



# Land Settlement (Scotland) Act 1919

## 1919 CHAPTER 97

### PART III

#### ALLOTMENTS

#### 18 Powers relating to allotments

- (1) The powers and duties of county councils under the Allotments (Scotland) Act, 1892 (in this Act referred to as the Act of 1892), shall be transferred to parish councils, and the provisions of Part IV. of the Local Government (Scotland) Act, 1894 (except section twenty-five of that Act), shall apply to the exercise and performance of the powers and duties transferred to or conferred and imposed on parish councils by this Part of this Act as if they had been conferred and imposed by the said Part IV. of that Act.
- (2) The powers and duties conferred and imposed on town councils by this Part of this Act shall be exercised and performed as if they had been conferred and imposed by the Act of 1892, and all expenses incurred by a town council under that Act shall be defrayed out of the public health general assessment or out of moneys borrowed on the security of that assessment, under and subject to the provisions of the Public Health (Scotland) Act, 1897, relating to that assessment and to money so borrowed.
- (3) The Board may, with the approval of the Secretary for Scotland, apply moneys out of the Agriculture (Scotland) Fund to an amount not exceeding four thousand pounds in any one year for the purpose of encouraging and developing the provision of allotments throughout Scotland in such manner as they think fit.

#### 19 Allotments consultative committees in certain burghs

In the case of every burgh where the Secretary for Scotland so requires, it shall be the duty of the town council annually to appoint a committee, which may consist in whole or in part of persons who are not members of the council, to consult with the council on matters relating to the provision, equipment, and management of allotments.

**20 Land for allotments**

If a local authority are unable by agreement to acquire by purchase or leasing suitable land for allotments at a reasonable price or rent and subject to reasonable conditions, the authority may apply to the Board for an order for the compulsory acquisition by purchase or leasing of the land specified in the application, and for the purpose of such acquisition the provisions of the First Schedule to this Act shall have effect.

**21 Temporary use for allotments of land acquired for other purposes**

Where any land belonging to a local authority is not immediately required for the purpose for which it was acquired, and is in the opinion of the authority suitable for temporary use in the form of allotments, the authority may, with the consent of the Secretary for Scotland, make the land available for such use, subject to any necessary conditions and restrictions as to tenure and otherwise.

**22 Provisions as to allotments**

- (1) A local authority may purchase any fruit-trees, seeds, plants, fertilizers, or implements required for the purposes of allotments cultivated as gardens, whether provided by the authority 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 :

Provided that the powers conferred by this subsection shall be exercisable only where, in the opinion of the authority, the facilities for the purchase or hire of the articles aforesaid from a society on a co-operative basis are inadequate.

- (2) Any person who by any act done without lawful authority or by negligence causes damage to any crops growing on an allotment cultivated as a garden shall be liable on summary conviction to a penalty not exceeding five pounds.
- (3) Stamp duty shall not be payable on any lease or agreement for the letting of any allotment or garden, whether provided by a local authority or otherwise, or on any duplicate or counterpart of such lease or agreement, where the rent does not exceed ten shillings per annum, and no consideration other than the rent is paid.

**23 Consequential and minor amendments of Act of 1892**

The amendments specified in the second column of the Third Schedule to this Act (which relate to consequential and minor matters) shall be made in the provisions of the Act of 1892 mentioned in the first column of that schedule.

**24 Interpretation**

In this Part of this Act, the expression " parish council " has the same meaning as in Part IV. of the Local Government (Scotland) Act, 1894, and the expression "local authority" has the same meaning as in the Act of 1892.

**25 Commencement of Part III of Act**

This Part of this Act shall come into operation on the first day of January, nineteen hundred and twenty.