

W. J. M.

Any further communications should be addressed, not to any individual by name, but to—

"THE SECRETARY,
BOARD OF AGRICULTURE FOR SCOTLAND,
29 ST. ANDREW SQUARE,
EDINBURGH."

Correspondents are requested :—

1. To quote the Number, Date, and Heading of each letter to which they reply ; and
2. To let communications on different subjects form separate letters.

No.

Telegraphic Address—"BOAS, EDINBURGH."

BOARD OF AGRICULTURE FOR SCOTLAND,

29 ST. ANDREW SQUARE,

EDINBURGH.

4th April, 1921.



Enclosures.

Sir,

Allotments.

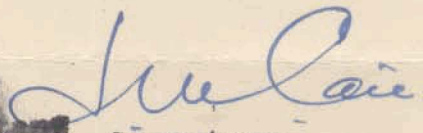
With reference to your letter of 29th ultimo, I am directed by the Board of Agriculture for Scotland to draw your attention to the terms of their circular of 23rd February, 1920, copy enclosed, which indicates the procedure to be followed by Town Councils in providing land for allotments.

Enclosed is also a copy of a circular dated 19th July, 1920, which explains some doubtful points in the interpretation of Section 20 of the Land Settlement (Scotland) Act, 1919, under which Town Councils, in cases where they are unable to acquire suitable land by agreement, may apply to the Board for an Order for its compulsory acquisition either by purchase or leasing.

The Allotments (Compulsory Leasing) Regulations 1920 (copy enclosed) set forth the procedure to be followed in the case of the issue of a Compulsory Leasing Order.

I am, Sir,

Your obedient Servant,


Assistant Secretary.

The Town Clerk,
DORNOCH.

No. 31955.

BOARD OF AGRICULTURE FOR SCOTLAND,
29 St. Andrew Square,
EDINBURGH, 19th July, 1920.

Sir,

Allotments.

I am directed by the Board of Agriculture for Scotland to inform you that they have taken advice on some doubtful points in the interpretation of Section 20 of the Land Settlement (Scotland) Act, 1919, and think that the following notes may be useful to local authorities.

(1) Prior to the passing of the Act mentioned above, a Town Council was restricted to the provisions of the Allotments (Scotland) Act, 1892, Section 7, in which it is stated that "one person shall not hold any allotment or allotments acquired under this Act exceeding one acre, and an allotment shall not be sub-let."

By the passing of the 1919 Act, the powers contained in the following provisos to Section 26 (5) of the Local Government (Scotland) Act, 1894, now apply to allotments created on land taken on lease compulsorily and are additional to any powers already held by a Town Council.

Provisos referred to.

- (a) may let to one person an allotment or allotments exceeding one acre, but, either not exceeding in the whole four acres of pasture or one acre of arable and three acres of pasture, or not exceeding four pounds in annual value; and
- (b) May permit to be erected, on the allotment, any stable, byre, or barn; provided that such stable, byre or barn shall not, unless erected with the assent in writing of the landlord, be the subject of compensation, but may be removed by the tenant on the determination of the tenancy; and
- (c) shall not break up, or permit to be broken up, any permanent pasture, without the assent in writing of the landlord.

(2) Under Section 20 of the Land Settlement (Scotland) Act, 1919, a local authority may apply to the Board for a compulsory leasing order simply on failure to obtain land on lease by agreement, and the refusal of an offer by a land owner to sell land does not debar a local authority from making an application to the Board for a compulsory leasing order.

I am, Sir,
Your obedient Servant,

CHAS. WEATHERILL,
Secretary.

W.J.M.

BOARD OF AGRICULTURE FOR SCOTLAND,
29 ST. ANDREW SQUARE,
EDINBURGH.

Reference No. 37614.

8th April, 1921.

Enclosure.

Sir,

Allotments.
Defence of the Realm Regulation 2L.

