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Localism Act 2011

2011 CHAPTER 20

PART 5

COMMUNITY EMPOWERMENT

CHAPTER 3

ASSETS OF COMMUNITY VALUE

Miscellaneous

VALID FROM 21/09/2012

100 Local land charge

If land is included in a local authority's list of assets of community value—

- (a) inclusion in the list is a local land charge, and
- (b) that authority is the originating authority for the purposes of the Local Land Charges Act 1975.

101 Enforcement

- (1) The appropriate authority may by regulations make provision—
 - (a) with a view to preventing, or reducing the likelihood of, contraventions of section 95(1);
 - (b) as to the consequences applicable in the event of contraventions of section 95(1).
- (2) The provision that may be made under subsection (1) includes (in particular)—

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- (a) provision for transactions entered into in breach of section 95(1) to be set aside or to be ineffective;
 - (b) provision about entries on registers relating to land.
- (3) The provision that may be made under subsection (1) includes provision amending—
- (a) legislation, or
 - (b) an instrument made under legislation.
- (4) In subsection (3) “legislation” means—
- (a) an Act, or
 - (b) a Measure or Act of the National Assembly for Wales.

Commencement Information

II S. 101 in force for specified purposes at Royal Assent see s. 240(5)(f)

VALID FROM 21/09/2012

102 Co-operation

If different parts of any land are in different local authority areas, the local authorities concerned must co-operate with each other in carrying out functions under this Chapter in relation to the land or any part of it.

103 Advice and assistance in relation to land of community value in England

- (1) The Secretary of State may do anything that the Secretary of State considers appropriate for the purpose of giving advice or assistance—
- (a) to anyone in relation to doing any of the following—
 - (i) taking steps under or for purposes of provision contained in, or made under, this Chapter so far as applying in relation to England, or
 - (ii) preparing to, or considering or deciding whether to, take steps within sub-paragraph (i), or
 - (b) to a community interest group in relation to doing any of the following—
 - (i) bidding for, or acquiring, land in England that is included in a local authority's list of assets of community value,
 - (ii) preparing to, or considering or deciding whether or how to, bid for or acquire land within sub-paragraph (i), or
 - (iii) preparing to, or considering or deciding whether or how to, bring land within sub-paragraph (i) into effective use.
- (2) The things that the Secretary of State may do under this section include, in particular—
- (a) the provision of financial assistance to any body or other person;
 - (b) the making of arrangements with a body or other person, including arrangements for things that may be done by the Secretary of State under this section to be done by that body or other person.
- (3) In this section—

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- (a) the reference to giving advice or assistance includes providing training or education,
- (b) “community interest group” means a person who is a community interest group for the purposes of section 95(3) as a result of regulations made under section 95(6) by the Secretary of State, and
- (c) the reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).

104 Advice and assistance in relation to land of community value in Wales

- (1) The Welsh Ministers may do anything that they consider appropriate for the purpose of giving advice or assistance—
 - (a) to anyone in relation to doing any of the following—
 - (i) taking steps under or for purposes of provision contained in, or made under, this Chapter so far as applying in relation to Wales, or
 - (ii) preparing to, or considering or deciding whether to, take steps within sub-paragraph (i), or
 - (b) to a community interest group in relation to doing any of the following—
 - (i) bidding for, or acquiring, land in Wales that is included in a local authority's list of assets of community value,
 - (ii) preparing to, or considering or deciding whether or how to, bid for or acquire land within sub-paragraph (i), or
 - (iii) preparing to, or considering or deciding whether or how to, bring land within sub-paragraph (i) into effective use.
- (2) The things that the Welsh Ministers may do under this section include, in particular—
 - (a) the provision of financial assistance to any body or other person;
 - (b) the making of arrangements with a body or other person, including arrangements for things that may be done by the Welsh Ministers under this section to be done by that body or other person.
- (3) In this section—
 - (a) the reference to giving advice or assistance includes providing training or education,
 - (b) “community interest group” means a person who is a community interest group for the purposes of section 95(3) as a result of regulations made under section 95(6) by the Welsh Ministers, and
 - (c) the reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).

VALID FROM 21/09/2012

105 Crown application

This Chapter binds the Crown.

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