



Small Holdings and Allotments Act 1926

1926 CHAPTER 52 16 and 17 Geo 5

PART I

SMALL HOLDINGS

Provision of Small Holdings

7 Recovery of possession and disposal of small holdings.

- (1) Where a county council take possession of a small holding under the last foregoing section, all the estate, right, interest, and claim of the owner in or to the small holding shall, subject as in this section mentioned, vest in and become the property of the county council, and the county council may either retain the small holding under their own management or sell or otherwise dispose of it as they think expedient.
- (2) Where a county council take possession of a small holding as aforesaid they shall, save as hereinafter mentioned, pay to the owner either—
 - (a) such sum as may be agreed upon; or
 - (b) a sum equal to the value of the interest in the small holding at the disposal of the county council, after deducting therefrom the amount at which the annuity charged on the holding may be redeemed under the ^{M1}Law of Property Act, 1925, together with any arrears of such annuity then due; and the said value, in the absence of a sale and in default of agreement, shall be settled by an arbitrator appointed under the ^{M2}Agricultural Holdings Act, 1923.
- (3) The sum so paid to the owner if not paid within three months after the date of taking possession shall carry interest at the rate of five per centum per annum from the date of taking possession.
- (4) All costs of or incidental to the taking possession, sale or other disposal of the small holding (including the costs of the arbitration, if any) incurred by the county council before the amount payable to the owner has been settled either by agreement or arbitration, shall be deducted from the amount otherwise payable to the owner.

^{F1}(5)

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Section 7. (See end of Document for details)

- (6) In the event of the value of the holding, ascertained in accordance with the provisions of this section, being less than the amount at which the annuity charged on the holding may be redeemed together with any arrears of such annuity due from the owner, the council may recover from the owner summarily as a civil debt the amount of the deficiency.

Textual Amendments

F1 S. 7(5) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. II**

Marginal Citations

M1 1925 c. 20.

M2 1923 c. 9.

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Section 7.