

1990 No. 1282

HOUSING, ENGLAND AND WALES

**The Housing (Right to Buy) (Designated Rural Areas
and Designated Regions) (England) Order 1990**

<i>Made - - - -</i>	<i>21st June 1990</i>
<i>Laid before Parliament</i>	<i>28th June 1990</i>
<i>Coming into force</i>	<i>19th July 1990</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 157(1)(c) and (3)(a) of the Housing Act 1985(a), and of all other powers enabling him in that behalf, 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 Regions) (England) Order 1990 and shall come into force on 19th July 1990.

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

Designated rural area

2.—(1) Subject to paragraph (2) of this article, the area specified in the Schedule to this Order is hereby designated as a rural area for the purposes of section 157 of the 1985 Act.

(2) The area designated by this article does not include any area of land in the National Park designated by the Dartmoor National Park (Designation) Confirmation Order 1951.

Designated region

3. In relation to a dwelling-house which is situated in the rural area designated by article 2 of this Order, the designated region for the purposes of section 157 of the 1985 Act shall be the County of Devon.

21st June 1990

Chris Patten
Secretary of State for the
Environment

(a) 1985 c.68; section 157 was amended by the Housing Act 1988 (c.50), section 126 and Schedule 17, paragraph 106.

SCHEDULE

DESIGNATED RURAL AREA

The Borough of West Devon with the exception of the parishes of Tavistock and Okehampton.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the Borough of West Devon (with the exception of the parishes of Tavistock and Okehampton and so much of the Dartmoor National Park as is within that borough) as a rural area for the purposes of section 157 of the Housing Act 1985 ("the Act"). The Order also designates the County of Devon as the designated region for the purposes of that section in relation to dwelling-houses in this rural area.

Where a dwelling-house in a designated rural area (or in a National Park or an area of outstanding natural beauty designated under section 87 of the National Parks and Access to the Countryside Act 1949 (c.97)) 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 within the meaning of section 160 of the Act or, in the case of a disposal by way of tenancy or licence, the circumstances specified in section 157(2)(b) are satisfied. Consent must be given if the disposal is to a person whose home or place of work throughout the preceding three years has been in a designated region which, or part of which, is comprised in the National Park, area of outstanding natural beauty or designated rural area 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.

The designation of an area as a rural area also means that voluntary sales of dwelling-houses in it under section 32 of the Act may, by section 37(1), be made subject to covenants of the kind described in sub-paragraph (a) above.

A copy of the Dartmoor National Park (Designation) Confirmation Order 1951 referred to in article 2(2) is available for inspection at the offices of the Countryside Commission at John Dower House, Crescent Place, Cheltenham, Gloucestershire GL50 3RA.

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