



Law of Property Act 1969

1969 CHAPTER 59

PART I

AMENDMENT OF PART II OF ^{M1}LANDLORD AND TENANT ACT 1954

Termination of tenancy and right to new tenancy

7 Grant of new tenancy in some cases where section 30(1)(f) applies. ^{X1}

(1) After section 31 of the Act of 1954 there shall be inserted the following section:—

(1) Where the landlord opposes an application under section 24(1) of this Act on the ground specified in paragraph (f) of section 30(1) of this Act the court shall not hold that the landlord could not reasonably carry out the demolition, reconstruction or work of construction intended without obtaining possession of the holding if—

(a) the tenant agrees to the inclusion in the terms of the new tenancy of terms giving the landlord access and other facilities for carrying out the work intended and, given that access and those facilities, the landlord could reasonably carry out the work without obtaining possession of the holding and without interfering to a substantial extent or for a substantial time with the use of the holding for the purposes of the business carried on by the tenant; or

(b) the tenant is willing to accept a tenancy of an economically separable part of the holding and either paragraph (a) of this section is satisfied with respect to that part or possession of the remainder of the holding would be reasonably sufficient to enable the landlord to carry out the intended work.

(2) For the purposes of subsection (1)(b) of this section a part of a holding shall be deemed to be an economically separable part if, and only if, the aggregate of the rents which, after the completion of the intended work, would be

Changes to legislation: There are currently no known outstanding effects for the Law of Property Act 1969, Section 7. (See end of Document for details)

reasonably obtainable on separate lettings of that part and the remainder of the premises affected by or resulting from the work would not be substantially less than the rent which would then be reasonably obtainable on a letting of those premises as a whole.”

- (2) In section 32 of the Act of 1954 (property to be comprised in new tenancy) for the words “Subject to the next following subsection” there shall be substituted the words “Subject to the following provisions of this section” ; and after subsection (1) there shall be inserted the following subsection:—

“(1A) Where the court, by virtue of paragraph (b) of section 31A(1) of this Act, makes an order under section 29 of this Act for the grant of a new tenancy in a case where the tenant is willing to accept a tenancy of part of the holding, the order shall be an order for the grant of a new tenancy of that part only.”

Editorial Information

- X1** The text of ss. 1–12(1), 13 and 14 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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