



Small Holdings and Allotments Act 1908

1908 CHAPTER 36 8 Edw 7

PART III **E+W**

GENERAL

Supplemental

55, 56. ^{F1} **E+W**

Textual Amendments

F1 Ss. 1–22, 46(2), 55, 56, 58(2) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

57 **Local inquiries.** **E+W**

- (1) The Board . . . ^{F2} and . . . ^{F2} officers of the Board shall have for the purpose of an inquiry in pursuance of this Act the same powers as the Local Government Board and their inspectors respectively have for the purpose of an inquiry under the Public Health Acts.
- (2) Notices of the inquiries shall be given and published in accordance with such general or special directions as the Board may give.
- (3) ^{F3}

Textual Amendments

F2 Words repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), [Sch. 2](#)

F3 S. 57(3) repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), ss. 272(1), 273(1), [Sch. 30](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Cross Heading: Supplemental. (See end of Document for details)

58 Arbitrations and valuations. E+W

- (1) All questions which under this Act are referred to arbitration shall, unless otherwise expressly provided by this Act, be determined by a single arbitrator in accordance with the [^{F4}Agricultural Holdings Act 1986]
- (2) ^{F5}
- (3) The remuneration of an arbitrator or valuer appointed under this Act shall be fixed by the Board.

Textual Amendments

F4 Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 2**

F5 Ss. 1–22, 46(2), 55, 56, 58(2) repealed by [Small Holdings and Allotments Act 1926 \(c. 52\)](#), **Sch. 2**

59 ^{F6} **E+W**

Textual Amendments

F6 [S. 59](#) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1\)](#), ss. 1(5), 194, Sch. 5 para. 2, **Sch. 34 Pt. V**

60 Saving for existing tenancies. E+W

Nothing in this Act shall affect the rights and obligations under any tenancy created under any enactment repealed by this Act.

61 Interpretation. E+W

- (1) For the purposes of this Act—
 - The expression “small holding” means an agricultural holding which exceeds one acre and either does not exceed fifty acres, or, if exceeding fifty acres, is at the date of sale or letting of an annual value for the purposes of income tax not exceeding [^{F7}one hundred pounds]:
 - The expression “allotment” includes a field garden;
 - The expressions “agriculture” and “cultivation” shall include horticulture and the use of land for any purpose of husbandry inclusive of the keeping or breeding of livestock, poultry, or bees, and the growth of fruit, vegetables, and the like:
 - ^{F8}
 - ^{F9}
 - The expression “prescribed” means prescribed by regulations made by the Board:
 - The expression “landlord,” in relation to any land compulsorily hired by a council, means the person for the time being entitled to receive the rent of the land from the council.

Status: Point in time view as at 01/02/1991.

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- (2) In this Act and in the enactments incorporated with this Act the expression “land” shall include any right or easement in or over land.
- (3) For the purposes of this Act, any expenses incurred by a council in the enfranchisement of any land acquired by them for small holdings or allotments, or in the purchase or redemption or . . . ^{F10} any quit rent, chief rent, tithe, or other rentcharge, or other perpetual annual sum issuing out of land so acquired, shall be deemed to have been incurred in the purchase of the land.
- (4) In this Act references to a parish council shall, in the case of a rural parish not having a parish council, include references to the parish meeting.
- (5) Any notice required by this Act to be served or given may be sent by registered post.

Textual Amendments

- F7** Words substituted by [Small Holdings and Allotments Act 1926 \(c. 52\), s. 16](#)
- F8** Definition of “county” repealed by [Local Government Act 1985 \(c. 51, SIF 81\), s. 102, Sch. 17](#)
- F9** Definition of “county council” repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\), ss. 272\(1\), 273\(1\), Sch. 30](#)
- F10** Words repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)

62 Repeal. E+W

- ^{F11}
- (a) nothing in this Act shall affect any order, scheme, draft scheme, rules, regulations, report, petition, notice, or other document made, prepared, submitted, served, or given under any enactment so repealed, but every such document shall have effect as if made, prepared, submitted, served, or given under this Act; and
 - (b) references in any conveyance, lease, or other document to any enactment so repealed shall have effect as if they had been references to the corresponding provisions of this Act; and
 - (c) if any question arises as to whether any power of the Local Government Board under the enactments relating to allotments hereby repealed was thereby transferred to the Board of Agriculture and Fisheries, the question shall be determined by the Local Government Board, whose decision shall be final.

Textual Amendments

- F11** Words repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

63 †Short title, commencement and extent. E+W

- (1) This Act may be cited as the Small Holdings and Allotments Act, 1908.
- (2) ^{F12}
- (3) This Act shall not extend to Scotland or Ireland.

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Cross Heading: Supplemental. (See end of Document for details)*

Textual Amendments

F12 S. 63(2), Sch. 3 repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

C1 A dagger appended to a marginal note means that it is no longer accurate

Status:

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Changes to legislation:

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