



Local Government Act 1929

1929 CHAPTER 17

PART VII

PROPERTY LIABILITIES AND OFFICERS.

Transfer of Property and Liabilities.

115 Parish property.

- (1) Any parish property vested at the appointed day in a board of guardians, including the proceeds of sale of parish property and any securities in which those proceeds have been invested, shall, on the appointed day, by virtue of this section be transferred to and vest in such council or body as is hereinafter mentioned; that is to say—
- if the parish is a parish comprised in a county borough or urban district, the council of the county borough or urban district;
 - if the parish is a rural parish having a parish council, the parish council;
 - if the parish is a rural parish not having a parish council, the representative body constituted for the holding of property of the parish:

Provided that, where the parish property is held on behalf of two or more parishes, it shall be transferred to and vest in the appropriate councils or bodies jointly.

- (2) As from the appointed day the provisions set out in the Seventh Schedule to this Act shall have effect with respect to the sale, exchange, letting and disposal of parish property, and of any land to which the Sale of Exhausted Parish Lands Act, 1876, applies; and any enactment requiring the consent of the ratepayers and owners of property in a parish to the sale, exchange, letting or disposal of parish property shall cease to have effect:

Provided that nothing in that Schedule shall extend to any recreation ground, village green or other open space dedicated to the use of the community, or affect the powers of parish councils as to the letting, sale or exchange of property under subsection (2) of section eight of the Local Government Act, 1894.

Status: This is the original version (as it was originally enacted).

- (3) The council of any county borough or urban district and the parish meeting of any rural parish not having a parish council may exercise the powers of executing works in relation to parish property which are by paragraph (i) of subsection (1) of section eight of the Local Government Act, 1894, conferred on parish councils.
- (4) Any expenses incurred by the council of a county borough or urban district in relation to parish property shall be defrayed as the council may determine—
 - (a) from the general rate of the county borough or urban district; or
 - (b) by means of a levy of an additional item of the general rate on the parish or parishes to which the property belongs.
- (5) Where two or more rural parishes are grouped under a common parish council, the reference in subsection (1) of this section to a parish council shall include a reference to the common parish council, except that where functions in relation to the holding of parish property are by the order forming the group excluded from the functions exercisable by the common parish council that reference shall as respects each of the grouped parishes be construed as a reference to the representative body constituted for the holding of property of that parish.
- (6) For the purposes of this section and the Seventh Schedule to this Act, "parish property" means any property the rents and profits of which are applicable or, if the property were let, would be applicable to the general benefit of one or more parishes, or the ratepayers, parishioners or inhabitants thereof, but does not include—
 - (a) property given or bequeathed by way of charitable donation or allotted in right of some charitable donation or otherwise for the poor persons of any parish or parishes if the income of the property is not applicable to the general benefit of the ratepayers or other persons as aforesaid;
 - (b) property acquired by a board of guardians for the purposes of their functions in the relief of the poor.
- (7) In the application of this section to the county of London references to an urban district shall be construed as references to the City of London and to a metropolitan borough, references to the council of an urban district shall be construed as references to the common council of the City of London and to the council of a metropolitan borough, and references to the general rate of an urban district shall be construed as references to the general rate of the parish to which the property belongs.