



Small Holdings and Allotments Act 1908

1908 CHAPTER 36

PART II

ALLOTMENTS

Supplemental

34 Power to make scheme for provision of common pasture

- (1) Where it appears to the council of any borough, urban district, or parish that, as regards their borough, district, or parish, land can be acquired for affording common pasture at such price or rent that all expenses incurred by the council in acquiring the land and otherwise in relation to the land when acquired may reasonably be expected to be recouped out of the charges paid in respect thereof, and that the acquisition of such land is desirable in view of the wants and circumstances of the labouring population, the council may submit to the council of the county in which the borough, district, or parish is wholly or partly situate a scheme for providing such common pasture.
- (2) The county council, if satisfied of the expediency of such scheme, may by order authorise the council which submitted it to carry it into effect, and, upon such an order being made, the provisions of this Act relating to allotments shall, with the necessary modifications, apply in like manner as if " allotments " in those provisions included common pasture, and "rent" included a charge for turning out an animal:

Provided that the rules made under those provisions may extend to regulating the turning out of animals on the common pasture, to denning the persons entitled to turn them out, the number to be turned out, and the conditions under which animals may be turned out, and fixing the charges to be made for each animal, and otherwise to regulating the common pasture.

35 Use of school-room free of charge

- (1) Any room in a public elementary school in respect of which a grant is made out of moneys provided by Parliament may, except while the room is being used for

educational purposes, be used free of charge for the purposes of this Part of this Act by the county council, or, with the consent of any two managers, for the purpose of holding public meetings to discuss any question relating to allotments under this Act, but any damage done to the room and any expense incurred by the persons having control over the room on account of its being so used shall be paid by the county council or the persons calling the meeting.

- (2) Nothing in this section shall give any right to hold a public meeting in a schoolroom—
 - (a) Unless not less than six days before the meeting a notice of the intention to hold the meeting on the day and at the time specified in the notice, signed by the persons calling the meeting, being not less than six in number, and being persons qualified to make a representation to the council of a borough, urban district, or parish under this Part of this Act, has been given, in the case of a school provided by the local education authority to the clerk of that authority, and in any other case to one of the managers of the school; or
 - (b) if the use of the schoolroom on the said day and at the said time has previously to the receipt of the notice of the meeting been granted for some other purpose; but in that case the clerk or manager, or some one on his behalf, shall forthwith, after the receipt of the notice, inform in writing one of the persons signing it that the use of the school has been so granted for some other purpose, and name some other day on which the schoolroom can be used for the meeting.
- (3) If the persons calling the meeting fail to obtain the use of a schoolroom under this section, they may appeal to the small holdings and allotments committee under this Act, and the committee shall forthwith decide the appeal, and make such order respecting the use of the room as seems just.
- (4) Nothing in this section shall affect the powers as to the use of schoolrooms conferred by section four of the Local Government Act, 1894.

36 Application to London

The powers as to allotments conferred on borough, urban district, and parish councils by this Act may in London be exercised by the London County Council, and the provisions of this Act as to allotments shall apply accordingly, except that, subject to the provisions of this Act, the expenses shall be defrayed and money borrowed under and in accordance with the provisions of the Local Government Act, 1888.

37 Application to county boroughs

Such of the provisions of this Part of this Act as require the sanction of, submission to, or order of, a county council shall not apply in the case of a county borough.