



Department for
Communities and
Local Government

The General Housing Consents 2013

Section 32 of the Housing Act 1985

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A. The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 - 2013

The Secretary of State for Communities and Local Government (“the Secretary of State”), in exercise of powers under sections 32(2), 33(2) and 34 of the Housing Act 1985, section 133(1) of the Housing Act 1988, section 75 of the Housing and Regeneration Act 2008 and of all other powers enabling him in that behalf, hereby gives to all local authorities in England the following general consent:

CITATION, COMMENCEMENT, EXTENT AND REVOCATION

A1.1 This consent may be cited as *The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 - 2013* and shall come into force on 11 March 2013.

A1.2 This consent does not apply to a disposal of a dwelling-house to a tenant (whether alone or with someone else) who has the right to buy it given by section 118 of the Housing Act 1985 except where the tenant is acquiring a shared ownership lease.

A1.3.1 *The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2012* given on the 18 May 2012 is revoked from 11 March 2013.

A1.3.2 *The general consent for the disposal of Part II dwelling-houses on shared ownership terms 2005 and the general consent for the disposal of Part II land 2005* all given on 21 March 2005 are revoked from 11 March 2013.

INTERPRETATION

A2.1 References in this consent to a section, Part or Schedule are, except where the contrary appears, references to the Housing Act 1985.

A2.2 In this consent:

“demoted tenancy” has the meaning in section 82A(8);

“disposal”, in the case of a disposal by the local authority, means (except where the contrary appears):

- (a) a conveyance of a freehold interest;
- (b) an assignment of a lease;
- (c) the grant of a lease of any duration;
- (d) where a building contains two or more dwelling-houses and the local authority has granted such a lease as described in sub-paragraph (c) of one of them after 11 June 1981, the grant of a lease of another of the dwelling-houses expiring either:
 - (i) where one such lease has been granted, at the end of the term of that lease;
 - or
 - (ii) where more than one such lease has been granted, at the end of the term of the last to expire;
- (e) the grant of an option to purchase the freehold of, or other interest in, land;

- (f) the grant of any easement in or over land held for the purposes of Part II; and
- (g) the grant of a shared ownership lease;

and “dispose” shall be construed accordingly;

“dwelling-house” means a house or flat or part of a building occupied or intended to be occupied as a separate dwelling, including any yard, garden, out-houses and appurtenances belonging to or usually enjoyed with it, held for the purposes of Part II;

“flat” and “house” have the same meanings as in section 183;

“introductory tenancy” means a tenancy granted under section 124 of the Housing Act 1996;

“long lease” has the meaning given in section 7 of the Leasehold Reform, Housing and Urban Development Act 1993;

“land” includes buildings (which could include dwelling-houses, houses and flats) and other structures, land covered with water and any estate, interest, easement or right over land;

“market value” means the amount for which a property would realise on the date of the valuation on a disposal between a willing buyer and a willing seller in an arm’s-length transaction after proper marketing where the parties had each acted knowledgeably, prudently, and without compulsion and where the market value is assessed not earlier than 3 months before the buyer applies or agrees to an offer in writing;

“qualifying tenant” has the meaning given in sub-sections (1) to (4) of section 5 of the Leasehold Reform, Housing and Urban Development Act 1993;

“registered provider of social housing” has the same meaning given in section 80 of the Housing and Regeneration Act 2008;

“right to buy” means the right to buy under Part V;

“secure tenancy” and “secure tenant” have the same meanings as in Part IV;

“shared ownership lease” means a lease of a dwelling-house granted on payment of a premium calculated by reference to a percentage of the market value of the dwelling-house;

“social housing” has the same meaning given in section 68 of the Housing and Regeneration Act 2008;

“tenancy” includes a licence to occupy and related expressions are to be construed accordingly;

“the right of pre-emption” means a condition precluding the disposal of the land by the transferee unless:

- (a) he first notifies the local authority of the proposed disposal and offers to dispose of the land to the authority; and
 - (b) the authority refuses the offer or fails to accept it within one month of it being made;
- and

“vacant”, in relation to land means land on which –

- (a) no dwelling-houses have been built or
- (b) where dwelling-houses have been built, such dwelling-houses have been demolished or are no longer capable of human habitation and are due be demolished;

“unoccupied” in relation to a dwelling-house means a dwelling-house which is not the subject of a tenancy to occupy granted by the local authority.

