



Small Holdings and Allotments Act 1926

1926 CHAPTER 52 16 and 17 Geo 5

PART I

SMALL HOLDINGS

Loans by County Councils to Persons purchasing Small Holdings

13 Power of county council to advance money for purchase of small holdings.

- (1) Where a person being desirous of purchasing a small holding which he is able to cultivate properly has agreed with the owner for the purchase thereof, the county council of the county in which the holding or any part of it is situate may, if they think fit, advance to the purchaser on the security of the holding an amount not exceeding nine-tenths of the value of the holding as ascertained to the satisfaction of the county council repayable [^{F1}with interest at such rate as may be agreed between the council and the purchaser] by a terminable annuity for a period not exceeding sixty years.
- (2) The provisions of this Act with respect to the terminable annuity secured by a charge on a small holding sold by a county council, and with respect to any small holding so sold, shall apply to a terminable annuity charged and a holding purchased under this section, as if the advance was the purchase money.

^{F2}(3)

^{F3}(4)

Textual Amendments

F1 Words substituted by [Agricultural Land \(Utilisation\) Act 1931 \(c. 41\)](#), **Sch. 2**

F2 [S. 13\(3\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 3**

F3 [S. 13\(4\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 3**

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926,
 Cross Heading: Loans by County Councils to Persons purchasing Small Holdings. (See end of Document for details)

14 Power of councils to make advances for equipment of small holdings.

- (1) A county council may—
- (a) subject to the provisions hereinafter contained, advance money to owners of small holdings provided by ^{F4} or purchased with the assistance of] the council under the principal Act as amended by this Act for the purpose of constructing, altering or adapting or undertaking to construct, alter or adapt houses and farm buildings on such small holdings; and
 - (b) undertake to guarantee the repayment to a society incorporated under the Building Societies Acts, 1874 to 1894, or the Industrial and Provident Societies Acts, 1893 to 1913, of any advances made by the society to any of its members, being the owners of small holdings provided b ^{F4} or purchased with the assistance of] the council as aforesaid, for the purpose of enabling them to construct, alter or adapt houses or farm buildings on such small holdings and the interest on such advances.
- (2) The county council before granting such assistance shall satisfy themselves that the houses or farm buildings in respect of which assistance is to be given will, when the construction, alteration or adaptation is completed, in the case of houses, be in all respects fit for human habitation, and in the case of houses and farm buildings be in all respects suitable and necessary for the requirements of the small holdings.
- (3) Any such advance as aforesaid shall be subject to the following conditions:—
- (a) The advance with interest thereon shall be secured by mortgage, and the advance shall not exceed ninety per cent. of the value of the interest of the mortgagor in the property, and the mortgage deed may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined, so, however, that in the event of any of the conditions subject to which the advance is made not being complied with the balance for the time being unpaid shall become repayable on demand by the council;
 - (b) The advance may be made by instalments from time to time as the construction, alteration or adaptation of the house or farm building progresses, so, however, that the total of the advance does not at any time before the completion of the construction, alteration or adaptation exceed fifty per cent. of the value of the work done up to that time on the construction, alteration or adaptation of the house or farm building, or on works incidental thereto; and
 - (c) The advance shall not be made except after valuation duly made on behalf of the council.
- (4) The making of advances and the fulfilling of guarantees under this section (except a guarantee of interest) shall be purposes for which a council may borrow . . . ^{F5}

Textual Amendments

F4 Words substituted by [Agricultural Land \(Utilisation \) Act 1931 \(c. 41\)](#), [Sch. 2](#)

F5 Words repealed by [Local Government Act 1933 \(c. 51\)](#), s. 307, [Sch. 11 Pt. IV](#) and S.I. 1970/211

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Cross Heading: Loans by County Councils to Persons purchasing Small Holdings.