



Allotments (Scotland) Act 1892

1892 CHAPTER 54

11 Sale of superfluous or unsuitable land.

- (1) Where the local authority are of opinion that any land acquired by them in pursuance of this Act or any part thereof is no longer needed for the purpose of allotments, or that any other land more suitable for such purpose is available, they may sell or let such land or part, or exchange the same for other land more suitable for the said purpose, and may pay or receive money for equality of exchange.
- (2) The proceeds of a sale under this section and any money received by the local authority on any such exchange as aforesaid by way of equality of exchange, shall be applied in discharging, either by way of a sinking fund or otherwise, the debts and liabilities of the local authority in respect of the land acquired under this Act, or in acquiring, adapting, and improving other land for allotments under this Act, and any surplus remaining may be applied for any capital purpose which is approved by the Secretary for Scotland; and the interest thereon (if any) and any money received from the letting of the land may be applied in acquiring other land for allotments, or shall be applied in like manner as receipts from allotments under this Act are applicable:

Provided that any such proceeds, surplus, interest, and money shall, in the case of a county, be credited to or applied for the benefit of the district within which is situated the parish on account of which the land was purchased.

- (3) Sections one hundred and twenty to one hundred and twenty-three (both inclusive) of the Lands Clauses Consolidation (Scotland) Act, 1845 (relating to the right of pre-emption of superfluous lands) shall apply upon any sale by a local authority in pursuance of this section of any land, whether because it is no longer needed for the purpose of allotments, or because other land more suitable for the purpose is available, but, save as aforesaid, the provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, with respect to the sale of superfluous lands shall not be deemed to be incorporated in this Act, or in any provisional order made under this Act.