DISPOSAL OF LAND

A3.1.1 A local authority may, subject to paragraph 3.1.2, dispose of land for a consideration equal to its market value.

A3.1.2 Paragraph 3.1.1 does not apply to:

- (a) a disposal of land which is subject to a secure, introductory or demoted tenancy to occupy from the local authority to a landlord who is not another local authority;
- (b) a disposal of land that falls within Consent D (*The General Consent for the Disposal of Reversionary Interests in Houses and Flats 2013*); or
- (c) a disposal of land to a body in which the local authority owns an interest except -
 - (i) where the local authority has no housing revenue account; or
 - (ii) in the case of a local authority with a housing revenue account, the first 5 disposals in a financial year.

For the purposes of paragraph A3.1.2 , a “financial year” means the period of a year commencing on 1 April in any year.

A3.2 A local authority may dispose of vacant land.

A3.3.1 A local authority may dispose of an unoccupied dwelling-house to a person who intends to use it as their only or principal home subject to paragraphs 3.3.2 to 3.3.4.

A3.3.2 Subject to paragraph 3.3.4, where the person is a secure tenant and has the right to buy in respect of their current home, the local authority may dispose of the unoccupied dwelling-house at a price which is not less than that which would have been payable were the tenant to acquire it under that right.

A3.3.3 Subject to paragraph 3.3.4, where the person:

- (a) is not a secure tenant; or
- (b) is a secure tenant but has not acquired the right to buy

the local authority may dispose of the unoccupied dwelling-house at a price which is not less than an amount equal to the purchase price defined in section 126 (right to buy purchase price) to which the minimum discount, as provided for by section 129, has been applied.

A3.3.4 The right to buy discounts applied in paragraphs 3.3.2 and 3.3.3 must not reduce the price of the unoccupied dwelling-house to an amount less than the amount set or prescribed in section 131.

A3.4 Subject to paragraph 3.3.4, where a secure tenant occupies a dwelling-house but has not accrued the qualifying period for the right to buy, the local authority may dispose of the dwelling-house to the secure tenant at a price which is not less than an amount equal to the purchase price defined in section 126 (right to buy purchase price) to which the minimum discount, calculated in accordance with section 129, has been applied.

A3.5.1 Where the authority disposes of a shared ownership lease, the local authority may apply a discount to the amount of the premium payable, such discount to be calculated in accordance with paragraphs (a) and (b) below. In paragraphs (a) and (b) and paragraph 3.5.2:

“purchase percentage” means the percentage of the market value of the dwelling-house by reference to which the premium is calculated for the shared ownership lease;

“RTB discount” means the percentage discount to which the secure tenant is entitled under section 129:

(a) in the case of a secure tenant with a right to buy in respect of their current home, a discount of no more than –
(the purchase percentage) x (the RTB discount) x (the market value of the dwelling-house);

and

(b) in the case of a person who is not a secure tenant or a secure tenant who has not acquired the right to buy, a discount of no more than –
(the purchase percentage) x (the minimum percentage discount available under section 129) x (the market value of the dwelling-house).

A3.5.2 The discounts applied in 3.5.1 (a) and (b) must not reduce the price of the premium payable to an amount less than the shared ownership cap, where the shared ownership cap is the amount set or prescribed in section 131 multiplied by the purchase percentage.

OTHER DISPOSALS

A4.1 A local authority may -

(a) in the case of dwelling-houses, extend a long lease or grant a new long lease to a tenant who has held a long lease of the dwelling-house for a period of at least two years, for a premium calculated in accordance with section 9 of the Leasehold Reform Act 1967; and

(b) in the case of flats, extend a long lease or grant a new long lease to a qualifying tenant who has held a long lease of the flat for a period of at least two years, for a premium calculated in accordance with Schedule 13 to the Leasehold Reform, Housing and Urban Development Act 1993.

A4.2.1 Subject to paragraphs 4.2.2 and 4.2.3, a local authority may dispose of a short tenancy of land which is not let on a secure or introductory tenancy, where a short tenancy is-

(a) the grant of a lease for a term not exceeding seven years; or

(b) the assignment of a lease with a term which at the date of the assignment has not more than seven years to run.

