



Allotments (Scotland) Act 1892

1892 CHAPTER 54

2 Duty of local authority to acquire land for allotments.

- (1) On a representation in writing to the local authority of any burgh or county by any six registered parliamentary electors or ratepayers resident, in the case of a burgh, in that burgh, and, in the case of a county, in some parish in that county, that the circumstances of the burgh or parish are such that it is the duty of the local authority to take proceedings under this Act therein, the local authority shall take such representation into consideration.

If the local authority of any burgh or county are of opinion, either after inquiry made in consequence of such representation or otherwise, that there is a demand for allotments for the labouring population in such burgh, or in any parish in such county, and that such allotments cannot be obtained at a reasonable rent and on reasonable conditions by voluntary arrangement between the owners of land suitable for such allotments and the applicants for the same, the local authority, subject to the provisions of this Act, shall by purchase or leasing acquire any suitable land which may be available, whether within or without the said burgh or the said parish, adequate to provide a sufficient number of allotments, and shall let such land in allotments to persons belonging to the labouring population resident in the said burgh or parish and desiring to take the same.

- (2) A local authority shall not under this Act acquire land for allotments save at such price or rent that in the opinion of the local authority all expenses, except such expenses as are incurred in making roads to be used by the public, incurred by the local authority in acquiring the land and otherwise in relation to the allotments may reasonably be expected to be recouped out of the rents obtained in respect thereof.

For the purpose of this section, the expression "reasonable rent," means the rent, exclusive of rates and taxes, which a person taking an allotment might reasonably be expected to pay, taking one year with another, to a landlord, having regard to the value of similar land in the neighbourhood, to the extent and situation of the allotment, to the expenses of adapting the land to the purposes of the allotment, and to the repairs and other outgoings payable by the landlord, and to the cost and risk of collecting the rents of, and otherwise managing, allotments.