

This Statutory Instrument has been made to correct an error in S.I. 1997/622 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2024 No. 1309

HOUSING, ENGLAND

The Housing (Right to Buy or Acquire) (Designated Rural Areas etc.) (England) Order 2024

<i>Made</i>	- - - -	<i>9th December 2024</i>
<i>Laid before Parliament</i>		<i>11th December 2024</i>
<i>Coming into force</i>		<i>2nd January 2025</i>

The Secretary of State makes this Order in exercise of the powers conferred by section 157(1)(c) and (3)(a) of the Housing Act 1985(a) and section 184(1)(b) of the Housing and Regeneration Act 2008(b).

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Housing (Right to Buy or Acquire) (Designated Rural Areas etc.) (England) Order 2024 and comes into force on 2nd January 2025.

(2) This Order extends to England and Wales.

(3) In this Order—

“the Act” means the Housing Act 1985;

“the 1997 Order” means the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the North West and Merseyside) Order 1997(c).

Designated rural areas

2. The areas specified in the Schedule are designated as rural areas for the purposes of section 157(1) of the Act.

-
- (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).
- (b) 2008 c. 17; section 184 was substituted by paragraph 6(6) of Schedule 1 to the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (2018 anaw 1). See footnote (c) for a history of this provision.
- (c) S.I. 1997/622. This S.I. was made under the powers in section 17 of the Housing Act 1996 and section 1AA(3)(a) of the Leasehold Reform Act 1967, which have both been repealed. However, section 17 of the Housing Act 1996 (c. 52) was initially amended and confined to Wales by virtue of section 62 of the Housing and Regeneration Act 2008; and then section 184 of that Act applied section 17 to England as amended but with modifications. When the National Assembly for Wales (as it was then) repealed section 17 in Wales (see paragraph 3(5) of Schedule 1 to the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018), section 184 was re-stated as a consequential amendment to ensure that the law as it applies in England was maintained (see paragraph 6(6) of Schedule 1). The S.I. is therefore still in force insofar as it was made under section 17 of the Housing Act 1996 as re-enacted under section 184 of the Housing and Regeneration Act 2008, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c. 30).

Designated region

3. In relation to a dwelling-house which is situated in a rural area designated by article 2, the region designated for the purposes of section 157(3) of the Act is the County of Herefordshire.

Amendment to the 1997 Order

4. In Part 1 of Schedule 1 to the 1997 Order (Cheshire)—

- (a) omit “Moolton”, and
- (b) after “Mouldsworth” insert Moulton”.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State

9th December 2024

Ministry of Housing, Communities and Local Government

SCHEDULE

Article 2

Designation of rural areas

In the County of Herefordshire the parishes of—

Abbeydore, Aconbury, Acton Beauchamp, Adforton, Allensmore, Almeley, Ashperton, Aston Ingham, Avenbury, Aylton, Aymestrey,

Bacton, Birley with Upper Hill, Bishops Frome, Bishopstone, Blakemere, Bodenham, Bolstone, Bosbury, Brampton Abbots, Brampton Bryan, Bredenbury, Bredwardine, Breinton, Bridge Sollars, Brilley, Brimfield, Brinsop & Wormsley, Brobury with Monnington on Wye, Brockhampton (North Herefordshire), Buckton & Coxall, Burghill, Burrington, Byford, Byton,

Callow, Canon Frome, Canon Pyon, Castle Frome, Clifford, Coddington, Collington, Combe, Cradley, Craswall, Croft and Yarpole, Cusop,

Dewsall, Dilwyn, Dinedor, Dinmore, Docklow & Hampton Wafer, Donnington, Dormington, Dorstone, Downton, Dulas,

Eardisland, Eardisley, Eaton Bishop, Edvin Loach & Saltmarshe, Edwyn Ralph, Eggleton, Elton, Evesbatch, Ewyas Harold, Eye, Moreton & Ashton, Eyton,

Felton, Ford & Stoke Prior,

Ganarew, Garway, Grafton, Grendon Bishop,

Hampton Bishop, Hampton Charles, Hatfield & Newhampton, Haywood, Hentland, Holme Lacy, Hope Mansell, Hope under Dinmore, Humber, Huntington,

Kenchester, Kentchurch, Kilpeck, Kimbolton, Kings Pyon, Kingsland, Kingstone, Kington Rural, Kinnersley, Kinsham, Knill,

Leinthall Starkes, Leintwardine, Letton, Leysters, Lingen, Linton (North Herefordshire), Linton (South Herefordshire), Little Birch, Little Cowarne, Little Dewchurch, Little Hereford, Little Marcle, Llancillo, Llandinabo, Llangarron, Llanrothal, Llanveynoe, Llanwarne, Longtown, Lower Harpton, Lucton, Luston, Lyonshall,

Madley, Mansell Gamage, Mansel Lacy, Marden, Marstow, Mathon, Michaelchurch Escley, Middleton on the Hill, Moccas, Monkland & Stretford, Mordiford, Moreton Jeffries, Much Birch, Much Cowarne, Much Dewchurch, Much Marcle, Munsley,

Newton (North Herefordshire), Newton (South Herefordshire), Norton, Norton Canon,

Ocle Pychard, Orcop, Orleton,

Pembridge, Pencombe with Grendon Warren, Pencoyd, Peterchurch, Peterstow, Pipe and Lyde, Pipe Aston, Pixley, Preston on Wye, Preston Wynne, Pudleston, Putley,

Richard's Castle, Rodd, Nash & Little Brampton, Rowstone,

Sarnesfield, Sellack, Shobdon, Sollers Hope, St Margarets, St Weonards, Stanford Bishop, Stapleton, Staunton on Arrow, Staunton on Wye, Stoke Edith, Stoke Lacy, Stretton Grandison, Stretton Sugwas, Sutton St Nicholas,

Tarrington, Tedstone Delamere, Tedstone Wafer, Thornbury, Thrupton, Tittle, Tretire with Michaelchurch, Turnastone, Tyberton,

Ullingswick, Upper Sapey, Upton Bishop,

Vowchurch,

Wacton, Walford, Walford, Letton & Newton, Walterstone, Wellington, Wellington Heath, Welsh Newton, Weobley, Westhide, Weston Beggard, Weston under Penyard, Whitbourne, Whitchurch, Whitney on Wye, Wigmore, Willersley & Winforton, Willey, Withington, Wolferlow, Woolhope,

Yarkhill, Yatton, Yazor.

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 (c. 68) (“the Act”) and provides for the County of Herefordshire to be a designated region under section 157(3) of the Act in relation to housing situated in those areas.

Where housing 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 which is not an exempted disposal under section 160 (but the vendor's consent may not be withheld if the further disposal is to a person who has throughout the preceding three years had their 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 housing 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 Part 1 of Schedule 1 to the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the North West and Merseyside) Order 1997 (S.I. 1997/622) to correct an error in the spelling of the name of the parish of Moulton.

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

© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

£5.78

<http://www.legislation.gov.uk/id/uksi/2024/1309>

ISBN 978-0-34-826701-3



9 780348 267013