A4.2.2 Paragraph 4.1 does not apply to the disposal of a short tenancy to a body in which the local authority owns an interest except -

(i) where the local authority has no housing revenue account; or

(ii) in the case of a local authority with a housing revenue account, the first 5 disposals in a financial year

A4.2.3 On the expiry of a short tenancy granted pursuant to this consent (“the original short tenancy”), a further short tenancy shall not be granted in respect of the same land pursuant to

this consent until the expiry of one year from date of the expiry or termination of the original short tenancy.

NATIONAL PARKS ETC.

A5 Where land is situated in a National Park or one of the areas mentioned in section 37(1) and a covenant of the kind mentioned in section 37(1) is not imposed, the local authority may impose a condition reserving the right of pre-emption, provided the right is exercisable:

- (a) within ten years of the date of the disposal; and
- (b) at the market value of the dwelling-house at the date the right is exercised less any repayment of discount demanded by the authority under the covenant mentioned in section 35(2).

DWELLING-HOUSES FOR THE ELDERLY ETC

A6 Where a dwelling-house is within paragraph 7, 9 or 10 of Schedule 5 (or would be within one of those paragraphs if it were one of a group which it was the practice of the local authority to let for occupation by a person of one of the descriptions mentioned in those paragraphs) or is within paragraph 11 of that Schedule, the authority may impose a condition reserving the right of pre-emption, provided the right is exercisable:

- (a) within twenty one years of the date of disposal; and
- (b) at the market value of the dwelling-house at the date the right is exercised less any repayment of discount demanded by the authority under the covenant mentioned in section 35(2).

SHARED OWNERSHIP LEASES

A7.1 The authority may include in a shared ownership lease a condition which— (a) precludes the lessee from granting a sub-lease of the whole or part of the dwelling-house; or
(b) requires the authority's consent to a grant by the lessee of a sub-lease of the whole or part of the dwelling-house.

A7.2.1 The authority may include in any shared ownership lease granted under this consent a condition reserving the right of pre-emption in respect of the assignment of the lease, provided the right is exercisable only when the relevant percentage is more than nil.

A7.2.2 The consideration for the surrender of a shared ownership lease under the right of pre-emption shall be the aggregate of the purchase percentages (as defined in paragraph A3.5.1) of the market value of the dwelling-house at the date the right of pre-emption is exercised subject to the deduction of any discount repayable under the covenant imposed pursuant to section 35.

A7.2.3 In the case of a shared ownership lease granted in the circumstances specified in paragraphs A5 and A6, an authority may reserve the right of pre-emption, exercisable in accordance with whichever of those paragraphs is applicable, whatever is the relevant percentage and whether relating to the lease or the reversion.

A7.2.4 For the purpose of the application of paragraphs A5 and A6, the date of the disposal shall be the date the lease was granted under this consent.

In paragraph A7.2.3, “relevant percentage” means 100 per cent less the aggregate of the purchase percentages (as defined in paragraph A3.5.1).

LIMITATION ON PRE-EMPTION

A8 No disposal under this consent shall reserve a right of pre-emption to the local authority except one:

- (a) permitted under this part of the consent; or
- (b) required by section 36A.

JOINT PURCHASERS

A9 If a local authority may dispose of a dwelling-house under this consent to an individual it may dispose of it to that individual together with one or more other individuals on the same terms as it would have disposed of it to the individual.

SUBSEQUENT DISPOSALS

A10 The further consent of the Secretary of State shall not be required under section 133 of the Housing Act 1988 to the subsequent disposal of a dwelling-house which has been disposed of in accordance with this consent.

DISPOSALS TO REGISTERED PROVIDERS OF SOCIAL HOUSING

A11 A dwelling-house which was social housing disposed of pursuant to this consent to a registered provider of social housing must remain as social housing for the period it is owned by the registered provider of social housing until it ceases to be social housing under the provisions of sections 72 to 76 of the Housing and Regeneration Act 2008.

Paul Downie
Affordable Housing Management and Standards Division
Department for Communities and Local Government

26 February 2013

B. The General Consent for the Disposal of Dwelling-houses to Tenants who have the Right to Buy acquiring with others 2013

The Secretary of State for Communities and Local Government (“the Secretary of State”), in exercise of his powers under sections 123(2) and 128(1) of the Local Government Act 1972, sections 32(2), 33(2), 34 and 43 of the Housing Act 1985 and section 133(1) of the Housing Act 1988 and of all other powers enabling him in that behalf, hereby gives to all local authorities in England the following general consent:

CITATION, COMMENCEMENT AND REVOCATION

B1.1 This consent may be cited as *The General Consent for the Disposal of Dwelling houses to Tenants who have the Right to Buy acquiring with others 2013* and shall come into force on 11 March 2013.

