Agricultural Land (Utilisation) Act 1931

1931 CHAPTER 41

PART II

SMALL HOLDINGS AND ALLOTMENTS

Allotments

13 Power of Minister to provide allotments not exceeding one acre for unemployed persons

(1) The Minister shall have power, without prejudice to the powers and duties of the council of any borough, urban district, or parish, or of any county council acting in default of such a council as aforesaid, to provide allotments not exceeding one acre in extent for unemployed persons, and for that purpose the Minister shall have the like powers as may be exercised by any such council with respect to allotments under the Small Holdings and Allotments Acts, and the provisions of those Acts relating to the acquisition, use or disposal of land by any such council and to allotments provided by any such council (except subsections (1) and (2) of section sixteen of the Allotments Act, 1922, and section four of the Allotments Act, 1925), shall apply with the necessary adaptations to the acquisition, use and disposal of land by the Minister and to allotments provided by him under this section, but subject to the modifications that the Minister may sell or let for other purposes any land acquired by him for allotments which is in his opinion not needed for the purposes of allotments, or exchange any such land for land more suitable for allotments, and may pay or receive money for equality of exchange, and section thirty-two of the Small Holdings and Allotments Act, 1908, and section eight of the Allotments Act, 1925, shall not apply with respect to any such land:

Provided that, if, after a local inquiry has been held in accordance with the said provisions with respect to any order whereby the Minister proposes to acquire land compulsorily, any objection to the order which has been presented is not withdrawn, the order shall not be confirmed except by means of a provisional order made by the Minister and confirmed by Parliament, and for that purpose the Minister may submit a Bill to Parliament for the confirmation of any such provisional order.

(2) The powers conferred on the Minister by the last foregoing subsection shall include power to provide allotment gardens for persons who are not in full-time employment as well as for those who are wholly unemployed.

(3) Where the Minister determines to exercise in any borough, urban district, or parish the powers conferred by this section, he shall give notice of his determination to the council thereof.

(4) Every such council as aforesaid shall furnish to the Minister such information as he may require for the purposes of this section.

(5) Any of the powers and duties conferred on the Minister by this section, except the power of acquiring land or of disposing of it otherwise than for use as allotments, may, by arrangement between him and the council of any county, or of any borough, urban district or parish, or with any society having as its object or one of its objects the provision or the profitable working of allotments, be exercised and performed by the council or society as agents for the Minister.

14 Power of Minister to defray losses incurred by local authorities in providing allotment gardens for unemployed persons

(1) Where it appears to the council of any borough, urban district, or parish, or to any county council acting in default of such a council as aforesaid, that the provision of any allotment gardens required for the purpose of their being let to unemployed persons, or persons who are not in full time employment, resident in the borough, district, or parish, who desire to take them will entail a loss, the council may submit their proposals to the Minister together with estimates in the prescribed form of the expenses (whether on capital or income account) in relation thereto likely to be incurred by the council and of the sums likely to be received by the council by way of rent or otherwise.

(2) If the Minister approves the proposals and estimates of the council, either without modifications or with such modifications as he may require, the Minister may, subject to such conditions as to records, certificates, audit or otherwise, as with the approval of the Treasury he may determine, undertake to defray in any year the loss shown in the approved estimates as likely to be incurred in that year by the council in providing allotment gardens for such persons as aforesaid in accordance with the proposals.

(3) Neither subsections (1) and (2) of section sixteen of the Allotments Act, 1922, nor section four of the Allotments Act, 1925 (which impose limits on the expenditure of councils on the provision of allotments) shall apply to any expenses incurred in accordance with proposals and estimates approved by the Minister under this section.

(4) If proposals after having been approved by the Minister under this section are subsequently varied without his consent, the Minister shall defray only such part as he thinks fit of the annual loss aforesaid, and of any additional loss attributable to the variation.

(5) The Minister may, after the date of the commencement of this Act, approve proposals and estimates-submitted to him for the purposes of this section before that date, but where the land to which any proposals relate has been acquired before the first day of January, nineteen hundred and thirty-one, or is after the commencement of this Act acquired without the consent of the Minister, this section shall apply with respect to such expenses only as are incurred in equipping the land and adapting it

for allotment gardens for letting to unemployed persons or persons who are not in full time employment.

(6) A council shall keep separate accounts with respect to all their transactions under this section and shall furnish to the Minister such information as he may require as to such transactions.

(7) The Minister shall with the concurrence of the Treasury make regulations for carrying this section into effect.

15 Unemployed persons not to vacate allotments on obtaining employment

Where an allotment has been let to an unemployed person or to a person not in full-time employment in accordance with the provisions of either of the last two foregoing sections, his tenancy of the allotment shall not be terminated without his consent on the ground only that he has ceased to be an unemployed person or a person not in full-time employment.

16 Power of Minister to make grants for assisting in the provision of seeds, fertilisers and equipment for unemployed persons

(1) The Minister may, in accordance with regulations made by him with the approval of the Treasury, make grants or advances to any county council or to the council of any borough, urban district or parish, or to any society having as its object or one of its objects the profitable working of allotments, for the purpose of assisting the council or society in the provision of seeds, fertilisers and equipment for unemployed persons or persons who are not in full time employment for whom allotments are provided; and the regulations made under this section may, notwithstanding anything in section twenty-one of the Land Settlement (Facilities) Act, 1919, provide for empowering any such council, where necessary, to sell seeds, fertilisers or equipment purchased with such assistance as aforesaid and to allow the use of such equipment, at a price or charge less than that sufficient to cover the cost of purchase.

(2) The Minister may constitute a committee for the purpose of advising him as to the exercise and performance of his powers and duties under this section and for the purpose of performing such other functions in connection with those powers and duties as he may direct, and the expenses of the committee (including the remuneration of any officers of the Ministry of Agriculture and Fisheries appointed to assist the committee) shall, up to such amount as may be sanctioned by the Minister with the approval of the Treasury, be defrayed as part of the expenses of the Minister under this Act.

(3) As respects any expenditure defrayed for the purposes mentioned in this section before the date of the commencement of this Act out of moneys provided by Parliament and paid into the small holdings account before that date, this section shall be deemed to have had effect as from the seventeenth day of December, nineteen hundred and thirty.