STATUTORY INSTRUMENTS

2004 No. 418

HOUSING, ENGLAND

The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2004

Made - - - -	*20th February 2004*
Laid before Parliament	*25th February 2004*
Coming into force - -	*17th March 2004*

The First Secretary of State, in exercise of the powers conferred upon him by sections 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) Order 2004 and shall come into force on 17th March 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 designated region for the purposes of section 157(3) of the Act shall be the district of Forest of Dean.

(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 designated region for the purposes of section 157(3) of the Act shall be the district of Rochford.

(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 designated region for the purposes of section 157(3) of the Act shall be the district of Rutland.

(**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.

[ODPM 2849]

(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 designated region for the purposes of section 157(3) of the Act shall be the district of Kings Lynn and West Norfolk.

Signed by authority of the First Secretary of State

Keith Hill
Minister of State
Office of the Deputy Prime Minister

20th February 2004

SCHEDULE

Article 2

Designation of rural areas

PART 1

District of Forest of Dean

In the District of Forest of Dean, the parishes of Alvington, Awre, Aylburton, Blaisdon, Bromsberrow, Churcham, Corse, Dymock, English Bicknor, Gorsley & Kilcot, Hartpury, Hewelsfield and Brockweir, Huntley, Kempley, Littledean, Longhope, Newland, Newnham, Oxenhall, Pauntley, Redmarley D'Abitot, Rudford and Highleadon, Ruardean, Ruspidge and Soudley, Staunton, Staunton (Coleford), St. Briavels, Taynton, Tibberton, Upleadon, Westbury on Severn, Woolaston.

PART 2

District of Rochford

In the District of Rochford, the parishes of Barling Magna, Canewdon, Foulness, Paglesham, Rawreth, Stambridge, Sutton.

PART 3

District of Rutland

In the District of Rutland, the parishes of Ashwell, Ayston, Barleythorpe, Barrow, Barrowden, Beaumont Chase, Belton, Bisbrooke, Braunston, Brooke, Burley, Caldecott, Clipsham, Cottesmore, Edith Weston, Egleton, Empingham, Essendine, Exton, Glaston, Great Casterton, Greetham, Gunthorpe, Hambelton, Horn, Ketton, Langham, Leighfield, Little Casterton, Lyddington, Lyndon, Manton, Market Overton, Martinsthorpe, Morcott, Normanton, North Luffenham, Pickworth, Pilton, Preston, Ridlington, Ryhall, Seaton, South Luffenham, Stoke Dry, Stretton, Teigh, Thistleton, Thorpe by Water, Tickencote, Tinwell, Tixover, Wardley, Whissendine, Whitwell, Wing.

PART 4

District of Kings Lynn and West Norfolk

In the district of Kings Lynn and West Norfolk, the parishes of Anmer, Bagthorpe with Barmer, Barton Bendish, Barwick, Bawsey, Bircham, Boughton, Brancaster, Burnham Market, Burnham Norton, Burnham Overy, Burnham Thorpe, Castle Acre, Castle Rising, Choseley, Clenchwarton, Congham, Crimplesham, Denver, Docking, Downham West, East Rudham, East Walton, East Winch, Emneth, Feltwell, Fincham, Flitcham cum Appleton, Fordham, Fring, Gayton, Great Massingham, Grimston, Harpley, Hilgay, Hillington, Hockwold-Cum-Wilton, Holme-Next-The-Sea, Houghton, Ingoldisthorpe, Leziate, Little Massingham, Marham, Marshland St. James, Methwold, Middleton, Nordelph, North Creake, North Runcton, North Wootton, Northwold, Old Hunstanton, Outwell, Pentney, Ringstead, Roydon, Runcton Holme, Ryston, Sandringham, Sedgeford, Shernborne, Shouldham, Shouldham Thorpe, Snettisham, South Creake, Southery, Stanhoe, Stoke Ferry, Stow Bardolph, Stradsett, Syderstone, Terrington St. John, Thornham, Tilney All Saints, Tilney St. Lawrence, Titchwell, Tottenhill, Upwell, Walpole, Walpole Cross Keys, Walpole Highway, Walsoken, Watlington, Welney, Wereham, West Acre, West Dereham, West Rudham, West Walton, West Winch, Wiggenhall St. Germans, Wiggenhall St. Mary Magdalen, Wimbotsham, Wormegay, Wretton.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates certain parishes in the districts of Forest of Dean, Rochford, Rutland, and Kings Lynn and West Norfolk as rural areas for the purposes of section 157 of the Housing Act 1985 ("the Act"). The Order also designates each of those districts as the designated region for those purposes in relation to dwelling-houses in the parishes designated as rural areas within each district.

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 consents have been given for the reservation of such rights).

Voluntary sales, under section 32 of the Act, of dwelling-houses in the designated areas, can (under section 37(1) of the Act) be made subject to similar covenants as to consent but not to rights of pre-emption.

£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.
E0235 2/2004 140235T 19585

ISBN 0-11-048724-9

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