B1.2 *The General Consent for the Disposal of Dwelling-houses to Tenants who have the Right to Buy acquiring with others 2012* given on 18 May 2012 is revoked.

INTERPRETATION

B2 In this consent:

“principal consent” means *The General Consent for the Disposal of Land held for the Purposes of Part II of the Housing Act 1985 – 2013* or such consent that replaces it; and otherwise expressions have the same meaning as in the principal consent except where the contrary appears.

CONSENT

B3.1 A local authority may, subject to the provisions of this consent, dispose of a dwelling-house to a secure tenant or tenants of that dwelling-house, who have the right to buy it given by section 118, and who are acquiring the dwelling-house with an individual who is not, or individuals all of whom are not, qualified to share the right to buy under section 123.

B3.2 Before the purchasers enter into an obligation to acquire a leasehold interest, the authority shall give them the estimates and information specified in sections 125A to 125C amended so that:

- (a) for the statements of the effects of paragraphs 16B and 16C of Schedule 6, there shall be substituted a statement of the effects of the provisions in the lease described in paragraph B3.3(c)(ii); and
- (b) no reference to section 450A and regulations under it need be included.

B3.3 The disposal shall be:

- (a) at the price which would be payable if the tenant or tenants were acquiring the dwelling-house under Part V;

- (b) in the case of a house where the authority owns the freehold, by way of a conveyance which conforms with Parts I and II of Schedule 6; and
- (c) in the case of a house where the authority does not own the freehold and in the case of a flat, by way of the grant of a lease which:
 - (i) conforms with Parts I and III of Schedule 6; and
 - (ii) contains provisions restricting the liability of the tenant or tenants to service charges and improvement contributions as described in paragraphs 16B and 16C respectively of Schedule 6.

B3.4 Paragraphs A5, A6 and A8 of the principal consent shall apply for the purposes of this consent.

SUBSEQUENT DISPOSALS

B4 The further consent of the Secretary of State shall not be required under section 133 of the Housing Act 1988 to the subsequent disposal of a dwelling-house which has been disposed of in accordance with this consent.

Paul Downie
Affordable Housing Management and Standards Division
Department for Communities and Local Government

26 February 2013

C. The General Consent for the Disposal of Non-Part II Dwelling-houses 2013

The Secretary of State for Communities and Local Government (“the Secretary of State”), in exercise of his powers under sections 123(2) and 128(1) of the Local Government Act 1972, section 43 of the Housing Act 1985 and section 133(1) of the Housing Act 1988 and of all other powers enabling him in that behalf hereby gives to all relevant authorities in England the following general consent:

CITATION, COMMENCEMENT AND REVOCATION

C1.1 This consent may be cited as *The General Consent for the Disposal of Non-Part II Dwelling-houses 2013* and shall come into force on 11 March 2013.

C1.2 *The General Consent for the Disposal of Non-Part II Dwelling-houses 2012* given on 18 May 2012 is revoked.

INTERPRETATION

C2 In this consent:

“dwelling-house” means a house or flat which is held by a relevant authority other than under Part II of which the authority may dispose under section 123 of the Local Government Act 1972;

“relevant authority” means a county, district or London borough council, the Common Council of the City of London, the Council of the Isles of Scilly, a police authority within the meaning of section 3 of the Police Act 1964 or any other authority which is a council for the purposes of section 123 of the Local Government Act 1972; and

otherwise expressions have the same meaning as in *The General Consent for the Disposal of Part II of the Housing Act 1985 - 2013*.

DISPOSAL OF A DWELLING-HOUSE AT A DISCOUNT

C3 A relevant authority may dispose of a dwelling-house to an individual or individuals if it could make the disposal under *The General Consent for the Disposal of Land held for the Purposes of Part II of the Housing Act 1985- 2013* were the dwelling-house and the authority ones to which the consent applied.

C4 The disposal shall be subject to a covenant of the kind specified in section 35.

