



# Localism Act 2011

## 2011 CHAPTER 20

### PART 5

#### COMMUNITY EMPOWERMENT

### CHAPTER 3

#### ASSETS OF COMMUNITY VALUE

#### *Moratorium on disposing of listed land*

#### 95 Moratorium

- (1) A person who is an owner of land included in a local authority's list of assets of community value must not enter into a relevant disposal of the land unless each of conditions A to C is met.
- (2) Condition A is that that particular person has notified the local authority in writing of that person's wish to enter into a relevant disposal of the land.
- (3) Condition B is that either—
  - (a) the interim moratorium period has ended without the local authority having received during that period, from any community interest group, a written request (however expressed) for the group to be treated as a potential bidder in relation to the land, or
  - (b) the full moratorium period has ended.
- (4) Condition C is that the protected period has not ended.
- (5) Subsection (1) does not apply in relation to a relevant disposal of land—
  - (a) if the disposal is by way of gift (including a gift to trustees of any trusts by way of settlement upon the trusts),

---

**Changes to legislation:** *Localism Act 2011, Section 95 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (b) if the disposal is by personal representatives of a deceased person in satisfaction of an entitlement under the will, or on the intestacy, of the deceased person,
  - (c) if the disposal is by personal representatives of a deceased person in order to raise money to—
    - (i) pay debts of the deceased person,
    - (ii) pay taxes,
    - (iii) pay costs of administering the deceased person's estate, or
    - (iv) pay pecuniary legacies or satisfy some other entitlement under the will, or on the intestacy, of the deceased person,
  - (d) if the person, or one of the persons, making the disposal is a member of the family of the person, or one of the persons, to whom the disposal is made,
  - (e) if the disposal is a part-listed disposal of a description specified in regulations made by the appropriate authority, and for this purpose “part-listed disposal” means a disposal of an estate in land—
    - (i) part of which is land included in a local authority's list of assets of community value, and
    - (ii) part of which is land not included in any local authority's list of assets of community value,
  - (f) if the disposal is of an estate in land on which a business is carried on and is at the same time, and to the same person, as a disposal of that business as a going concern,
  - (g) if the disposal is occasioned by a person ceasing to be, or becoming, a trustee,
  - (h) if the disposal is by trustees of any trusts—
    - (i) in satisfaction of an entitlement under the trusts, or
    - (ii) in exercise of a power conferred by the trusts to re-settle trust property on other trusts,
  - (i) if the disposal is occasioned by a person ceasing to be, or becoming, a partner in a partnership, or
  - (j) in cases of a description specified in regulations made by the appropriate authority.
- (6) In subsections (3) and (4)—
- “community interest group” means a person specified, or of a description specified, in regulations made by the appropriate authority,
  - “the full moratorium period”, in relation to a relevant disposal, means the six months beginning with the date on which the local authority receives notification under subsection (2) in relation to the disposal,
  - “the interim moratorium period”, in relation to a relevant disposal, means the six weeks beginning with the date on which the local authority receives notification under subsection (2) in relation to the disposal, and
  - “the protected period”, in relation to a relevant disposal, means the eighteen months beginning with the date on which the local authority receives notification under subsection (2) in relation to the disposal.
- (7) For the purposes of subsection (5)(d), a person (“M”) is a member of the family of another person if M is—
- (a) that other person's spouse or civil partner, or
  - (b) a lineal descendant of a grandparent of that other person.

---

**Changes to legislation:** Localism Act 2011, Section 95 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- (8) For the purposes of subsection (7)(b) a relationship by marriage or civil partnership is to be treated as a relationship by blood.
- (9) For the meaning of “relevant disposal”, and for when a relevant disposal is entered into, see section 96.

---

**Modifications etc. (not altering text)**

- C1** S. 95(1) excluded (E.) (21.9.2012) by [The Assets of Community Value \(England\) Regulations 2012](#) (S.I. 2012/2421), regs. 1(1), 13(2), [Schs. 3](#)

---

**Commencement Information**

- I1** S. 95 in force for specified purposes at Royal Assent see s. 240(5)(f)
- I2** S. 95 in force at 21.9.2012 for E. by [S.I. 2012/2420](#), [art. 2](#)

**Changes to legislation:**

Localism Act 2011, Section 95 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)