



# Housing (Wales) Measure 2011

## 2011 nawm 5

### PART 1

#### SUSPENSION OF THE RIGHT TO BUY AND RELATED RIGHTS

#### CHAPTER 3

##### EXTENSION OF DIRECTION SUSPENDING THE RIGHT TO BUY AND RELATED RIGHTS

#### **21 Decision of the Welsh Ministers on the application**

- (1) The Welsh Ministers may reject a local housing authority's application for an extension of the period for which a direction issued under this Part is to have effect (without considering whether subsection (3) requires them to grant it) if the Welsh Ministers are of the opinion that—
  - (a) the authority has failed to comply with a requirement imposed under section 27 in relation to the application, or
  - (b) where the authority is required to have a strategy relating to housing under section 87(1) of the Local Government Act 2003, the strategy, in so far as it relates to the imbalance between demand for and supply of social housing in the authority's area, is inadequate.
- (2) The Welsh Ministers must not make a decision under subsection (1)(b) unless they have considered—
  - (a) any statement that the authority is required to prepare under section 87(2) of the Local Government Act 2003, and
  - (b) any other information which the Welsh Ministers consider relevant.
- (3) The Welsh Ministers must grant the application if—
  - (a) they agree with the authority's opinion as to why the housing pressure condition exists;

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*Status: Point in time view as at 03/09/2012. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Housing (Wales) Measure 2011, Section 21. (See end of Document for details)*

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- (b) they agree with the authority's opinion that the proposed extension of the period for which the direction is to have effect is an appropriate response to the authority having concluded that the housing pressure condition exists;
  - (c) they are satisfied that, before making the application, the authority complied with their obligation to carry out a consultation exercise under section 19;
  - (d) they are satisfied that the action taken by the authority to reduce the imbalance between the demand for social housing and its supply since the direction was issued under section 6 has been adequate, and
  - (e) they are satisfied that the authority's proposals included in its application in accordance with section 20(2)(d) are likely to contribute to a reduction in the imbalance between the demand for social housing and its supply within the authority's area.
- (4) If the Welsh Ministers are not satisfied that the action taken by the authority to reduce the imbalance between the demand for social housing and its supply since the direction was issued under section 6 has been adequate, they may refuse the application.
- (5) If any of paragraphs (a) to (c) or (e) of subsection (3) are not met, the Welsh Ministers must reject the application.

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**Commencement Information**

**II** S. 21 in force at 3.9.2012 by S.I. 2012/2091, arts. 1(2), 2

**Status:**

Point in time view as at 03/09/2012. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Wales) Measure 2011, Section 21.