

Section	Allotments (Scotland) Act 1892	Duty	Comment
2.	Duty of Local Authority to acquire land for allotments.	On a representation in writing to the Local Authority by any six locally registered residents the Local Authority has a duty to consider those representations.	Retain Add timescale
2.	Duty of Local Authority to acquire land for allotments.	If the Local Authority is of the opinion that there is a demand for allotments in their area they have a duty, subject to the provisions in the Act, to acquire and let suitable land for allotments.	Retain
6. (2)	Management of allotments.	A Local Authority has a duty to make known to interested persons any regulations it has made which regulate the letting of allotments, and must provide any inhabitant of their area with a free copy of such regulations on request.	Retain
14.	Register of tenancies.	The Local Authority shall keep a register showing details of tenancy, acreage and rent of every allotment let and un-let. This register will be open and free to ratepayers in that area. Local Authorities will publish an annual statement showing receipts and expenditure within a month of 15th May.	Retain add 'up to date' and include private sites

Section	Allotments (Scotland) Act 1922	Duty	
2. (1)	Compensation on removing from allotment gardens.	On termination of an allotment tenancy the local authority must provide compensation to the tenant for crops being grown on the land and for manure applied to the land.	Retain
2. (9b)	Compensation on removing from allotment gardens.	On termination of the tenancy Local Authorities are bound to pay any compensation as detailed in agreement or determined by an arbiter appointed by the sheriff.	Retain
2. (11)	Compensation on removing from allotment gardens.	Where land is let to a Local Authority and subsequently sub-let by the authority the Local Authority have a duty to serve intimation of any notice from the lessor to each sub tenant.	Retain
6. (1c)	Provisions relating to land leased for allotments.	Where land is acquired on a lease by a Local Authority for use as allotments, the Local Authority cannot break up, or permit to be broken up, any permanent pasture on the land acquired by the lease without written consent.	Review

6. (2)	Provisions relating to land leased for allotments.	Where land is acquired by a Local Authority for use as allotments under an order for the compulsory leasing of the land, the lease must be for over 10 and no more than 35 years.	Retain and add the lease shall be reviewed every 5 years
6. (3)	Provisions relating to land leased for allotments.	The Local Authority cannot acquire land on lease for allotments which is already owned or occupied as a small holding.	Review
10. (1d)	Powers of entry on unoccupied land.	If the Local Authority utilises unoccupied land for the use of allotments, on the termination of the Local Authority's occupation it must remove any erection or work of adaption and	Retain

		make good any injury to the land caused by their removal.	
10. (4) & (5)	Powers of entry on unoccupied land.	When a tenant has their allotment lease terminated as a result of the Local Authority's right of occupation under s 10 being terminated, the Local Authority has a duty to pay compensation to the tenants as would have been paid if the Local Authority had terminated the tenancy.	Retain
15.	Access to allotments.	The Local Authority has a duty to provide access to allotments by suitable roads or paths, where such means of access are not already available.	Retain
Section	Allotments (Scotland) Act 1950	Duty	
9.	Restriction of obligations of Local Authorities to provide allotments.	Where the local population is less than 10,000 any duty to provide allotments is limited to providing allotment gardens not exceeding 20 poles.	Retain

Section	Allotments (Scotland) Act 1892	Power	
5.	Improvement and adaptation of land for allotments.	The Local Authority may improve and maintain any land acquired by them under this Act, and adapt the same for letting in allotments, by draining, fencing, making roads, and otherwise, as they think fit, to maintain the allotments in a proper condition.	Retain
6. (1)	Management of allotments.	The Local Authority may make, revoke and vary regulations as necessary for regulating the letting of allotments under this Act. This includes the size of the allotments, the condition under which they are to be cultivated and the rent paid for them.	<i>Review - In 1892 an allotment was at least 1 acre. Define an allotment plot.</i>
6. (3)	Management of allotments.	The Local Authority may appoint (and subsequently remove) allotment managers and determine the managers powers.	Retain
7. (5)	Provisions as to letting and use of allotments.	The Local Authority can pull down and remove any building erected on any part of the allotment excluding a tool-house, shed, greenhouse, owl-house or pigsty.	Retain with definitions size
8. (1)	Recovery of rent and possession of allotments.	The rent for an allotment, and the possession of such allotment, may be recovered by the Local Authority as landlords.	Retain
8. (2)	Recovery of rent and possession of allotments.	If the rent of any allotment is in arrears of at least 40 days, or if after three months the tenant of an allotment is not following regulations, the Local Authority can terminate the allotment tenancy with one months' written notice.	Retain see later Acts for 12 months notice
15.	Use of schoolroom, &c. free of charge.	Local Authorities can use a schoolroom, free of charge, for the purpose of an election of allotment managers or for any discussion relating to allotments under this Act.	Communities need meeting rooms – possibility central meeting rooms for all groups in an area