I am directed by the Board of Agriculture for Scotland to refer to Section 9 of the Agriculture Act 1920, and to state that, while this section revokes the Board's powers under the above mentioned Regulation as from 1st January 1921, the operation of any Notice served or Order made under the Regulation is not (in view of proviso (a) to Section 36(3) of the Act) prejudiced or affected.

Having regard to this and with a view to following a uniform method of procedure for the future provision of allotments as provided by Part III of the Land Settlement (Scotland) Act, 1919, the Board, on consideration, have made an Order revoking the Cultivation of Lands (Scotland) Order 1918 and fixing a date by which the occupancy of certain land entered on under the Regulation for the purpose of allotments shall be held to be determined.

A copy of this Revocation Order is enclosed herewith for the information of your Town Council.

The effect of the revocation of the Cultivation of Lands (Scotland) Order 1918 is that the Council of any royal, parliamentary, or police burgh in Scotland has no longer the power of entry on land for the purpose of allotments conveyed by Defence of the Realm Regulation 2L.

The fixing of the 28th November as the date on which the occupancy of certain land shall be held to be determined, does not, as will be seen from the enclosure hereto, apply to occupied land entered on either with the written consent of the occupier or with the sanction of the Board. The only land affected is, therefore, unoccupied land in the sense defined in the Order now revoked viz: land in respect of which no person was entered as tenant or occupier in the Valuation Roll for the year.

In requesting that you will lay this letter before your Council further information the Board desire me to add that with a view to considering what further action may be necessary on their part they would be glad if you would furnish them as soon as possible with a statement shewing under separate headings the extent and description of (1) any occupied land entered on as above by the Council with the written consent of the occupier and (2) of any unoccupied land, as defined, so entered on for the purpose of allotments. In the case of (1) it would be a favour if the terms of any agreement arranged with the owner or occupier could also be indicated.

I am, Sir,
Your obedient Servant,

The Town Clerk,

CHAS. WENTHERILL

Secretary.

ALLOTMENTS: SCOTLAND.

The Cultivation of Lands (Scotland) Revocation Order, 1921, dated 2nd April, 1921, made by the Board of Agriculture for Scotland in pursuance of proviso (a) to subsection (3) of Section 36 of the Agriculture Act, 1920.

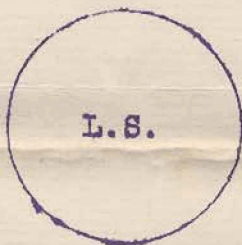
WHEREAS in view of proviso (a) to subsection (3) of Section 36 of the Agriculture Act, 1920, the operation of the Cultivation of Lands (Scotland) Order, 1918, (S.R. and O. 1918 No.17/S.I) (hereinafter referred to as "the said Order" is not prejudiced or affected by the repeal of the Corn Production (Amendment) Act, 1918,

And whereas the Board are of the opinion that the powers delegated under the said Order to the Councils of every royal, parliamentary and police burgh in Scotland should now be withdrawn and that the occupancy of any land entered on under the said Order (excepting land that has been so entered on with the written consent of the occupier or with the sanction of the Board) should be determined,

Now therefore the Board (1) do hereby revoke the said Order and the powers exercisable thereunder shall accordingly cease and determine as from the date hereof and (2) do hereby prescribe the Twenty eighth day of November Nineteen hundred and twenty-one as the day on which the occupancy of any land entered on under the said Order (other than land excepted as aforesaid) shall be held to be determined;

Provided always that such revocation or prescription shall not affect the previous operation of or anything done under the said Order nor affect any right or liability acquired or incurred thereunder.

This Order, which may be cited as the Cultivation of Lands (Scotland) Revocation Order, 1921, applies only to Scotland.



IN WITNESS WHEREOF the Board of Agriculture for Scotland have hereunto set their Official Seal this Second day of April Nineteen hundred and Twenty-one.

(Signed) ROBERT P. WRIGHT
Chairman.

(Signed) CHAS. WEATHERILL
Secretary.