



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 10

LETTING BY LOCAL AUTHORITIES OF VACANT HIGH-STREET PREMISES

Procedure for letting

205 Terms of contract for tenancy

- (1) This section applies in relation to a contract entered into under section [204](#).
- (2) The contract must set out the terms of the agreed tenancy (as to which see section [206](#)).
- (3) The contract may identify the physical extent of the premises in greater detail than that in which the premises were identified for the purposes of sections [195](#) to [203](#).
- (4) The contract may (subject to regulations under subsection [\(6\)](#)) include—
 - (a) provision allowing the tenant to carry out pre-tenancy works (and to enter land for the purpose);
 - (b) provision making that ability subject to the consent of the landlord (and about the giving of such consent);
 - (c) provision requiring the landlord to carry out pre-tenancy works (whether in or outside the premises) before the term of the agreed tenancy begins;
 - (d) provision about the remedies available to the tenant if the landlord fails to carry out pre-tenancy works as so required.
- (5) “Pre-tenancy works” means works carried out (whether in or outside the premises) before the term of the agreed tenancy begins in contemplation of the use of the premises by the tenant once the term begins.
- (6) Regulations may—
 - (a) impose restrictions or conditions on the ability to include provision within subsection [\(4\)](#) in the contract;

*Changes to legislation: There are currently no known outstanding effects for the
Levelling-up and Regeneration Act 2023, Section 205. (See end of Document for details)*

- (b) provide for circumstances in which provision within subsection (4) must be included in the contract;
 - (c) make other provision about the terms of the contract.
- (7) In making regulations under subsection (6), the Secretary of State must have regard to the terms on which contracts for the grant of short-term tenancies are typically entered into on a commercial basis.
- (8) In deciding (so far as it has discretion to do so) on the terms of the contract, the local authority must have regard to any representations made by the landlord.
- (9) In this section—
- “the agreed tenancy” means the tenancy the grant of which is agreed in the contract;
 - “the premises” means the premises that are to be demised by the agreed tenancy;
 - “the tenant” means the prospective tenant under the agreed tenancy;
 - “the landlord” means the landlord of the premises.

Commencement Information

- I1** S. 205 not in force at Royal Assent, see [s. 255\(7\)](#)
- I2** S. 205 in force at 31.3.2024 for specified purposes by [S.I. 2024/389](#), [reg. 2\(n\)](#)

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