



# Allotments Act 1925

1925 CHAPTER 61 15 and 16 Geo 5

An Act to facilitate the acquisition and maintenance of allotments, and to make further provision for the security of tenure of tenants of allotments. [7th August 1925]

## Modifications etc. (not altering text)

- C1 Act applied by [Agricultural Land \(Utilisation\) Act 1931 \(c. 41\), s. 13\(1\)](#); restricted by [Allotments Act 1950 \(c. 31\), s. 9](#).
- C2 Functions of Minister of Agriculture and Fisheries under this Act now exercisable by Secretary of State: [S.I. 1955/554](#) (1955 I, p. 1200), 1965/143, 1967/156 and 1970/1681
- C3 Functions of Minister of Health under this Act now exercisable by Secretary of State: [S.I. 1951/753](#), 1900 (1951 I, pp. 1354, 1347), 1965/319 and 1970/1681
- C4 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C5 Certain functions of Minister of Agriculture, Fisheries and Food expressed to be transferred by [S.I. 1978/272, art. 2](#)  
Act: Functions of a Minister of the Crown transferred to the National Assembly for Wales (W.) (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)

## Commencement Information

- I1 Act wholly in force at Royal Assent

## 1 Interpretation.

In this Act, unless the context otherwise requires,—

“Allotment” means an allotment garden as defined by the <sup>M1</sup>Allotments Act, 1922, or any parcel of land not more than five acres in extent cultivated or intended to be cultivated as a garden or farm, or partly as a garden and partly as a farm;

“Commissioners” means the Public Works Loans Commissioners;

“The Act of 1922” means the Allotments Act, 1922.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Allotments Act 1925. (See end of Document for details)*

**Marginal Citations**

M1 1922 c. 51.

2 ..... F1

**Textual Amendments**

F1 S. 2 repealed by National Loans Act 1968 (c. 13), Sch. 6 Pt. II

**3 Provision for allotments in town-planning schemes.**

- (1) Every local authority or joint committee of local authorities preparing a town-planning scheme in pursuance of the <sup>M2</sup>Town Planning Act, 1925, shall, in preparing such scheme, consider what provision ought to be included therein for the reservation of land for allotments.

Before determining whether provision shall be included as aforesaid, the local authority or joint committee shall consult the council of any borough or urban district any part of whose district is within the area of the proposed scheme, and consider any recommendations which the council of the borough or urban district make.

Every local authority or joint committee submitting a town-planning scheme to the Minister of Health for his approval shall furnish therewith a statement under the hand of their clerk or other competent officer certifying that the requirements of this subsection have been complied with.

- (2) ..... F2

- (3) The council of every borough or urban district, any part of whose district is within the area of a town-planning scheme, shall take into consideration from time to time, but at least once in every year, the question whether any and, if so, what lands within the area of the scheme are needed for allotments, whether reserved for the purpose or not, and ought to be acquired under and in accordance with the provisions of the Allotments Acts, 1908 to 1922, as amended by this Act.

- (4) ..... F3

**Textual Amendments**

F2 S. 3(2) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1, Sch. 1 Pt. XVII

F3 S. 3(4) repealed by Local Government Act 1972 (c. 70, SIF 81:1), ss. 272(1), 273(1), Sch. 30

**Marginal Citations**

M2 1925 c. 16.

4 ..... F4

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

*Changes to legislation: There are currently no known outstanding effects for the Allotments Act 1925. (See end of Document for details)*

#### Textual Amendments

**F4** S. 4 repealed by Allotments Act 1950 (c. 31), Sch.

### 5 Acquisition of land for future allotments.

The council of a borough or urban district may acquire land for allotments, notwithstanding that the land or any part of it cannot immediately be let in allotments, provided that the Minister of Health is satisfied, after consultation with the Minister of Agriculture and Fisheries, that there is a reasonable expectation that the land will eventually be required for allotments.

