



Land Settlement (Facilities) Act 1919

1919 CHAPTER 59 9 and 10 Geo 5

PART II **U.K.**

AMENDMENT OF THE SMALL HOLDINGS AND ALLOTMENTS ACT, 1908

9 Power to sell and acquire land for annuity. **U.K.**

(1)^{F1}

(5) The provisions set out in the First Schedule to this Act shall have effect with respect to annuities under this section.

Textual Amendments

F1 [S. 9\(1\)-\(4\)](#) repealed by [Rentcharges Act 1977 \(c. 30, SIF 98:1\)](#), s, 17(2), Sch. 2 (subject to savings in s. 17(4) in relation to applications for apportionment or redemption made before 22.8.1977)

10^{F2} **U.K.**

Textual Amendments

F2 [Ss. 10,11\(2\)\(5\)-\(7\)](#) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

11 Duties of county councils with respect to sale or lease of land. **U.K.**

(1) Land acquired by a county council under the principal Act shall . . .^{F3} where sold or let for small holdings, be sold or let, except where the Board of Agriculture and Fisheries for any special reason otherwise direct, subject to a reservation of all minerals vested in the council.

(2)^{F4}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Land Settlement (Facilities) Act 1919, Part II. (See end of Document for details)

- (3) A tenant of a holding provided by a county council on land purchased by the council, who has been in occupation thereof for a period of not less than six years, shall, on notice of his desire to purchase the holding being given to the council at any time before the tenant has received notice to quit the holding, be entitled to require the sale to him of the holding at the expiration of [^{F5}six months] from the date of the notice at the then value of the holding, exclusive of any increase of the value thereof due to any improvement executed thereon by and at the expense of the tenant, and thereupon the council shall sell the holding to the tenant accordingly unless the council obtain the consent of the Board of Agriculture and Fisheries to the requirement of the tenant being refused by the council.
- (4) The value of the holding shall in default of agreement be determined by arbitration under and in accordance with the provisions of the [^{F6}Agricultural Holdings Act 1986].
- (5) ^{F4}

Textual Amendments

F3 Words repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

F4 [Ss. 10,11\(2\)\(5\)-\(7\)](#) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

F5 Words substituted by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 1](#)

F6 Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), [ss. 99, 100](#), [Sch. 13 para. 3](#), [Sch. 14 para. 7](#)

12 Extension of powers of councils in relation to land acquired under principal Act.
U.K.

- (1) Subject to the consent of the Board of Agriculture and Fisheries in cases where their consent is required under this section or under regulations made by the Board, a [^{F7}district]council shall have power in any case where in the opinion of the council it is necessary or expedient so to do for the better carrying into effect of the principal Act—
 - (a) to erect, repair, or improve dwelling houses and other buildings on any land acquired by the council under the principal Act, or to execute any other improvement on or in connection with and for the benefit of any such land, or to arrange with the tenant of any such land for the execution of any such improvement of such terms as may be agreed;
 - (b) to sell, mortgage, exchange, or let any such land or any interest therein, subject, in the case of any sale, mortgage, or exchange, to the consent of the Board, and in the case of a mortgage subject also to the consent of the Local Government Board;
 - (c) in a case where no power of appropriation is otherwise provided, with the consent of the Board and the Local Government Board and subject to such conditions as to the repayment of any loan made for the purpose of the acquisition of the land or otherwise as the last-mentioned Board may impose—
 - (i) to appropriate for any purpose for which the council is authorised to acquire land under the principal Act any land held by the council for other purposes of the council; or
 - (ii) to appropriate for other purposes of the council land acquired by the council under the principal Act:
 - (d) generally to manage any land acquired by the council under the principal Act.

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- (2) F8
- (3) F9

Textual Amendments

- F7 Word substituted by [Local Government Act 1972 \(c.70, SIF 81:1\)](#), s. 251(2), **Sch. 29 para. 10(2)**
- F8 [S. 12\(2\)](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)
- F9 [S. 12\(3\)](#) repealed by [Compulsory Purchase Act, 1965 \(c. 56\)](#), **Sch. 8 Pt. I**

Modifications etc. (not altering text)

- C1 [S. 12](#) amended by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), **s. 20(1)**

13 †Removal of necessity for consent of Board after a certain period. U.K.

Notwithstanding any provision in the principal Act, the consent of the Board of Agriculture and Fisheries shall not . . . ^{F10} be required for the acquisition, sale, mortgage, exchange, letting, improvement or management of land by a county council under the principal Act, except in cases where such consent is required by some enactment other than the principal Act.

