
STATUTORY INSTRUMENTS

2003 No. 1105

HOUSING, ENGLAND

The Housing (Right to Buy) (Designated Rural Areas and Designated Region) (England) Order 2003

<i>Made</i>	- - - -	<i>11th April 2003</i>
<i>Laid before Parliament</i>		<i>23rd April 2003</i>
<i>Coming into force</i>	- -	<i>14th May 2003</i>

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(1), 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 Region) (England) Order 2003 and shall come into force on 14th May 2003.

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

Designated rural areas

2. The areas specified in the Schedule to this Order are designated as rural areas for the purposes of section 157 of the 1985 Act.

Designated region

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 157(3) of the 1985 Act shall be the District of Kennet.

(1) 1985 (c. 68). Section 157(1) was amended by Sch. 18, Pt 4 of the Government of Wales Act 1998 (c. 38) and by Sch. 15, Pt 1, para 9 of the Countryside and Rights of Way Act 2000 (c. 37). Section 157(2), (3) and (6) was amended and section 157 (6A) was inserted by section 126 of the Housing Act 1988 (c. 50). 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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the First Secretary of State.

11th April 2003

Tony McNulty
Parliamentary Under Secretary of State,
Office of the Deputy Prime Minister

SCHEDULE 1

Article 2

DESIGNATED RURAL AREAS

In the District of Kennet, the parishes of Bishop Cannings, Bromham, Charlton, Cheverall Magna, Cheverall Parva, Chirton, Collingbourne Ducis, Collingbourne Kingston, Easterton, Enford, Erlestoke, Etchilhampton, Everleigh, Fittleton, Marden, Market Lavington, Marston, Netheravon, Potterne, Poulshot, Roundway, Rowde, Rushall, Seend, Stert, Upavon, Urchfont, West Lavington, Wilsford, Worton.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates certain parishes in the District of Kennet as rural areas for the purposes of section 157 of the Housing Act 1985 (“the Act”). The Order also designates the District of Kennet as the designated region for the purposes of that section in relation to dwelling-houses in those rural areas.

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 either –

- (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 (by section 37(1) of the Act) be made subject to similar covenants as to consent but not to rights of pre-emption.