



# Allotments Act 1922

## 1922 CHAPTER 51 12 and 13 Geo 5

### **3 Provision as to cottage holdings and certain allotments.**

- (1) The foregoing provisions of this Act as to determination of tenancies of allotment gardens and compensation to a tenant on quitting the same shall not apply to any parcel of land attached to a cottage.
- (2) In the case of any allotment within the meaning of this section (not being an allotment garden), the tenant shall, on the termination of his tenancy by effluxion of time, or from any other cause, be entitled, notwithstanding any agreement to the contrary, to obtain from the landlord compensation for the following matters:—
  - (a) For crops, including fruit, growing upon the land in the ordinary course of cultivation and for labour expended upon and manure applied to the land; and
  - (b) For fruit trees or bushes provided and planted by the tenant with the previous consent in writing of the landlord, and for drains, outbuildings, pigsties, fowl-houses, or other structural improvements made or erected by and at the expense of the tenant on the land with such consent.
- (3) Any sum due to the landlord from the tenant in respect of rent or of any breach of the contract of tenancy under which the land is held, or wilful or negligent damage committed or permitted by the tenant, shall be taken into account in reduction of the compensation.
- (4) The amount of the compensation shall, in default of agreement, be determined and recovered in the same manner as compensation is, under this Act, to be determined and recovered in the case of an allotment garden.
- (5) The [<sup>F1</sup>Agricultural Holdings Act 1986], shall, in the case of an allotment within the meaning of this section [<sup>F1</sup>which is an agricultural holding within the meaning of that Act], have effect as if the provisions of this section as to the determination and recovery of compensation were substituted for the provisions of [<sup>F1</sup>that Act] as to the determination and recovery of compensation, and a claim for compensation for any matter or thing for which a claim for compensation can be made under this section, may be made either under [<sup>F1</sup>that Act] or under this section, but not under both.

<sup>F2</sup>(6) .....

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*Changes to legislation: There are currently no known outstanding effects for the Allotments Act 1922, Section 3. (See end of Document for details)*

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- (7) In this section the expression “allotment” means any parcel of land, whether attached to a cottage or not, of not more than two acres in extent, held by a tenant under a landlord <sup>F3</sup>otherwise than under a farm business tenancy (within the meaning of the Agricultural Tenancies Act 1995)]and cultivated as a farm or a garden, or partly as a garden and partly as a farm.

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**Textual Amendments**

- F1** Words substituted [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, [Sch. 13 para. 3](#), [Sch. 14 para. 9](#)
- F2** [S. 3\(6\)](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. III](#)
- F3** Words in [s. 3\(7\)](#) inserted (1.9.1995) by [1995 c. 8, ss. 40, 41\(2\)](#), [Sch. para. 3](#) (with [s. 37](#)).

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

- C1** [S. 3](#) applied by [Opencast Coal Act 1958 \(c. 69\), s. 41](#), [Sch. 8 para. 3\(2\)\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Allotments Act 1922, Section 3.