



Local Government Act 1972

1972 CHAPTER 70

PART VII

MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

Land transactions—general provisions

131 Savings.

- (1) Nothing in the foregoing provisions of this Part of this Act or in Part VIII below—
- (a) shall authorise the disposal of any land by a local authority in breach of any trust, covenant or agreement which is binding upon them, excluding any trust arising solely by reason of the land being held as public walks or pleasure grounds or in accordance with section 10 of the ^{M1}Open Spaces Act 1906; or
 - (b) shall affect, or empower a local authority to act otherwise than in accordance with, any provision contained in, or in any instrument made under, any of the enactments specified in subsection (2) below and relating to any dealing in land by a local authority or the application of capital money arising from any such dealing.
- (2) The enactments referred to in subsection (1)(b) above are—
- (a) the ^{M2}Technical and Industrial Institutions Act 1892;
 - (b) the Military Lands Acts 1892 to 1903;
 - ^{F1}(c)
 - (d) the Allotments Acts 1908 to 1950;
 - (e) the Small Holdings and Allotments Acts 1908 to 1931;
 - ^{F2}(f) the Ancient Monuments and Archaeological Areas Act 1979]
 - (g) section 28 of the ^{M3}Land Settlement (Facilities) Act 1919;
 - (h) ^{F3}
 - (i) ^{F4}
 - (j) Part III of the ^{M4}Agriculture Act 1970; and
 - (j) ^{F4}

Status: Point in time view as at 01/01/1993. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Section 131 is up to date with all changes known to be in force on or before 11 July 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)

- (k) any local Act (including an Act confirming a provisional order).
- (l)^{F5}
- [^{F6}(m) the Housing Act 1985]
- (3) Nothing in the foregoing provisions of this Part of this Act shall affect the operation of [^{F7}section 32 of the Charities Act 1992 (restrictions on disposition of charity land)] and, in particular, none of those provisions shall be treated as giving any such authority for a transaction as is referred to in [^{F8}section 32(9)(a) of that Act] (certain statutorily authorised transactions not to require the sanction of the Charity Commissioners).
- (4) In this section “local authority” includes a parish meeting and the parish trustees of a parish.

Textual Amendments

- F1** S. 131(2)(c) repealed (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 68(1), **Sch. 4 Pt.I**; S.I. 1992/2784, arts. 2, 3(3), **Sch. 2 Pt.III**
- F2** S. 131(2)(f) substituted by Ancient Monuments and Archaeological Areas Act 1979 (c. 46, SIF 3), s. 64(2), **Sch. 4 para. 13**
- F3** S. 131(2)(h) repealed by Civil Aviation (Amendment) Act 1982 (c. 1, SIF 9), s. 4(3), **Sch. 2**
- F4** S. 131(2)(i)(j) repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 6, **Sch. 1**
- F5** S. 131(2)(l) inserted by Housing Act 1980 (c. 51, SIF 61), s. 152(1), **Sch. 25 para. 23** and repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 6, **Sch. 1 Pt. I**
- F6** S. 131(2)(m) inserted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 23**
- F7** Words in s. 131(3) substituted (1.1.1993) by Charities Act 1992 (c. 41), s. 78(1), **Sch. 6 para. 6(a)**; S.I. 1992/1900, art. 4, **Sch.3**
- F8** Words in s. 131(3) substituted (1.1.1993) by Charities Act 1992 (c. 41), s. 78(1), **Sch. 6 para. 6(b)**; S.I. 1992/1900, art. 4, **Sch.3**

Modifications etc. (not altering text)

- C1** S. 131 modified (07.08.1991) by S.I. 1991/1773, art. 8(2), **Sch. 2**.
S. 131: certain functions transferred (07.08.1991) by S.I. 1991/1773, art. 8, **Sch. 2**.

Marginal Citations

- M1** 1906 c. 25.
M2 1892 c. 29.
M3 1919 c. 59.
M4 1970 c. 40.

Status:

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Changes to legislation:

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