STATUTORY INSTRUMENTS

# 2004 No. 2681

# HOUSING, ENGLAND

## The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) (No.2) Order 2004

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| *Made - - - -* | *14th October 2004* |
| *Laid before Parliament* | *25th October 2004* |
| *Coming into force - -* | *15th November 2004* |

The First Secretary of State, in exercise of the powers conferred upon him by section 157(1)(c) and (3)(a) of the Housing Act 1985(**a**), hereby makes the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) (No.2) Order 2004 and shall come into force on 15 November 2004.

(2) In this Order "the Act" means the Housing Act 1985.

**Designated rural areas**

**2.** The areas specified in the Schedule are designated as rural areas for the purposes of section 157 of the Act.

**Designated regions**

**3.**—(1) In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in Part 1 of the Schedule, the region designated for the purposes of section 157(3) of the Act shall be the district of Chester.

(2) In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in Part 2 of the Schedule, the region designated for the purposes of section 157(3) of the Act shall be the borough of Test Valley.

(3) In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in Part 3 of the Schedule, the region designated for the purposes of section 157(3) of the Act shall be the district of Stratford-upon-Avon.

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(**a**) 1985 c.68. Section 157(1) was amended by Part 4 of Schedule 18 to the Government of Wales Act (c.38) and by paragraph 9 of Part 1 of Schedule 15 to the Countryside and Rights of Way Act 2000 (c.37). Sections 157(2), (3) and (6) were amended and section 157(6A) was inserted by section 126 of the Housing Act 1988 (c.50). Sections 157(4) and (5) were amended by Schedule 16 to the Government of Wales Act 1998. There are other amendments to section 157 which are not relevant to this Order. The Secretary of State's functions under section 157(1) and (3), so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1.

(4) In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in Part 4 of the Schedule, the region designated for the purposes of section 157(3) of the Act shall be the borough of Harrogate.

(5) In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in Part 5 of the Schedule, the region designated for the purposes of section 157(3) of the Act shall be the borough of Taunton Deane.

Signed by authority of the First Secretary of State

*Keith Hill*
Minister of State
Office of the Deputy Prime Minister

14th October 2004

# SCHEDULE

Article 2

## Designation of rural areas

## PART 1

### District of Chester

In the District of Chester, the parishes of Agden, Aldersey, Aldford, Ashton, Backford, Barrow, Barton, Beeston, Bickley, Bradley, Bridge Trafford, Broxton, Bruen Stapleford, Buerton, Burton, Burwardsley, Caldecott, Capenhurst, Carden, Caughall, Chidlow, Chorlton, Chorlton By Backford, Chowley, Church Shocklach, Churton By Aldford, Churton By Farndon, Churton Heath, Claverton, Clotton Hoofield, Clutton, Coddington, Cotton Abbotts, Cotton Edmunds, Crewe, Croughton, Cuddington, Dodleston, Duckington, Duddon, Dunham On The Hill, Eaton, Eccleston, Edge, Edgerley, Foulk Stapleford, Golborne Bellow, Golborne David, Grafton, Hampton, Handley, Hapsford, Harthill, Hatton, Hockenhull, Hoole Village, Horton/ Horton By Malpas, Horton Cum Peel, Huxley, Iddinshall, Kings Marsh, Larkton, Lea By Backford, Lea Newbold, Ledsham, Little Stanney, Lower Kinnerton, Macefen, Malpas, Marlston Cum Lache, Mollington, Mouldsworth, Newton By Malpas, Newton By Tattenhall, Oldcastle, Overton, Picton, Poulton, Prior's Heys, Puddington, Pulford, Rowton, Saighton, Shocklach Oviatt, Shotwick, Shotwick Park, Stockton, Stoke, Stretton, Tattenhall, Thornton Le Moors, Tilston, Tilstone Fearnall, Tiverton, Tushingham Cum Grindley, Wervin, Wigland, Willington, Wimbolds Trafford, Woodbank, Wychough.

## PART 2

### Borough of Test Valley

In the Borough of Test Valley, the parishes of Abbotts Ann, Ampfield, Amport, Appleshaw, Ashley, Awbridge, Barton Stacey, Bossington, Braishfield, Broughton, Buckholt, Bullington, Chilbolton, Chilworth, East Dean, East Tytherley, Faccombe, Frenchmoor, Fyfield, Grately, Goodworth Clatford, Houghton, Hurstbourne Tarrant, Kimpton, Kings Somborne, Leckford, Linkenholt, Little Somborne, Lockerley, Longparish, Longstock, Melchet Park and Plaitford, Michelmersh, Monxton, Mottisfont, Nether Wallop, Over Wallop, Penton Grafton, Penton Mewsey, Quarley Sherfield English,Shipton Bellinger, Smannell, Stockbridge, Tangley, Thruxton, Upper Clatford, Vernham Dean, West Tytherley, Wherwell.

