

SCHEDULES

FIRST SCHEDULE

PART II

PROVISIONS AS TO THE COMPULSORY HIRING OF LAND BY A COUNCIL

- (2) The order authorising the land to be hired compulsorily shall determine the terms and conditions of the hiring other than the rent, and in particular—
- (a) shall provide for the insertion in the lease of covenants by the council to cultivate the land in a proper manner and to pay to the landlord at the determination of the tenancy on the council quitting the land compensation for any depreciation of the land by reason of any failure by the council, or by persons deriving title under them, to observe such covenants, or by reason of any user of the land by the council or such person as aforesaid, and (unless otherwise agreed) to keep the buildings and premises demised in repair; and
 - (b) shall not authorise the breaking up of pasture unless the Board are satisfied that it can be so broken up without depreciating the value of the land, or that the circumstances are such that small holdings [^{F1}or allotments as the case may be] cannot otherwise be successfully cultivated; and
 - (c) shall not, except with the consent of the landlord, confer on the council any right to fell or cut timber or trees or any right to take, sell or carry away any minerals, gravel, sand, or clay, except so far as may be necessary or convenient for the purpose of erecting buildings on the land or otherwise adapting the land for small holdings or allotments, and except upon payment of compensation for minerals, gravel, sand, or clay so used.

Textual Amendments

F1 Words inserted by Land Settlement(Facilities) Act 1919 (c. 59), Sch.2

Modifications etc. (not altering text)

C1 Para (2)(b) excluded by [Allotments Act 1922 \(c. 51\)](#), s. 8(5)

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Paragraph 2.