STATUTORY INSTRUMENTS

2006 No. 1948

HOUSING, ENGLAND

The Housing (Right to Buy)(Designated Rural Areas and Designated Region)(England) Order 2006

Made - - - -	*17th July 2006*
Laid before Parliament	*24th July 2006*
Coming into force - -	*24th August 2006*

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

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Housing (Right to Buy)(Designated Rural Areas and Designated Region)(England) Order 2006 and shall come into force on 24th August 2006.

(2) This Order applies in relation to England only(**b**).

(3) 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 region

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

(**a**) 1985 c.68. Section 157(1) was amended by Part 4 of Schedule 18 to the Government of Wales Act 1998 (c.38) and by paragraph 9 of Part 1 of Schedule 15 to the Countryside and Rights of Way Act 2000 (c.37). Subsections (2), (3) and (6) of section 157 were amended, and subsection (6A) inserted, by section 126 of the Housing Act 1988 (c.50). Subsections (1) and (2) of section 157 were amended, and subsections (4) and (5) repealed, by section 188 of the Housing Act 2004 (c.34). There are other amendments to section 157 which are not relevant to this Order.

(**b**) The functions of the Secretary of State under section 157 are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672, to which there are amendments not relevant to this Order). By virtue of section 267 of the Housing Act 2004, references in that Order to the Housing Act 1985 are to be treated as references to that Act as amended by the Housing Act 2004.

Signed by authority of the Secretary of State

Yvette Cooper
Parliamentary Under Secretary of State
17th July 2006 Department for Communities and Local Government

SCHEDULE

article 2

Designation of rural areas

In the district of Hambleton, the parishes of Ainderby Mires with Holtby, Ainderby Quernhow, Ainderby Steeple, Aldwark, Alne, Angram Grange, Appleton Wiske, Bagby, Balk, Beningbrough, Bilsdale Midcable, Birdforth, Birkby, Boltby, Borrowby (Hambleton), Brafferton, Brandsby-cum-Stearsby, Brompton (Hambleton), Burneston, Burrill with Cowling, Carlton (Hambleton), Carlton Husthwaite, Carlton Minniott, Carthorpe, Catton, Clifton-on-Yore, Cotcliffe, Cowesby, Coxwold, Crakehall, Crathorne, Crayke, Crosby, Dalby-cum-Skewsby, Dalton (Hambleton), Danby Wiske with Lazenby, Deighton, Easby (Hambleton), East Cowton, East Harlsey, East Rounton, East Tanfield, Eldmire with Crakehill, Ellerbeck, Exelby, Leeming and Newton, Faceby, Farlington, Fawdington, Felixkirk, Firby, Flawith, Gatenby, Girsby, Great and Little Broughton, Great Busby, Great Langton, Great Smeaton, Hackforth, Helperby, High Worsall, Holme, Hood Grange, Hornby (Hambleton), Howe, Howgrave, Huby, Husthwaite, Hutton Bonville, Hutton Rudby, Hutton-Sessay, Ingleby Arncliffe, Ingleby Greenhow, Kepwick, Kilburn High and Low, Kildale, Killerby, Kiplin, Kirby Knowle, Kirby Sigston, Kirby Wiske, Kirkby, Kirkby Fleetham with Fencote, Kirklington-cum-Upsland, Knayton with Brawith, Landmoth-cum-Catto, Langthorne, Leake, Linton-on-Ouse, Little Ayton, Little Busby, Little Langton, Little Smeaton (Hambleton), Low Worsall, Marton-cum-Moxby, Maunby, Middleton-on-Leven, Morton-on-Swale, Myton-on-Swale, Nether Silton, Newburgh, Newby, Newby Wiske, Newsham with Breckenbrough, Newton-on-Ouse, North Kilvington, North Otterington, Osmotherley, Oulston, Over Dinsdale, Over Silton, Overton, Pickhill with Roxby, Picton, Potto, Rand Grange, Raskelf, Rookwith, Rudby, Sandhutton, Scruton, Seamer (Hambleton), Sessay, Sexhow, Shipton, Sinderby, Skipton-on-Swale, Skutterskelfe, Snape with Thorp, South Cowton, South Kilvington, South Otterington, Sowerby-under-Cotcliffe, Stillington, Sutton with Howgrave, Sutton-on-the-Forest, Sutton-under-Whitestonecliffe, Swainby with Allerthorpe, Theakston, Thimbleby, Thirkleby, High and Low with Osgodby, Thirlby, Thirn, Tholthorpe, Thormanby, Thornbrough, Thornton Watlass, Thornton-le-Beans, Thornton-le-Moor, Thornton-le-Street, Thornton-on-the-Hill, Thrintoft, Tollerton, Topcliffe, Upsall, Warlaby, Welbury, Well, West Harlsey, West Rounton, West Tanfield, Whenby, Whitwell, Whorlton, Wildon Grange, Winton, Stank and Hallikeld, Yafforth, Yearsley and Youlton.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the parishes listed in the Schedule to the Order in the district of Hambleton as rural areas, and provides for that district to be a designated region in relation to dwelling-houses in those parishes, for the purposes of section 157 of the Housing Act 1985 ("the Act").

Where a dwelling-house in a designated rural area is sold under the right to buy, the vendor may—

(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 only or principal home or place of work in a designated region which, or part of which, is comprised in the designated rural area) (section 157(3) of the Act); 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 (section 156A(8) of the Act as inserted by section 188 of the Housing Act 2004).

Similar covenants as to consent or rights of pre-emption may be imposed in relation to dwelling-houses in the areas designated by this Order that are sold voluntarily under section 32 of the Act.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.

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