



Small Holdings and Allotments Act 1926

1926 CHAPTER 52 16 and 17 Geo 5

PART I

SMALL HOLDINGS

Provision of Small Holdings

6 Conditions affecting small holdings.

- (1) A small holding sold by a county council under this Act, shall for a term of forty years from the date of the sale, and thereafter so long as the holding remains charged with the terminable annuity, be held subject to the following conditions:—
 - (a) Any periodical payments due in respect of the terminable annuity shall be duly made:
 - (b) The holding shall not be divided, sold, assigned, let or sublet without the consent of the county council:
 - (c) The holding shall be cultivated by the owner or occupier as the case may be, in accordance with the rules of good husbandry as defined in the ^{M1}Agricultural Holdings Act, 1923, and shall not be used for any purpose other than agriculture:
 - (d) Not more than one dwelling-house shall be erected on the holding unless, in the opinion of the council, additional accommodation is required for the proper cultivation of the holding:
 - (e) Any dwelling-house erected on the holding shall comply with such requirements as the county council may impose for securing healthiness and freedom from overcrowding:
 - (f) Any dwelling-house or other building erected on the holding shall be kept in repair and insured against fire by the owner to the satisfaction of the county council, and the receipts for premiums produced when required by them:
 - (g) No dwelling-house or building on the holding shall be used for the sale of intoxicating liquors:

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Section 6. (See end of Document for details)

- (h) In the case of any holding on which, in the opinion of the county council, a dwelling-house ought not to be erected, no dwelling-house shall be erected on the holding without the consent of the county council:

Provided that a county council may, if they think fit, subject, in the case of a holding in respect of which a contribution is payable by the Minister, to the consent of the Minister, as respects the whole or any part of the holding, either at the time of the sale or subsequently, and either without consideration or for such consideration as they think fit, relax or dispense with any of the above conditions.

The Minister may, in giving his consent to any such relaxation or dispensation, impose such terms as he thinks fit, including a requirement as to the consideration to be charged, and the application thereof in whole or in part in satisfaction of any contributions payable by him under this Part of this Act.

- (2) If any such condition is broken, the council may, after giving the owner an opportunity of remedying the breach (if it is capable of remedy), either take possession of the holding or order the sale of the holding without taking possession.
- (3) If, on the decease of the owner while the holding is subject to the conditions imposed by this section, the holding would, by reason of any devise, bequest, intestacy, or otherwise, become subdivided, the council may require the holding to be sold within twelve months after such decease to some one person, and if default is made in so selling the holding, the council may either take possession of the holding or order the sale of the holding without taking possession.
- (4) A small holding let by a county council shall be held subject to the conditions on which it would under this section be held if it were sold, except so far as those conditions relate to the terminable annuity and to repairs and insurance against fire; and, if any such condition or any term of the letting is broken, the council may, after giving the tenant an opportunity of remedying the breach (if it is capable of remedy), determine the tenancy.

Marginal Citations

M1 1923 c. 9.

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Section 6.