



# Agricultural Land (Utilisation) Act 1931

1931 CHAPTER 41 21 and 22 Geo 5

## PART II

### SMALL HOLDINGS AND ALLOTMENTS

#### Modifications etc. (not altering text)

- C1 Part II repealed as to small holdings by [Agriculture Act 1947 \(c. 48\), s. 67\(2\)](#)
- C2 Functions of Minister of Agriculture, Fisheries and Food under Part II now exercisable by Secretary of State, [S.I. 1955/554](#) (1955 I, p. 1200), 1965/143, 1967/156 and 1970/1681

#### *Small Holdings*

5—7. ....<sup>F1</sup>

#### Textual Amendments

- F1 Ss. 5-7 repealed by [Statute Law Revision Act 1950 \(14 Geo. 6 c. 6\)](#)

8—10. ....<sup>F2</sup>

#### Textual Amendments

- F2 Ss. 8-10 repealed by [Agriculture Act 1970 \(c. 40\), ss. 65\(1\), 113\(3\), Sch. 5 Pt. III](#)

<sup>F3</sup>11. ....

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Land (Utilisation) Act 1931, Part II. (See end of Document for details)*

**Textual Amendments**

**F3** S. 11 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

**12 Power of county councils to provide cottage holdings.**

- (1) The power of county councils to provide small holdings for persons who desire to buy or lease them shall include power to provide a cottage holding for any person who is, in the opinion of the council, a suitable person and who satisfies them that—
  - (a) he will reside permanently in the dwelling-house comprised in the holding; and
  - (b) he has the intention, knowledge and capital to cultivate satisfactorily the land forming part of the cottage holding,

and all the provisions of the Small Holdings and Allotments Acts with respect to small holdings shall apply to cottage holdings accordingly but subject to the modification that section six of the <sup>M1</sup>Small Holdings and Allotments Act, 1926, shall, in relation to any such holding, whether provided under this section or under the section thereby repealed, have effect as if among the conditions specified in subsection (1) of the said section six there were included a condition that the owner or occupier, as the case may be, shall reside permanently in the dwelling-house comprised in the holding. [<sup>F4</sup>Provided that this section shall have effect subject to section 60 of the Agriculture Act 1970]

[<sup>F5</sup>(1A) If the tenant of a cottage holding feels aggrieved by a prohibition such as is mentioned in the proviso to section 47(1) of the Small Holdings and Allotments Act <sup>M2</sup>1908 (prohibition of improvements), he may appeal to the Minister of Agriculture, Fisheries and Food, who may confirm, vary or annul the prohibition, and the decision of the Minister shall be final.]

(2) ..... <sup>F6</sup>

**Textual Amendments**

**F4** Proviso added by Agriculture Act 1970 (c. 40), **Sch. 4**

**F5** S. 12(1A) added by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1), s. 194, **Sch. 33 para. 2**

**F6** S. 12(2) repealed by Statute Law Revision Act 1950 (14 Geo. 6 c. 6)

**Marginal Citations**

**M1** 1926 c. 52.

**M2** 1908 c. 36(2:5).

*Allotments*

<sup>F7</sup>**13** .....

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Land (Utilisation) Act 1931, Part II. (See end of Document for details)*

**Textual Amendments**

**F7** S. 13 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

**F8** 14 .....

**Textual Amendments**

**F8** S. 14 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

**F9** 15 .....

**Textual Amendments**

**F9** S. 15 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

**F10** 16 .....

**Textual Amendments**

**F10** S. 16 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

*General*

**17 Minor amendments of Small Holdings and Allotments Acts.**

(1) The amendments specified in the second column of the Second Schedule to this Act (which relate to matters in minor detail) shall be made in the enactments specified in the first column of that Schedule.

(2) ..... **F11**

**Textual Amendments**

**F11** S. 17(2) repealed by **Statute Law (Repeals) Act 1973 (c. 39)**, s. 1(1), **Sch. 1 Pt. VIII**

**Modifications etc. (not altering text)**

**C3** Small Holdings and Allotments Account wound up by **Agriculture Act 1947 (c. 48)**, s. 59.

**C4** The text of S. 17(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.

**F12** 18 .....

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Land (Utilisation) Act 1931, Part II. (See end of Document for details)*

**Textual Amendments**

**F12** S. 18 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.III.

<sup>F13</sup> **19** .....

**Textual Amendments**

**F13** S. 19 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.III.

**20 Interpretation and construction.**

- (1) In this Part of this Act, unless the context otherwise requires—
  - “Cottage holding” means a holding comprising a dwelling-house, together with not less than forty perches and not more than one acre of agricultural land which can be cultivated by the occupier of the dwelling-house and his family;
  - “Small Holdings and Allotments Acts” means the Small Holdings and Allotments Acts, 1908 to 1926, the Allotments Acts, 1908 to 1925, and this Act;
  - “Society” includes any body of persons, whether incorporated or unincorporated, and shall have the same meaning in all the enactments with which this Act is construed as one.
- (2) Except where the context otherwise requires, references in this Part of this Act to any enactment or to any provision of any enactment shall be construed as references to that enactment or provision as amended by any subsequent enactment, including this Part of this Act, and this Part of this Act shall, except so far as it applies to Scotland, be construed as one with the Small Holdings and Allotments Acts, 1908 to 1926, and the Allotments Acts, 1908 to 1925.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Land (Utilisation) Act 1931, Part II.