### 6 Amendment of section ten (3) of the Act of 1922.

Section ten of the Act of 1922 is hereby amended by the substitution for paragraph b of subsection (3) of the following paragraph—

- (b) by not less than three months' notice in writing given by the owner to the council in any case where the land is required for any purpose other than the use of the land for agriculture, sport, or recreation, and by not less than six months' notice in writing so given and expiring on or before the sixth day of September, where the land is required for the use for sport or recreation.

#### Modifications etc. (not altering text)

**C6** The text of S. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### 7 Amendment of section ten (4) of Act of 1922.

The right of a tenant to claim compensation under subsection (4) of section ten of the Act of 1922 shall be exercisable notwithstanding that it is otherwise agreed in the contract of tenancy in any case where the rent payable by the tenant under his contract of tenancy for the land exceeds threepence per pole, unless, in the case of a tenancy existing at the passing of this Act, the council within three months after the passing of this Act gives notice in writing to the tenant that the rent of the land is as from the last preceding date for payment of rent reduced to a rent of threepence per pole or less.

### 8 Sale, &c., of land used as allotments.

Where a local authority has purchased [<sup>F5</sup>or appropriated] land for use as allotments the local authority shall not sell, appropriate, use, or dispose of the land for any purpose other than use for allotments without the consent of the Minister of Agriculture and Fisheries after consultation with the Minister of Health and such consent [<sup>F5</sup>may be given unconditionally or subject to such conditions as the Minister thinks fit, but] shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable, and where such consent is obtained the sanction of the county council under section thirty-two of the <sup>M3</sup>Small Holdings and Allotments Act, 1908, shall not be required.

*Status: Point in time view as at 01/02/1991.*  
*Changes to legislation: There are currently no known outstanding effects for the Allotments Act 1925. (See end of Document for details)*

**Textual Amendments**  
**F5** Words inserted by Agricultural Land (Utilisation) Act 1931 c. 41), Sch. 2

**Marginal Citations**  
**M3** 1908 c. 36.

**9 Amendment of s. 11 of the Act of 1922.**

Section eleven of the Act of 1922 shall be read as if the period of twenty-one days were substituted therein for the period of ten days as the period within which a notice may be served on the person requiring possession.

**10 Rating of new allotments.**

Where after the date of this Act coming into operation land which is not used for allotments commences to be so used, the gross value, or the gross estimated rental, for the purposes of any enactment relating to rating, at which the land is assessed immediately before such user shall not be increased during the first three years of such user, and where the land so used was immediately before such user included with other land in one assessment in the valuation list in force, the gross value or gross estimated rental of the land included in that assessment shall for the purposes of this section be apportioned according to acreage as between the land used for allotments and the other land:

Provided that, if on the application of any person interested, or without any such application, it appears to the assessment committee that apportionment according to acreage would work an injustice, the gross value or gross estimated rental shall be apportioned in such manner as the assessment committee may determine.

**11 Amendment of section seventeen of the Act of 1922.**

The provisions of subsection (1) of section seventeen of the Act of 1922, relating to the assessment of a council to rates shall apply to an approved society providing land for allotments in the same manner as it applies to a council, and subsection (2) of that section is hereby repealed.

**12** ..... **F6**

**Textual Amendments**  
**F6** S. 12 repealed by Local Government Act 1972 (c. 70, SIF 81:1), ss. 272(1), 273(1), **Sch. 30**

**13** ..... **F7**

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

*Changes to legislation: There are currently no known outstanding effects for the Allotments Act 1925. (See end of Document for details)*

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**Textual Amendments**

- F7** S. 13 repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1\)](#), s. 1(5), Sch. 5, [Sch. 34 Pt. V](#)

**14 Short title.**

- (1) This Act may be cited as the Allotments Act, 1925, and the Allotments Acts, 1908 to 1922, and this Act may be cited together as the Allotments Acts, 1908 to 1925.
- (2) This Act shall not apply to Scotland or Northern Ireland.

**Status:**

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

**Changes to legislation:**

There are currently no known outstanding effects for the Allotments Act 1925.