SUBSEQUENT DISPOSALS

C5 The further consent of the Secretary of State shall not be required under section 133 of the Housing Act 1988 to the subsequent disposal of a dwelling-house which has been disposed of in accordance with this consent.

Paul Downie
Affordable Housing Management and Standards Division
Department for Communities and Local Government

26 February 2013

D. The General Consent for the Disposal of Reversionary Interests in Houses and Flats 2013

The Secretary of State for Communities and Local Government (“the Secretary of State”), in exercise of his powers under sections 32(2) and 34 of the Housing Act 1985 and section 133(1) of the Housing Act 1988 and of all other powers enabling him in that behalf, hereby gives to all local authorities in England the following general consent:

CITATION, COMMENCEMENT AND REVOCATION

D1.1 This consent may be cited as *The General Consent for the Disposal of Reversionary Interests in Houses and Flats 2013* and shall come into force on 11 March 2013.

D1.2 *The General Consent for the Disposal of Reversionary Interests in Houses and Flats 2012* given on 18 May 2012 is hereby revoked.

INTERPRETATION

D2 In this consent:

“building” includes any yard, garden, outhouses and appurtenances belonging to or usually enjoyed with it or any part of it;

“demoted tenancy” has the meaning in section 82A(8) of the Housing Act 1985;

“flat” and “house” have the same meanings as in section 183 of the Housing Act 1985;

“introductory tenancy” is tenancy granted under section 124 of the Housing Act 1996;

“long lease” has the meaning given to “long tenancy” in section 115 of the Housing Act 1985; and

“secure tenancy” means a tenancy that complies with section 79 of the Housing Act 1985.

DISPOSAL OF A HOUSE

D3 Where a local authority is the landlord of a house, which is let as housing accommodation under a long lease, the authority may dispose of its interest for such consideration that the local authority consider appropriate.

DISPOSAL OF A BUILDING DIVIDED INTO FLATS

D4 Subject to paragraph D5, where the condition in paragraphs D6 and D7 apply, a local authority may dispose of its interest in a building containing flats for such consideration as the local authority consider appropriate.

D5 paragraph D4 does not apply to a disposal of an interest to a body in which the local authority owns an interest.

D6 Subject to paragraph D7, at least 50% of all the flats have been let to tenants who have been qualifying tenants for the purposes of section 5 of the Leasehold Reform, Housing and Urban Development Act 1993.

D7 Where a flat in the building is occupied by a secure, introductory or demoted tenant ("the tenant"), the disposal is subject to a contractual obligation on the buyer to grant to the local authority upon completion of the disposal, a lease of 999 years of the flat occupied by the tenant in order to maintain the landlord and tenant relationship at the time of the disposal between the local authority and tenant so as to enable the local authority to grant the tenant :

- an underlease of the flat should the tenant proceed with an application to buy under Part V of the Housing Act 1985 (the right to buy); and
- a tenancy on, or substantially on, the terms and conditions of the tenant's tenancy at the time of the disposal and subject to the provisions set out on paragraph 2 of Schedule 10 to the Leasehold Reform, Housing and Urban Development Act 1993 regarding the continuation of the secure tenancy.

SUBSEQUENT DISPOSALS

D7 The further consent of the Secretary of State shall not be required under section 133 of the Housing Act 1988 to the subsequent disposal of land which has been disposed of in accordance with this consent.

Paul Downie
Affordable Housing Management and Standards Division
Department for Communities and Local Government

26 February 2013

Commentary

1. This commentary provides some further explanation of the general consents. It is not intended to be comprehensive nor provide explanation where we believe the general consents are clear in themselves. Similarly it does not relieve authorities of the onus of satisfying themselves that any action they take is in accordance with the consents and the principal legislation.
2. For the sake of brevity the expression “dwelling” is used in these notes instead of “dwelling-house” and the expression “sale” includes any form of disposal permitted by the consent.
3. Section 44 of the Housing Act 1985 provides that a disposal of a house without consent is void, unless the disposal is of a single house to an individual. Section 32 Consent cannot be given retrospectively. Therefore, where a disposal is void by virtue of section 44 the remedy is to make the disposal again with the consent.
4. If a proposed transaction falls outside the terms of the general consents an application for special consent may be made to the Department for Communities and Local Government, Pooling and Consents Team, 1st Floor, Eland House, Bressenden Place, London SW1E 5DU.