# PART 3

## District of Stratford-upon-Avon

In the District of Stratford-upon-Avon, the parishes of Admington, Alderminster, Arrow, Aston Cantlow, Atherstone On Stour, Avon Dassett, Barcheston, Barton-On-The-Heath, Bearley, Beaudesert, Billesley, Binton, Bishop's Itchington, Brailes, Burmington, Burton Dassett, Butlers Marston, Chadshunt, Chapel Ascote, Charlecote, Cherington, Chesterton And Kingston, Claverdon, Clifford Chambers, Combrook, Compton Verney, Compton, Wynyates, Coughton Dorsington, Ettington, Exhall, Farnborough, Fenny Compton, Fulbrook, Gaydon, Great Alne, Great Wolford, Halford, Hampton Lucy, Harbury, Haselor, Henley-In-Arden, Hodnell & Wills Pastures, Honington, Idlicote, Ilmington, Kineton, Kinwarton, Ladbroke, Langley, Lighthorne, Little Compton, Little Wolford, Long Compton, Long Itchington, Long Marston, Loxley, Luddington, Milcote, Moreton, Morrell, Morton Bagot, Napton On The Hill, Newbold Pacey, Old Stratford And Drayton, Oldberrow, Oxhill, Pillerton Hersey, Pillerton Priors, Preston Bagot, Preston-On-Stour, Priors Hardwick, Priors Marston, Quinton, Radbourn, Radway, Ratley And Upton, Salford Priors, Sambourne, Shotteswell, Snitterfield, Spernall, Stockton, Stoneton, Stourton, Stretton On Fosse, Sutton-Under-Brailes, Temple Grafton, Tidmington, Tredington, Tysoe, Ufton, Ullenhall, Upper & Lower Shuckburgh, Warmington, Watergall, Weethley, Welford-On-Avon, Weston-On-Avon, Whatcote, Whichford, Whitchurch, Wixford, Wolverton, Wootton Wawen, Wormleighton.

# PART 4

## Borough of Harrogate

In the Borough of Harrogate, the parishes of Aldfield, Allerton Mauleverer with Hopperton, Arkendale, Asenby, Baldersby, Bilton-in-Ainsty, Birstwith, Bishop Monkton, Bishop Thornton, Boroughbridge, Brearton, Bridge Hewick, Burton Leonard, Burton-on-Yore, Castley, Cattal, Clint, Coneythorpe & Clareton, Copgrove, Copt Hewick, Cundall with Leckby, Dishforth, DunsforthsEllenthorpe, Ellington High & Low, Farnham, Farnley, Fearby, Felliscliffe, Ferrensby, Flaxby, Follifoot, Givendale, Goldsborough, Great Ouseburn, Great Ribston with Walshford, Green Hammerton, Hampsthwaite, Haverah Park, Humberton, Hunsingore, Hutton Conyers, Kearby with Netherby, Kirby Hall, Kirby Hill, Kirk Deighton, Kirk Hammerton, Kirkby Overblow, Langthorpe, Leathley, Lindley, Lindrick with Studley Royal & Fountains, Little Ouseburn, Little Ribston, Littlethorpe, Long Marston, Markingfield Hall, Markington With Wallerthwaite, Marton-cum-Grafton, Marton-le-Moor, Masham, Melmerby, Middleton Quernhow, Milby, Moor Monkton, Nesfield with Langbar, Newby with Mulwith, Nidd, North Deighton,North Rigton, North Stainley with Sleningford, Norton Conyers, Norton-le-Clay, Norwood, Nun Monkton, Pannal, Plompton, Rainton with Newby, Ripley, Roecliffe, Scotton, Scriven, Sharow, Sicklinghall, Skelton, South Stainley with Cayton, Spofforth with Stockeld, Stainburn, Staveley, Studley Roger, Swinton with Warthermarske, Thornton Bridge, Thornville, Thorpe Underwoods, Tockwith, Walkingham Hill with Occaney, Warsill, Wath, Weeton, Weston, Westwick, Whixley, Wighill, Wilstrop.

# PART 5

## Borough of Taunton Deane

In the Borough of Taunton Deane, the parishes of Ashbrittle, Bathealton, Bradford on Tone, Burrowbridge, Cheddon Fitzpaine, Chipstable, Churchstanton, Corfe, Curland, Fitzhead, Hatch Beauchamp, Kingston St Mary, Langford Budville, Lydeard St Lawrence, Milverton, North Curry, Nynehead, Oake, Otterford, Pitminster, Sampford Arundel, Staple Fitzpaine, Stawley, Stoke St Gregory, Stoke St Mary, Thornfalcon, Trull, West Bagborough, West Buckland, Wellington Without, West Hatch, Wiveliscombe.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order designates certain parishes in the districts of Chester and Stratford-upon-Avon and the boroughs of Test Valley, Harrogate and Taunton Deane as rural areas for the purposes of section 157 of the Housing Act 1985 ("the Act"). The Order also designates each of those districts and boroughs as the designated region for those purposes in relation to dwelling-houses in the parishes designated as rural areas within each district or borough.

Where a dwelling-house in a designated rural area is sold under the right to buy, the vendor may under section 157 of the Act –

(a) impose a covenant requiring its consent to any further disposal unless it is an exempted disposal under section 160 of the Act (that consent cannot be withheld if the disposal is to a person who has throughout the preceding 3 years had his home or place of work in the designated region in which the dwelling-house is situated); or

(b) reserve a right of pre-emption if the Secretary of State, or if the vendor is a housing association, the Housing Corporation, consents (general consent has been given by the Secretary of State, but not by the Housing Corporation, for the reservation of such rights).

£3.00

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under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1413 10/2004 141413T 19585

ISBN 0-11-049954-9

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