



Allotments (Scotland) Act 1892

1892 CHAPTER 54

7 Provisions as to letting and use of allotments.

- (1) The rents of the allotments shall be fixed at an amount not less than such as may reasonably be expected to ensure the local authority from loss ; but in calculating such loss any expenses incurred in an unsuccessful attempt to acquire land for allotments shall be excluded and, subject as aforesaid, such rents may be from time to time charged as are reasonable, having regard to the agricultural value of the land, and not more than a quarter's rent shall be required to be paid in advance in any case where it is deemed necessary by the local authority to require the payment of rent in advance.
- (2) The local authority shall, for the purposes of all rates and taxes, be deemed to be the occupiers of the allotments which are let, but they shall cause the sums from time to time paid by way of rates and taxes in respect of the allotments to be apportioned among them, and cause the sum so apportioned in respect of each allotment to be certified to the tenant thereof, and such sum shall be added to the rent otherwise payable by the said tenant in respect of such allotment, and shall be deemed to be part of such rent, and be recoverable accordingly : Provided always, that for the purposes of the parliamentary franchise, and the municipal and county and all other local franchises, the tenants shall be deemed to be the occupiers and such rates to have been paid by them, notwithstanding the provisions herein-before contained.
- (3) One person shall not hold any allotment or allotments acquired under this Act exceeding one acre, and an allotment shall not be sub-let.
- (4) Provided that if at any time any allotment cannot be let in accordance with the provisions of this Act and the regulations, the same may be let to any person whatever at the best annual rent which can be obtained for the same, and on such terms as may enable the local authority to resume possession thereof within a period not exceeding twelve months if it should at any time be required to be let under the provisions aforesaid.
- (5) No building other than a toolhouse, shed, greenhouse, fowl-house, or pigsty shall be erected on any part of any allotment, and if any building other than as aforesaid is so erected, the local authority shall forthwith pull down such building and sell and dispose of the materials thereof, and the proceeds of the sale shall be applicable in like manner

as the rent of the allotment. If any building so allowed to be erected is erected upon an allotment, then at the end of the tenancy neither the local authority nor the incoming tenant shall be bound to take any such building or pay any compensation therefor, but the outgoing tenant shall be at liberty, before the expiration of his tenancy, to remove the same, and, if he fails so to do, the local authority may, after such expiration, pull down the building and dispose of the materials, and apply the proceeds in like manner as if it were a building prohibited to be erected.

- (6) A tenant of an allotment may, before the expiration of his tenancy, remove any fruit and other trees and bushes planted or acquired by him, for which he has no claim for compensation.