



A Local Authority's Power to Dispose of Land

The flowchart below applies to general disposals of land by a Local Authority. It is not intended to cover all types of land. There are specific types of land which are subject to further regulation and further advice should be taken in these situations. These include, but are not limited to, the following:

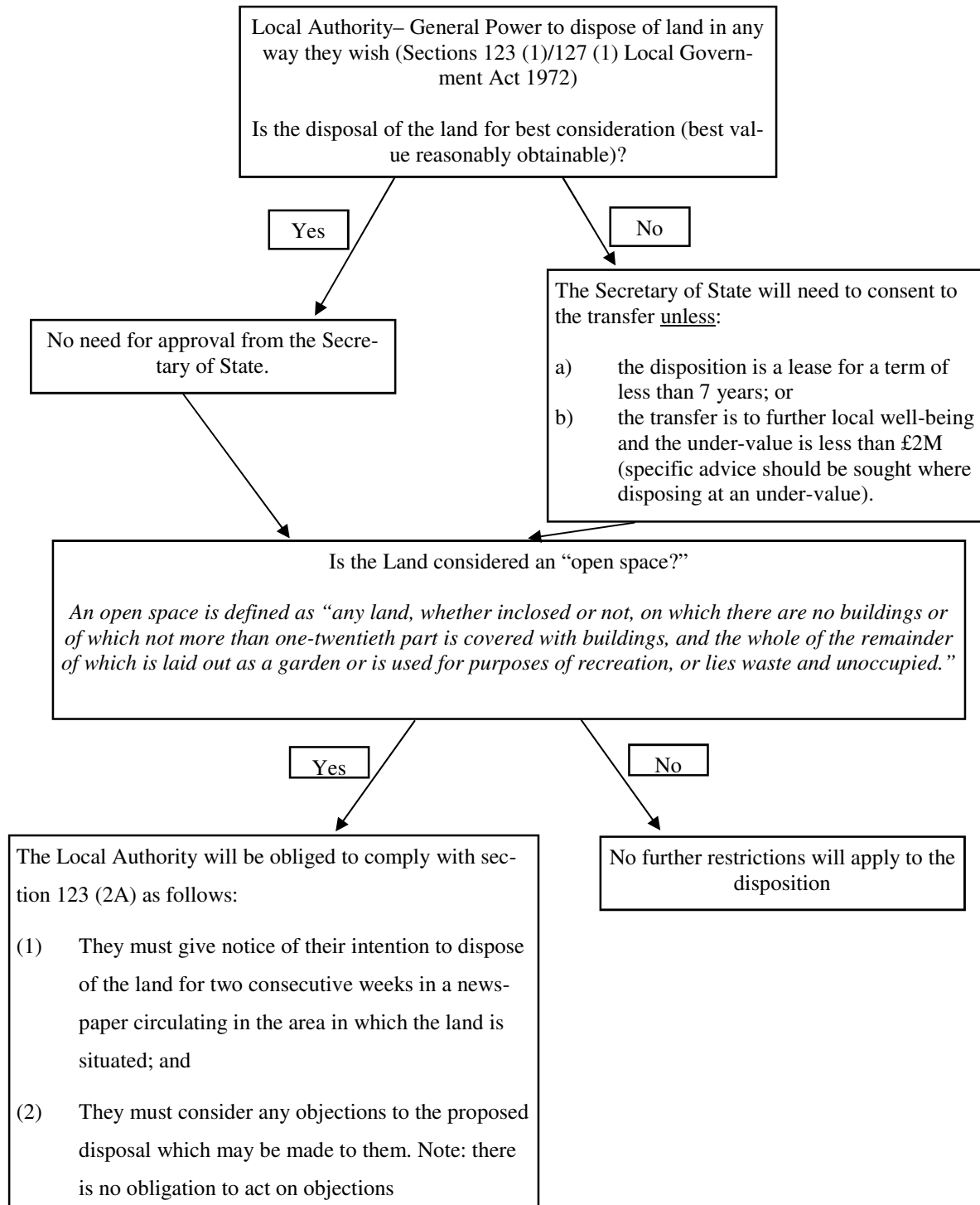
1. land held as allotments;
2. land held for charitable purposes (where, for example, the land has been donated to the Local Authority);
3. land held for the purposes of education or by schools and further education institutions;
4. land held as housing land; or
5. land held for recreational purposes

Specific advice should always be sought where the Local Authority holds land for a particular purpose to see if any further restrictions on disposal will apply.

This document forms part of a series produced by Anthony Collins Solicitors for the Asset Transfer Unit.

This document is intended to be used as general guidance only. Neither the Asset Transfer Unit nor Anthony Collins Solicitors can accept any responsibility for any liability arising from its use in any given context. We would recommend that further legal advice is taken before application of the guidance/use of the documents in specific circumstances.

A Local Authority's Power to Dispose of Land



Please note that in some circumstances income from such disposals is held in trust by Local Authorities. Examples include where land was originally dedicated for a specific purpose, like under the School Sites Act 1841 where landowners were encouraged to donate land for schools.

Where the Local Authority dispose of land held as pleasure grounds, open spaces or burial grounds, the transfer will release the Local Authority from any obligation to ring-fence any money received on the sale as section 123(2B) frees the Local Authority from any trust created.