Section	Allotments (Scotland) Act 1922	Power	
1. (1a)	Termination of tenancies of allotment gardens.	Local Authorities, as lessor, can terminate a lease of an allotment by providing a twelve month (or longer) written notice before the first day of May or on or after the first day of November in any year.	Retain
1. (1b)	Termination of tenancies of allotment gardens.	Local Authorities, as lessor, can resume possession of the land after three months (or a longer notice in writing) on account of the land being required for building, mining or any other industrial purpose.	Retain - add need to find alternative site of similar size and ground
1. (1d)	Termination of tenancies of allotment gardens.	Local Authorities, as lessor, can terminate a lease on account of any irritancy or breach of the lease by the tenant.	Retain - add third party appeal procedure

5.	Restriction on tenancy of allotment gardens.	A Local Authority may let to one person two or more allotment gardens as long as the total area does not exceed 40 poles.	Change to 1 standard plots unless unlet land
6. (1a)	Provisions relating to land leased for allotments.	Where land is acquired on lease by a Local Authority for use as allotments, the Local Authority may let to one person an allotment (not being an allotment garden) exceeding 1 acre (with different limits applying when the land is taken compulsorily).	Change to 1 standard plot (250 sq. m.
6. (1b)	Provisions relating to land leased for allotments.	Where land is acquired on lease by a Local Authority for use as allotments, the Local Authority can permit erection on an allotment (not being an allotment garden) of a stable, byre or barn which may be removed by the tenant and will not be the subject of compensation unless erected with the assent in writing of the landlord.	Remove – allotments not small holdings
10. (1)	Powers of entry on unoccupied land.	The Local Authority has the power, after giving notice of intention under s 10(2), to enter, adapt, and let any unoccupied land for the purpose of providing allotment gardens.	Retain
17.	Rating of allotments.	A Local Authority providing land for allotments can be deemed to be the occupiers of the land.	? Retain

Section	Allotments (Scotland) Act 1950	Power	
4. (1)	Right of a lessor of an allotment garden to compensation for deterioration.	The landowner of the allotment is entitled to recover compensation from the tenant in respect of any deterioration of the land caused by the tenant's failure to maintain it in good condition.	Retain
5. (1)	Set-off of compensation against rent, etc.	When paying the tenant compensation the Local Authority can deduct any money due to them from the tenant under or in respect of the tenancy.	Retain
10. (1)	Rents to be charged for allotments let by Local Authorities.	Land held by Local Authorities for the use of allotments shall be let at a fair rent unless there exists special circumstances affecting the tenant which allows a lesser rent to be charged.	Retain with definition fair rent – including comparison with

			agricultural land
11.	Provision of information relating to allotments and award of prizes.	Local Authorities may incur expenses for the purpose of promoting the proper cultivation of allotments and dissemination of information.	Retain
Section	Land Settlement (Scotland) Act 1919	Power	
20.	Powers relating to allotments.	Local Authorities can apply to the Board of Agriculture for an order providing for the compulsory acquisition of suitable land by purchase or leasing.	Update – Cabinet Secretary for the Environment.

21.	Temporary use for allotments of land acquired for other purposes.	Where land belonging to a Local Authority is not immediately required for the purpose it was acquired and is deemed suitable for temporary allotments, the Local Authority may (with the consent of the Secretary for Scotland) make the land available for such use.	Retain but add allotment sites cannot be closed unless by authority of the relevant SG Minister and only then if suitable alternative land is made available
22.	Provisions as to allotments.	A Local Authority may purchase any fruit trees, seeds, plants, fertilisers or implements required for the purposes of allotments cultivated as gardens and sell these to the cultivators.	Retain