STATUTORY INSTRUMENTS

1981 No. 397

HOUSING, ENGLAND AND WALES

The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 1981

Made - - - -	13*th March* 1981
Laid before Parliament	24*th March* 1981
Coming into Operation	14*th April* 1981

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 19(1) and (12), and 151(1) and (3) of the Housing Act 1980(**a**), and of all other powers enabling him in that behalf, 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) Order 1981 and shall come into operation on 14th April 1981.

(2) In this order "the 1980 Act" means the Housing Act 1980.

Designated Rural Areas

2.—(1) Subject to paragraph (2) of this article, the areas specified in the Schedule to this order are hereby designated as rural areas for the purposes of section 19 of the 1980 Act.

(2) The areas designated by this article do not include any area of land in a National Park or in an area designated under section 87 of the National Parks and Access to the Countryside Act 1949(**b**) as an area of outstanding natural beauty.

Designated Regions

3. In relation to a dwelling-house which is situated in a rural area designated by article 2 of this order, the designated region for the purposes of section 19 of the 1980 Act shall be the area comprising the following—

(*a*) the designated rural area in which the dwelling-house is situated; and

(*b*) so much of the county in which the dwelling-house is situated as is not within that designated rural area.

(**a**) 1980 c.51. (**b**) 1949 c.97.

THE SCHEDULE Article 2

DESIGNATED RURAL AREAS

1. In the District of Alnwick, the parishes of Acklington, Glanton, Hauxley, Hedgeley, Netherton, Rennington and Togston.

2. The Borough of Berwick-upon-Tweed, with the exception of the area of the former borough of Berwick-upon-Tweed.

3. The District of Caradon, with the exception of the parishes of Callington, Liskeard, Looe, Saltash and Torpoint.

4. The District of Carrick, with the exception of the parishes of Falmouth, Feock, Penryn and Truro.

5. The District of East Devon, with the exception of—

(*a*) the area of the former urban district of Exmouth; and

(*b*) the parishes of Honiton, Seaton and Sidmouth.

6. The District of Eden, with the exception of the area of the former urban district of Penrith.

7. The District of Kerrier, with the exception of—

(*a*) the area of the former urban district of Camborne – Redruth; and

(*b*) the Town of Helston.

8. In the District of New Forest, the perambulation of the New Forest.

9. The District of North Cornwall, with the exception of the parishes of Bodmin, Bude – Stratton, Launceston, Padstow and Wadebridge.

10. The District of North Devon, with the exception of the parishes of Barnstaple, Fremington and Ilfracombe.

11. The District of Penwith, with the exception of the parishes of Hayle, Penzance and St. Ives.

12. In the District of Purbeck, the parishes of Affpuddle, Bere Regis, Bloxworth, Chaldon Herring, East Stoke, Morden, Moreton, Turners Puddle and Winfrith Newburgh.

13. In the Borough of Restormel, the parishes of Colan, Grampound, Lanlivery, Luxulyan, Mawgan-in-Pydar, St. Ewe, St. Stephen-in-Brannel and St. Wenn.

14. The District of South Hams, with the exception of the parishes of Dartmouth, Ivybridge, Kingsbridge and Totnes.

15. The District of South Lakeland, with the exception of the Towns of Grange-over-Sands, Kendal and Ulverston.

16. The District of Torridge, with the exception of the parishes of Bideford, Great Torrington and Northam.

17. The District of West Dorset, with the exception of the parishes of Chickerell, Dorchester and Sherborne.

18. The District of West Somerset, with the exception of—

(*a*) the area of the former urban district of Minehead; and

(*b*) the parishes of Watchet and Williton.

Michael R. D. Heseltine,
13th March 1981. Secretary of State for the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order designates certain areas in England as rural areas for the purposes of section 19 of the Housing Act 1980 ("the 1980 Act"). Under that section where a dwelling-house disposed of in pursuance of Chapter I of Part I of the 1980 Act is situated in a National Park, or an area designated under section 87 of the National Parks and Access to the Countryside Act 1949 as an area of outstanding natural beauty, or an area designated as a rural area, the conveyance or grant effecting that disposal may contain a covenant—

(a) limiting the freedom of the purchaser and his successors in title to dispose of the dwelling-house by conveying the freehold or assigning the lease, or granting certain kinds of lease or sub-lease other than with the written consent of the landlord; or

(b) giving the landlord a right of pre-emption.

Where the covenant described in (a) above is imposed, the consent to disposal is not to be withheld where the disposal is made to a person who has, throughout the three years immediately preceding the application for consent, had either his only or principal home or his place of work in a designated region which, or part of which, is comprised in the National Park, area of outstanding natural beauty or designated rural area in which the dwelling-house is situated. Such regions may be designated for the purposes of section 19 of the 1980 Act by order of the Secretary of State. The Housing (Right to Buy)(Designated Regions) Order 1980 (S.I.1980/1345) designated regions in relation to dwelling-houses in England situated in National Parks and areas of outstanding natural beauty.

This Order designates regions in relation to dwelling-houses situated in rural areas designated by this Order. In relation to any such dwelling-house the region comprises the designated rural area in which the dwelling-house is situated and so much of the county in which it is situated as is not within that designated rural area.

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