



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 10

LETTING BY LOCAL AUTHORITIES OF VACANT HIGH-STREET PREMISES

Powers to obtain information

210 Power to require provision of information

- (1) This section applies in relation to premises that are situated on a designated high street or within a designated town centre.
- (2) The local authority for the area in which the premises are situated may, in writing, require any interested person to give information about the premises to the authority.
- (3) In subsection (2), “interested person” means a person who appears to the local authority to have an interest in the land in which the premises are comprised.
- (4) For the purposes of subsection (2), information about premises includes information about—
 - (a) the occupation of the premises,
 - (b) matters affecting the premises,
 - (c) persons interested in the premises, and
 - (d) their interests in the premises.
- (5) A requirement under subsection (2) must state the time by which and manner in which the information is required to be given.
- (6) The power conferred by subsection (2) may be exercised only for the purpose of obtaining information about the premises that the local authority thinks is likely to be necessary or expedient for the exercise of its functions under this Part in relation to the premises.
- (7) A person commits an offence if the person—

Status: This is the original version (as it was originally enacted).

- (a) fails without reasonable excuse to comply with a requirement under subsection (2), or
 - (b) in response to such a requirement, gives information that—
 - (i) is false, and
 - (ii) the person knows or should reasonably know to be false.
- (8) A person who commits an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

211 Power to enter and survey land

- (1) This section applies in relation to premises that are situated on a designated high street or within a designated town centre.
- (2) A person authorised in writing by the local authority for the area in which the premises are situated may—
 - (a) enter and survey the premises, and
 - (b) enter on any other land in order to gain access to the premises for the purposes of paragraph (a).
- (3) In the following provisions of this section, “the power” means the power conferred by subsection (2).
- (4) The power may be exercised only for the purpose of obtaining information about the premises that the authority thinks is likely to be necessary or expedient for the exercise of its functions under this Part in relation to the premises.
- (5) The power may be exercised only if the local authority has given, or made all reasonable efforts to give, written notice to—
 - (a) the landlord of the premises, for the purposes of subsection (2)(a), or
 - (b) the person who appears to the local authority to be in possession of, or entitled to possession of, the land, for the purposes of subsection (2)(b),at least 14 days before the day on which the power is first exercised in relation to the premises or other land in question.
- (6) The power may be exercised only at a reasonable time.
- (7) The power may not be exercised in a way that involves the use of force, except on the authority of a warrant issued by a justice of the peace.
- (8) Such a warrant—
 - (a) may be issued only on an application supported by evidence given on oath,
 - (b) may be issued only if the justice of the peace is satisfied that reasonable efforts have been made to exercise the power without the use of force, and
 - (c) must specify the number of occasions on which it can be relied.
- (9) A person exercising the power must produce—
 - (a) evidence of the authorisation referred to in subsection (2), and
 - (b) a copy of any warrant issued under subsection (7),if so requested by any person who appears to have control over the premises or other land.

- (10) If no person who appears to have control over the premises or other land is present when the power is exercised, the person exercising the power must leave the premises or land as secure against trespassers as when the person entered.

212 Offences in connection with section 211

- (1) A person who, without reasonable excuse, obstructs a person in the exercise of the power conferred by section 211(2) is guilty of an offence.
- (2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person commits an offence if the person discloses confidential information, obtained in the exercise of the power conferred by section 211(2), for purposes other than those for which the power was exercised.
- (4) A person who commits an offence under subsection (3) is liable—
- (a) on summary conviction, to a fine, or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or both.
- (5) In subsection (3), “confidential information” means information—
- (a) which constitutes a trade secret, or
 - (b) the disclosure of which would or would be likely to prejudice the commercial interests of any person.

213 Power to extend time limits

- (1) Subsection (2) applies if it appears to the county court that, because of—
- (a) a failure to comply with a requirement under section 210(2),
 - (b) the giving of false information in response to such a requirement, or
 - (c) obstruction of a person in the exercise of the power conferred by section 211(2),
- a local authority has been impeded in deciding whether or how to exercise its functions under this Part in relation to premises in respect of which an initial letting notice or final letting notice is in force.
- (2) The court may order that the period referred to in section 195(2)(b) or 198(3), as applicable in relation to the notice, is to be extended by such number of days as appears to the court to be appropriate in view of the impediment.
- (3) The court may act under this section only on an application by the local authority.