Textual Amendments

- F10 Words repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

- C2 Unreliable marginal note
- C3 [S. 13](#) excluded by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), **s. 20(2)**

14 F11 U.K.

Textual Amendments

- F11 [S. 14](#) repealed by [National Loans Act 1968 \(c. 13\)](#), **Sch. 6 Pt. II**

15 F12 U.K.

Textual Amendments

- F12 [S. 15](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

16 Amendment of section 41 of principal Act. U.K.

- (1) An order under the principal Act may, notwithstanding anything in section forty-one thereof, authorise the compulsory acquisition—

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- (a) of any land which at the date of the order forms part of any park or of any home farm attached to and usually occupied with a mansion house, if the land is not required for the amenity or convenience of the mansion house; or
 - (b) of a holding of fifty acres or less in extent of any part of such a holding.
- (2) Where it is proposed to acquire any land forming part of a park or any such home farm, or, except where required for purposes of allotments, a holding of fifty acres or less in extent or of an annual value not exceeding [^{F13}one hundred] pounds for the purposes of income tax, or any part of such a holding, the order authorising the acquisition of the land shall not be valid unless confirmed or made by the Board of Agriculture and Fisheries.
- (3) A holding to which the preceding subsection applies shall not in whole or in part be compulsorily acquired under the principal Act by^{F14} a council where it is shown to the satisfaction of^{F14} the council^{F14} that the holding is the principal means of livelihood of the occupier thereof, except where the occupier is a tenant and consents to the acquisition.

Textual Amendments

F13 Words substituted by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 1](#)

F14 Words repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

17 Power of county council to acquire land for letting to parish council for allotments. U.K.

A [^{F15}district]council may acquire land for the purpose of leasing it to the council of a parish within the county for the provision of allotments, and the provisions of the principal Act relating to the acquisition, and to proceedings in relation to the acquisition, of land for the purpose of providing small holdings shall apply to such acquisition as if the land were to be acquired for the provision of small holdings.

Textual Amendments

F15 Word substituted by [Local Government Act 1972 \(c.70, SIF 81:1\)](#), s. 251(2), [Sch. 29 para. 10\(2\)](#)

Modifications etc. (not altering text)

C4 [S. 17](#) saved by [Agriculture Act 1947 \(c. 48\)](#), s. 67(2) proviso (b)

18^{F16} U.K.

Textual Amendments

F16 [Ss. 18,20](#) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

19 Power of entry to inspect land. U.K.

A council, with a view to ascertaining whether any land is suitable for any purpose for which the council has power to acquire land under the principal Act, may by writing

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in that behalf authorise any person (upon production, if so required, or his authority), to enter and inspect the land specified in the authority, and anyone who obstructs or impedes any person acting under and in accordance with any such authority shall be liable on summary conviction to a fine not exceeding [^{F17}level 2 on the standard scale]

Textual Amendments

F17 Words substituted by virtue of [Criminal Law Act 1977 \(c.45, SIF 39:1\)](#), [s. 31\(5\)\(6\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

20 ^{F18} **U.K.**

Textual Amendments

F18 [Ss. 18,20](#) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

21 **Provisions as to allotments.** **U.K.**

- (1) The council of any borough, urban district or parish may purchase any fruit trees, seeds, plants, fertilizers or implements required for the purposes of allotments cultivated as gardens, whether provided by the council or otherwise, and sell any article so purchased to the cultivators, or, in the case of implements, allow their use, at a price or charge sufficient to cover the cost of purchase.
- (2) The powers conferred by the preceding subsection shall be exercisable by a council only where in the opinion of the council the facilities for the purchase or hire of the articles therein referred to from a society on a co-operative basis are inadequate.
- (3) Rules made by a council under section twenty-eight of the principal Act, shall, unless otherwise expressly provided, apply to an allotment, though held under a tenancy made before the rules come into operation.
- (4) ^{F19}
- (5) Stamp duty shall not be payable on any lease or agreement for the letting of any allotment or garden, whether provided under the principal Act or otherwise, or on any duplicate or counterpart of any such lease or agreement where the rent does not exceed ten shillings per annum and no premium is paid.

Textual Amendments

F19 [S. 21\(4\)](#) repealed by [Allotments Act 1922 \(c. 51\)](#), [s. 19\(2\)](#)

Modifications etc. (not altering text)

C5 [S. 21](#) excluded by [Agricultural Land \(Utilisation\) Act 1931 \(c. 41\)](#), [ss. 16\(1\), 20](#)

22 **Power of appropriation of land.** **U.K.**

- (1) A council of a borough, urban district, or parish may, in a case where no power of appropriation is otherwise provided, . . . ^{F20},—

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- (a) appropriate for the purpose of allotments any land held by the council for other purposes of the council; or
- (b) appropriate for other purposes of the council land acquired by the council for allotments.

(2) F21

Textual Amendments

F20 Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1\)](#), ss. 1(5), 194, Sch. 5 para. 3, **Sch. 34 Pt. V**

F21 [S. 22\(2\)](#) repealed by [S.I. 1965/654](#)

23 Agreement as to compensation where land is let for provision of allotments. U.K.

Where land is let for the provision of allotments either to a council under the principal Act or to an association formed for the purpose of creating or promoting the creation of allotments, the right of the council or association to claim compensation from the landlord on the determination of the tenancy shall be subject to the terms of the contract of tenancy, notwithstanding the provision of any Act to the contrary:

Provided that this section shall not prejudice or affect any right on the part of a person holding under a tenancy granted by the council or association to claim compensation from the council or association on the determination of his tenancy.

24 F22 **U.K.**

Textual Amendments

F22 [S. 24](#) repealed by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

25 Minor amendments of principal Act U.K.

- (1) The provisions of the principal Act specified in the first column of the Second Schedule to this Act shall be amended in the manner specified in the second column of that schedule.

(2) F23

Textual Amendments

F23 [S. 25\(2\)](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

C6 The text of [S. 25\(1\)](#) 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.

Status:

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Changes to legislation:

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