



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 5

COMMUNITY LAND AUCTION PILOTS

General

PROSPECTIVE

149 CLA regulations: further provision and guidance

- (1) CLA regulations may make provision—
- (a) about the leasehold interests in relation to which a community land auction arrangement may, may not or must be capable of applying;
 - (b) permitting a local planning authority to exclude land from a community land auction arrangement and disapply [section 142\(2\)](#) in relation to that land;
 - (c) about the procedures to be followed under, or in connection with, a community land auction arrangement;
 - (d) about the provision or publication of information under, or in connection with, a community land auction arrangement;
 - (e) about how, when or the circumstances in which anything must be done under, or in connection with, a community land auction arrangement;
 - (f) about the treatment of anyone who has an interest in or over land which is subject to a CLA option;
 - (g) about when a community land auction arrangement is to be taken to be put in place or to come to an end;
 - (h) about how [section 106](#) of TCPA 1990 (planning obligations) is to be used, or is not to be used, where [section 142](#) applies or has applied (including provision about the circumstances in which a planning obligation under that section may constitute a reason for granting planning permission);
 - (i) about the exercise of any other power relating to planning or development;

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 149. (See end of Document for details)

- (j) about anything else relating to planning or development.
- (2) The Secretary of State may give guidance to a local planning authority or other authority about, or in connection with, community land auction arrangements (including guidance about how any power relating to planning or development is to be exercised in circumstances which include, or may include, a community land auction arrangement); and authorities must have regard to the guidance.
- (3) Provision may be made under [subsection \(1\)\(h\)](#) to [\(j\)](#), and guidance may be given under [subsection \(2\)](#), only if the Secretary of State thinks it necessary or expedient for—
- (a) delivering the overall purpose mentioned in [section 141\(1\)](#),
 - (b) enhancing the effectiveness, or increasing the use, of CLA regulations or community land auction arrangements,
 - (c) preventing agreements, undertakings or other transactions from being used to undermine or circumvent CLA regulations or community land auction arrangements,
 - (d) preventing agreements, undertakings or other transactions from being used to achieve a purpose that the Secretary of State thinks would better be achieved through the application of CLA regulations or community land auction arrangements, or
 - (e) preventing or restricting the imposition of burdens, the making of agreements or the giving of undertakings, in addition to those in connection with CLA regulations or community land auction arrangements.
- (4) CLA regulations may—
- (a) confer functions on any person, including functions involving the exercise of a discretion;
 - (b) make consequential, supplementary or incidental provision under [section 252\(1\)\(c\)](#) which disapplies, or modifies the effect of, any provision made by or under an Act of Parliament (whenever passed or made).

Commencement Information

- II** S. 149 not in force at Royal Assent, see [s. 255\(4\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

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