



# Local Government Act 1972

## 1972 CHAPTER 70

### PART VII

#### MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

##### *Land transactions—general provisions*

#### 131 Savings.

- (1) Nothing in the foregoing provisions of this Part of this Act or in Part VIII below—
- (a) shall authorise the disposal of any land by a local authority in breach of any trust, covenant or agreement which is binding upon them, excluding any trust arising solely by reason of the land being held as public walks or pleasure grounds or in accordance with section 10 of the <sup>M1</sup>Open Spaces Act 1906; or
  - (b) shall affect, or empower a local authority to act otherwise than in accordance with, any provision contained in, or in any instrument made under, any of the enactments specified in subsection (2) below and relating to any dealing in land by a local authority or the application of capital money arising from any such dealing.
- (2) The enactments referred to in subsection (1)(b) above are—
- (a) the <sup>M2</sup>Technical and Industrial Institutions Act 1892;
  - (b) the Military Lands Acts 1892 to 1903;
  - <sup>F1</sup>(c) .....
  - (d) the Allotments Acts 1908 to 1950;
  - (e) the Small Holdings and Allotments Acts 1908 to 1931;
  - <sup>F2</sup>(f) the Ancient Monuments and Archaeological Areas Act 1979]
  - (g) section 28 of the <sup>M3</sup>Land Settlement (Facilities) Act 1919;
  - <sup>F3</sup>(h) .....
  - <sup>F4</sup>(i) .....
  - (j) Part III of the <sup>M4</sup>Agriculture Act 1970; and
  - <sup>F4</sup>(j) .....

*Changes to legislation: Local Government Act 1972, Section 131 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (k) any local Act (including an Act confirming a provisional order).  
<sup>F5</sup>(l) .....  
<sup>F6</sup>(m) the Housing Act 1985]
- (3) Nothing in the foregoing provisions of this Part of this Act shall affect the operation of [<sup>F7</sup>sections 117 to 121 of the Charities Act 2011 (restrictions on dispositions of charity land)] and, in particular, none of those provisions shall be treated as giving any such authority for a transaction as is referred to in [<sup>F8</sup>section 117(3)(a) (certain statutorily authorised dispositions not to require the sanction of the Charity Commission)].
- (4) In this section “local authority” includes a parish meeting and the parish trustees of a parish.

#### Textual Amendments

- F1** S. 131(2)(c) repealed (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 68(1), **Sch. 4 Pt. I**; S.I. 1992/2784, arts. 2, 3(3), **Sch. 2 Pt. III**
- F2** S. 131(2)(f) substituted by Ancient Monuments and Archaeological Areas Act 1979 (c. 46, SIF 3), s. 64(2), **Sch. 4 para. 13**
- F3** S. 131(2)(h) repealed by Civil Aviation (Amendment) Act 1982 (c. 1, SIF 9), s. 4(3), **Sch. 2**
- F4** S. 131(2)(i)(j) repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 6, **Sch. 1**
- F5** S. 131(2)(l) inserted by Housing Act 1980 (c. 51, SIF 61), s. 152(1), **Sch. 25 para. 23** and repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 6, **Sch. 1 Pt. I**
- F6** S. 131(2)(m) inserted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 23**
- F7** Words in s. 131(3) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 27(a)** (with s. 20(2), **Sch. 8**)
- F8** Words in s. 131(3) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 27(b)** (with s. 20(2), **Sch. 8**)

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

- C1** S. 131 modified (07.08.1991) by S.I. 1991/1773, art. 8(2), **Sch. 2**.  
 S. 131: certain functions transferred (07.08.1991) by S.I. 1991/1773, art. 8, **Sch. 2**.  
 S. 131 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
 S. 131 extended (with modifications) (19.9.1995) by 1995 c. 25, ss. 65, 125(2), **Sch. 8 para. 1(1)(b)(4)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)  
 S. 131: power conferred to make provisions about matters of the kind dealt with in this section (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4(a)(vii)**; S.I. 1997/1930, **art. 2(1)(2)(m)**
- C2** Ss. 128-131 modified (E.) (6.4.2010) by The Cowes Port Health Authority Order 2010 (S.I. 2010/1216), arts. 1(1), 4, **Sch.**
- C3** Ss. 128-131 modified (E.) (6.4.2010) by The Portsmouth Port Health Authority Order 2010 (S.I. 2010/1217), arts. 1(1), 4, **Sch.**
- C4** Ss. 128-131 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 7, **Sch. 1**
- C5** Ss. 128-131 applied (with modifications) (E.) (31.3.2017) by The Weymouth Port Health Authority Order 2017 (S.I. 2017/558), arts. 1(1), 8, **Sch. 1**

#### Marginal Citations

- M1** 1906 c. 25.  
**M2** 1892 c. 29.  
**M3** 1919 c. 59.

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**M4** 1970 c. 40.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)