GENERAL CONSENT A

5. This is the principal consent.
6. Paragraph 3.1 permits local authorities to dispose of any **dwelling** at market value, except
 - disposals to a body owned or partly owned by the local authority (unless the local authority has closed its Housing Revenue Account or disposal is one of the first five disposals in a financial year);
 - disposals that fall within Consent D (*The General Consent for the Disposal of Reversionary Interests in Houses and Flats 2013*); and
 - disposals that would result in a local authority tenant becoming the tenant of a private landlord.
7. Paragraph 3.1 is wide reaching and limited only by the provisions in paragraph A3.1.2. It therefore includes permission to dispose of common parts of shared accommodation, such as loft space or gardens.
8. Paragraph 3.2 permits local authorities to dispose of **vacant land** and **assets that are not dwellings** (e.g. garages, drying areas etc), at any price determined by the local authority.
9. Paragraph 3.3 permits local authorities to dispose of dwellings at discounts equivalent to the Right to Buy discount to existing council tenants and others who, the local authority has decided, need help accessing home ownership in the area (for example, key workers or ex-military personnel, although that is for the local authority to decide).

10. The consent includes freedom for local authorities to dispose of unoccupied dwellings to registered housing associations at market value. Paragraph A11 provides that any dwelling that qualifies as social housing disposed of pursuant to this consent must remain as social housing and will do so until it is sold by the registered housing association.
11. Paragraph A3 also permits disposals on shared ownership terms, including disposals at a discount up to the relevant discount offered under the Right to Buy (pro-rated to match the percentage of the home bought). Where disposal is to a tenant who would otherwise have the Right to Buy the home, the local authority must remind the tenant that they have the right to buy their home outright and that should they purchase just a share they will lose that right: i.e. they will have no right to staircase up to 100%.
12. Paragraph A4.2 permits the disposal of property on short leases (i.e. 7 years or less) for whatever consideration the local authority deems appropriate. We expect this in the main to be the leasing of dwellings to local voluntary or charitable groups. Local authorities exercising this option will need to be mindful of the nominal debt each dwelling within its Housing Revenue Account supports: i.e. it will need to ensure that the loss of rental income and a low receipt do not compromise the ability to service overall housing debt.
13. Paragraph A10 removes the requirement imposed by section 133 of the Housing Act 1988 that the consent of the Secretary of State be sought before any subsequent disposal. Please note that this applies only where the Secretary of State has the power to grant such consent. In all other cases, including for Private Registered Providers, consent will be required from the Regulator of Social Housing. This is equally applicable for General Consents B, C and D.

GENERAL CONSENT B

14. This consent relaxes the restriction in paragraph A1.2 by permitting an authority to make a voluntary sale to a sitting tenant, who has the Right to Buy and wishes to share it with someone who is not qualified under section 123: for example, a member of his or her family who does not reside in the dwelling or someone who is not a family member.
15. If the dwelling is a house, of which the authority is the freeholder, the authority must sell the freehold. In other cases, the authority must grant a lease of the same duration as it would do if the sale were under the statutory Right to Buy. The provisions restricting the recovery of service charges for the first 5 years also apply.

GENERAL CONSENT C

16. This consent permits dwellings held by police authorities, and by county councils and housing authorities under powers other than Part II of the 1985 Act, to be sold in accordance with general consent A. Paragraph A1.2 (bar on sales to sitting tenants who have the Right to Buy) applies to general consent C.

GENERAL CONSENT D

17. This consent permits local authorities to dispose of their reversionary interest in houses and flats. It overlaps the right to enfranchise, which the lessee of a house or the leaseholders in a block of flats have under the Leasehold Reform Act 1967 or the Leasehold Reform, Housing and Urban Development Act 1993 (as amended by the Commonhold and Leasehold Reform Act 2002). No consent under section 32 of the Housing Act 1985 is required if the statutory right is exercised.
18. Should a local authority decide to dispose of its reversionary interest in a flat or house, the Department would recommend that the leaseholders first be given the opportunity to purchase the freehold before the local authority invites offers from other persons.
19. Where disposal includes flats occupied by secure, introductory or demoted tenants it is important that the authority negotiates appropriate terms for the transfer that include leasing back the flats on the same terms as the current tenancy.