

*Status: This version of this schedule contains provisions that are prospective.*  
*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 20. (See end of Document for details)*

## SCHEDULES

PROSPECTIVE

### SCHEDULE 20

Section 201

#### GROUND OF APPEAL AGAINST FINAL LETTING NOTICE

##### PART 1

##### GROUND

- 1 That the vacancy condition was not met in relation to the premises on the day on which the initial letting notice was served.

**Commencement Information**

**I1** Sch. 20 Pt. 1 para. 1 not in force at Royal Assent, see [s. 255\(7\)](#)

- 2 That the premises cannot reasonably be considered suitable for the use identified in the final letting notice as the suitable high-street use.

**Commencement Information**

**I2** Sch. 20 Pt. 1 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)

- 3 That the local authority's view that the local benefit condition was met in relation to the premises was one that no authority giving reasonable consideration to the matter could have reached.

**Commencement Information**

**I3** Sch. 20 Pt. 1 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)

- 4 That the local authority failed, while the initial letting notice was in force, to give consent under section [196](#) to a proposed tenancy, licence or agreement where the authority—
- (a) was required by section [197\(1\)](#) to give consent, or
  - (b) would have been so required had it not failed to be satisfied as mentioned in section [197\(2\)\(c\)](#), when any authority giving reasonable consideration to the matter would have been so satisfied.

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**Commencement Information**

**I4** Sch. 20 para. 4 not in force at Royal Assent, see [s. 255\(7\)](#)

- 5 That the landlord—
- (a) intends to carry out substantial works of construction, demolition or reconstruction affecting the premises, and
  - (b) could not reasonably carry out those works without retaining possession of the premises.

**Commencement Information**

**I5** Sch. 20 para. 5 not in force at Royal Assent, see [s. 255\(7\)](#)

- 6 That the landlord intends to occupy the premises for the purposes, or partly for the purposes, of a business to be carried on by the landlord in the premises.

**Commencement Information**

**I6** Sch. 20 para. 6 not in force at Royal Assent, see [s. 255\(7\)](#)

- 7 That the landlord intends to occupy the premises as the landlord’s residence.

**Commencement Information**

**I7** Sch. 20 para. 7 not in force at Royal Assent, see [s. 255\(7\)](#)

**PART 2**

INTERPRETATION AND APPLICATION

- 1 Ground 2 is to be applied in accordance with section [192\(5\)](#).

**Commencement Information**

**I8** Sch. 20 Pt. 2 para. 1 not in force at Royal Assent, see [s. 255\(7\)](#)

- 2 Works carried out in contravention of section [200\(1\)](#) cannot be relied on for the purposes of ground 5.

**Commencement Information**

**I9** Sch. 20 Pt. 2 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)

- 3 (1) Where the landlord has a controlling interest in a company, the references to the landlord in ground 6 include reference to that company.

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- (2) Where the landlord is a company and a person has a controlling interest in the company, the references to the landlord in grounds 6 and 7 include reference to that person.
- (3) For the purposes of sub-paragraphs (1) and (2), a person has a controlling interest in a company, if, had the person been a company, the other company would have been its subsidiary.
- (4) In this paragraph—  
“company” has the meaning given by section 1(1) of the Companies Act 2006;  
“subsidiary” has the meaning given by section 1159 of that Act.

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**Commencement Information**

**I10** Sch. 20 Pt. 2 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)

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