the whole of a building that is designed or adapted to be used as a whole, or
  - (b) any part of a building that—
    - (i) is designed or adapted to be used separately from the other parts, or
    - (ii) could with reasonable adaptation be so used.
- (4) Premises are situated on a street if the building comprising or containing the premises—
  - (a) directly adjoins the street, or
  - (b) is separated from the street only by the curtilage of the building.

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 218. (See end of Document for details)*

- (5) “Street” means a street, within the meaning given by section 48(1) of the New Roads and Street Works Act 1991, to which the public have access on foot (whether by right or permission); and includes any part of a street.
- (6) “The landlord”, in relation to premises, means a person who—
- (a) is entitled to possession of the premises, and
  - (b) has sufficient interest in the premises to be capable of granting a tenancy of the premises of at least one year in duration.
- (7) For the purposes of subsection (6) as it applies in relation to—
- (a) the service of a final letting notice in the circumstances described in section 198(1)(c)(ii), and
  - (b) the operation of this Part following the service of such a notice,
- the tenancy, licence or agreement referred to in section 198(1)(c)(ii) is to be ignored.
- (8) “Short-term tenancy” means a tenancy for a term of at least one year but not exceeding five years.
- (9) References to the terms of a contract or tenancy include covenants, conditions and grants.
- (10) “Mortgagee” is to be read as if any charge or lien for securing money or money’s worth was a “mortgage”.
- (11) References to regulations are to regulations made by the Secretary of State.

#### Commencement Information

**II** S. 218 not in force at Royal Assent, see [s. 255\(7\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 218.