

2022 No. 1171

HOUSING, ENGLAND

The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2022

<i>Made</i>	- - - -	<i>9th November 2022</i>
<i>Laid before Parliament</i>		<i>14th November 2022</i>
<i>Coming into force</i>	- -	<i>12th December 2022</i>

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

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 2022 and comes into force on 12th December 2022.

(2) In this Order—

- (a) “the Act” means the Housing Act 1985; and
- (b) “the 2021 Order” means the Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2021(b).

(3) This Order applies to England only.

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. In relation to a dwelling-house which is situated in a rural area designated by article 2 and listed in—

- (a) paragraph 1 of the Schedule, the region designated (for the purposes of section 157(3) of the Act) is the district of Sevenoaks;
- (b) paragraph 2 of the Schedule, the region designated (for the purposes of section 157(3) of the Act) is the district of Derbyshire Dales.

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

(b) S.I. 2021/1222.

Amendment to the 2021 Order

4. In article 3(c) of and paragraph 3 of the Schedule to the 2021 Order, for “Wyre” in both places it occurs substitute “Wyre Forest”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Lucy Frazer
Minister of State

9th November 2022

Department for Levelling Up, Housing and Communities

SCHEDULE

Article 2

Designation of rural areas

1. In the district of Sevenoaks the parishes of Badgers Mount, Brasted, Chiddingstone, Crockenhill, Eynsford, Farningham, Fawkham, Halstead, Hever, Knockholt, Leigh, Seal, Sevenoaks Weald and Shoreham.

2. In the district of Derbyshire Dales the parishes of Aldwark, Alkington, Atlow, Ballidon, Birchover, Bonsall, Boylestone, Bradbourne, Bradley, Brailsford, Brassington, Callow, Carsington, Clifton and Compton, Cromford, Cubley, Doveridge, Edlaston and Wyaston, Hognaston, Hollington, Hopton, Hulland, Hulland Ward, Kirk Ireton, Kniveton, Longford, Mapleton, Marston Montgomery, Mercaston, Middleton, Norbury and Roston, Northwood and Tinkersley, Offcote and Underwood, Osmaston, Rodsley, Rowsley, Shirley, Snelston, Somersal Herbert, South Darley, Stanton, Sudbury, Tansley, Yeaveley and Yeldersley.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the parishes listed in the Schedule as rural areas under section 157(1)(c) of the Housing Act 1985 (“the Act”) and provides for the regions of Sevenoaks and Derbyshire Dales to be designated regions under section 157(3) of the Act in relation to dwelling-houses situated in the designated rural areas falling within those districts.

Where a dwelling-house in a designated rural area is sold under Part 5 of the Act (the right to buy), the vendor may—

- (a) impose a covenant requiring its consent to any further disposal which is not an exempted disposal under section 160 of the Act (but the vendor’s consent may not be withheld if the disposal is to a person who has throughout the preceding 3 years had their only or principal home or place of work in a designated region which, or part of which, is comprised in the designated rural area) (see section 157(1) to (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 Regulator of Social Housing, consents (see section 156A(8) of the Act).

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 (see section 37 of the Act).

Article 4 of this Order amends the Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2021 (SI 2021/1222) to correctly identify the district of Wyre Forest.

A full impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sectors is foreseen.

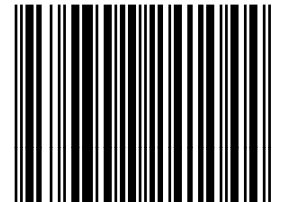
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