



# Self-build and Custom Housebuilding Act 2015

## 2015 CHAPTER 17

### **1 Registers of persons seeking to acquire land to build a home**

- (1) Each relevant authority must keep a register of—
  - (a) individuals, and
  - (b) associations of individuals (including bodies corporate that exercise functions on behalf of associations of individuals),who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes.
- (2) Each relevant authority must publicise its register under this section.
- (3) Relevant authorities are—
  - (a) district councils;
  - (b) county councils in England so far as they are councils for an area for which there are no district councils;
  - (c) London borough councils;
  - (d) the Common Council of the City of London;
  - (e) the Council of the Isles of Scilly.
- (4) The Broads Authority is the relevant authority for the whole of its area, to the exclusion of any authority mentioned in subsection (3).
- (5) A National Park authority in England is the relevant authority for the whole of its area, to the exclusion of any authority mentioned in subsection (3).
- (6) Regulations may—
  - (a) provide for specified public authorities, or specified descriptions of public authorities, to be relevant authorities for specified areas in England, and
  - (b) provide for such an authority to be the relevant authority for its area to the exclusion of any other authority.

(7) For the purposes of this section the area of the Common Council includes the Inner Temple and the Middle Temple.

(8) The Schedule makes provision in relation to registers under this section.

## **2 Duty as regards registers**

(1) Each of the authorities mentioned in subsection (2) must have regard to each register under section 1 that relates to its area when carrying out the functions mentioned in subsection (4).

(2) The authorities referred to in subsection (1) are—

- (a) county councils in England;
- (b) district councils;
- (c) London borough councils;
- (d) the Common Council of the City of London (in its capacity as a local authority);
- (e) the Sub-Treasurer of the Inner Temple (in that person's capacity as a local authority);
- (f) the Under-Treasurer of the Middle Temple (in that person's capacity as a local authority);
- (g) the Council of the Isles of Scilly;
- (h) the Broads Authority;
- (i) National Park authorities in England;
- (j) such other public authorities, or descriptions of public authority, as may be specified.

(3) Regulations under subsection (2)(j) that specify public authorities, or descriptions of public authority, are to specify the areas in England that are those authorities' areas for the purposes of this section.

(4) The functions referred to in subsection (1) are functions relating to—

- (a) planning;
- (b) housing;
- (c) the disposal of any land of the authority;
- (d) regeneration.

## **3 Guidance**

(1) A relevant authority must have regard to any guidance issued by the Secretary of State when exercising any function conferred or imposed by or under section 1 or the Schedule.

(2) An authority mentioned in section 2(2) must have regard to any guidance issued by the Secretary of State when exercising the duty imposed by section 2, including guidance about identifying functions affected by the duty.

## **4 Regulations**

(1) A statutory instrument containing regulations under—

- (a) section 1,

- (b) section 2, or
- (c) paragraph 6 of the Schedule,

(whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

- (2) A statutory instrument containing regulations under—
  - (a) section 5, or
  - (b) the Schedule apart from paragraph 6,is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Regulations under this Act, apart from regulations under section 6, may include incidental, supplementary, consequential, transitional, transitory or saving provision.

## **5 Interpretation**

In this Act—

- “house” includes a dwelling that forms part of a building;
- “relevant authority” has the meaning given by section 1;
- “regulations” means regulations made by the Secretary of State by statutory instrument;
- “serviced plot of land” means a plot of land which satisfies such requirements about utilities and other matters as may be specified;
- “specified” means specified by regulations.

## **6 Extent, commencement and short title**

- (1) This Act extends to England and Wales.
- (2) This section comes into force on the day this Act is passed.
- (3) The other provisions of this Act come into force on such day or days as regulations may appoint; and different days may be appointed for different purposes.
- (4) This Act may be cited as the Self-build and Custom Housebuilding Act 2015.