



Monken Hadley Common Act 2022

2022 CHAPTER ii

9 Leases

- (1) On and after the appointed day the Trust may grant or renew a lease of any part of the Common that is not registered common land to an owner or occupier of any land adjoining the Common.
- (2) A lease granted under subsection (1) may be for any period not exceeding 7 years and the period of any renewal may not exceed 7 years.
- (3) In exercising the power in subsection (1), the Trust must ensure that the land which is the subject of the lease will not be altered significantly in its appearance or in its use.
- (4) Before granting a lease under subsection (1), the Trust must consult such persons or bodies as it thinks appropriate (which must include any committee or group established by statute for the purpose of consultation about the management of the Common).
- (5) Part II of the Landlord and Tenant Act 1954 (which provides security of tenure for commercial tenancies) and section 5 of the Housing Act 1988 (which provides security of tenure for assured tenancies) do not apply to a lease granted under subsection (1).
- (6) The exercise of the power under subsection (1) is not a disposition falling within section 117(3) of the Charities Act 2011 and nothing in this section affects the application of sections 117 to 123 of the Charities Act 2011 in relation to the Trust.
- (7) In subsection (1) “registered common land” means—
 - (a) land which is registered as common land under the Commons Registration Act 1965 and whose registration under that Act has become final; and
 - (b) land which is registered as common land under Part 1 of the Commons Act 2006.