

Dated 30th March 2011

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire West and Chester Borough Council
(Reorganisation of Community Governance) Order 2011



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LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) Order 2011

Made 30th March 2011

Coming into force in accordance with article 1(2)

Vale Royal Borough Council ("the Predecessor Council"), in accordance with section 82 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"), has undertaken a community governance review and made recommendations dated 19th March 2009.

The Predecessor Council decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, consulted with the local government electors and other interested persons and had regard to the need to secure that community governance reflected the identities and interests of the community and is effective and convenient.

The Predecessor Council, in accordance with section 100 of the 2007 Act, had regard to guidance issued under that section.

Cheshire West and Chester Council ("the Council") following local government re-organisation and by virtue of Part 3 Article 7 of the Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008 with effect from 1 April 2009 is the successor council to the Predecessor Council and for the avoidance of doubt references in the 2007 Act to the Principal Council shall be construed as applying to the Council as successor authority.

The Council, in accordance with section 100 of the 2007 Act, had regard to guidance issued under that section.

The Council makes the following Order in exercise of the powers conferred by sections 86, 98(3), 98(4), and 240(10) of the 2007 Act.

Citation and commencement

1.— (1) This Order may be cited as the Cheshire West and Chester Borough Council (Reorganisation of Community Governance) Order 2011.

Subject to paragraphs (3) and (4) below, this Order comes into force on 1st April 2011.

Articles 7, 8, 9, 10, 11, 12, 13 and 14 shall come into force on the ordinary day of election of councillors in 2011.

For the purposes of:

- (a) this article,
- (b) article 5;
- (c) proceedings preliminary or relating to the elections of parish councillors for the parish of Kingsmead, to be held on the ordinary day of election of councillors in 2011;
- (d) proceedings preliminary or relating to the elections of parish councillors for the parish of Davenham, to be held on the ordinary day of election of councillors in 2011; and
- (e) proceedings preliminary or relating to the elections of town councillors for the parish of Northwich, to be held on the ordinary day of election of councillors in 2011,

this Order shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—

“borough” means the borough of Cheshire West and Chester;

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the Cheshire West and Chester Borough Council (Reorganisation of Community Governance) Order 2011” and deposited in accordance with section 96(4) of the 2007

Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means the parish constituted by article 4;

“monitoring officer” means the officer designated under section 5 of the Local Government and Housing Act 1989;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Constitution of a new parish

4.— (1) A new parish, comprising the area outlined with a red line on the map, shall be constituted within the borough.

(2) The name of the new parish shall be Kingsmead.

(3) In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parishes of Davenham and Northwich.

Calculation of budget requirement

5. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Kingsmead the sum of £18500.

Parish council for the parish of Kingsmead

6. There shall be a parish council for the parish of Kingsmead.

The name of that council shall be “The Parish Council of Kingsmead”.

Elections for the parish of Kingsmead

7.(1) The election of all parish councillors for the parish of Kingsmead shall be held simultaneously on the ordinary day of election of councillors in 2011 and every four years thereafter.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2011 for the parish of Kingsmead shall be four years to coincide with the ordinary day of elections of parish

councillors in accordance with s. 16 (3) of the Local Government Act 1972.

Number of parish councillors for the parish of Kingsmead Parish Council

8. The number of councillors to be elected for the parish of Kingsmead shall be ten.

Wards of the parish of Kingsmead

9. The Parish of Kingsmead shall not be warded.

Numbers of parish councillors for the parish of Davenham Parish Council

10. The number of councillors to be elected for the parish of Davenham shall be nine.

Wards of the parish of Davenham

11. The Parish of Davenham shall not be warded.

Numbers of parish councillors for the parish of Northwich Town Council

12. The number of town councillors to be elected for the parish of Northwich shall remain at twenty one.

Wards of the parish of Northwich Town Council and numbers of town councillors

13. The Parish of Northwich shall be divided into five wards which shall be named:

Northwich Bridge Parish Ward, Northwich Greenbank Parish Ward, Northwich Leftwich Parish Ward, Northwich Winnington Parish Ward, and Northwich Witton Parish Ward.

14. The number of town councillors to be elected for each ward of the parish of Northwich is as follows:

Northwich Bridge Parish Ward shall be 7

Northwich Witton Parish Ward shall be 5

Northwich Leftwich Parish Ward shall be 4

Northwich Greenbank Parish Ward shall be 3

Northwich Winnington Parish Ward shall be 2

Annual meeting of parish council

15. The annual meeting of the new parish council in 2011 shall be convened by the Monitoring Officer of the Cheshire West and Chester Borough Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

Alteration of Parish Areas and the areas of parish wards

16. (1) The area shown hatched green on the map shall cease to be part of the parish of Davenham and Davenham Kingsmead ward of that parish and shall become part of the new unwarded parish of Kingsmead.

(2) The area shown hatched blue on the map shall cease to be part of the parish of Northwich and Northwich Leftwich ward of that parish and shall become part of the new unwarded parish of Kingsmead.

Electoral register

17. The registration officer for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Transfer of property, rights and liabilities

18. The land, property, rights and liabilities described in Schedules 1 and 2 shall transfer from the Davenham parish council to the Kingsmead parish council on the date specified in column (2) of those Schedules.

Order date

19. 1st April 2011 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

The COMMON SEAL of
CHESHIRE WEST AND CHESTER
BOROUGH COUNCIL was hereunto affixed
In the presence of



Authorised Signatory



1791

SCHEDULE 1

article 18

LAND AND PROPERTY TO BE TRANSFERRED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
Notice Board – Kingsmead Square	1 st April 2011

SCHEDULE 2

article 18

FUNDS AND BALANCES TO BE TRANSFERRED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Funds and balances to be transferred</i>	<i>Date</i>
Capital Reserves in the sum of £48209.55 from Davenham Parish Council	1 st April 2011

EXPLANATORY NOTE*(This note is not part of the Order)*

This Order gives effect to recommendations made by Vale Royal Borough Council for the new parish of Kingsmead, created, the alteration of the area of the parish of Davenham, the alteration of the area of the parish of Northwich within the borough of Cheshire West and Chester.

The parish of Kingsmead will be created with effect from 1 April 2011. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2011.

Article 7 provides for parish elections in the parish of Kingsmead in 2011, and then to continue according to the established system of parish elections every four years.

Article 8 specifies the numbers of parish councillors for the new parish of Kingsmead.

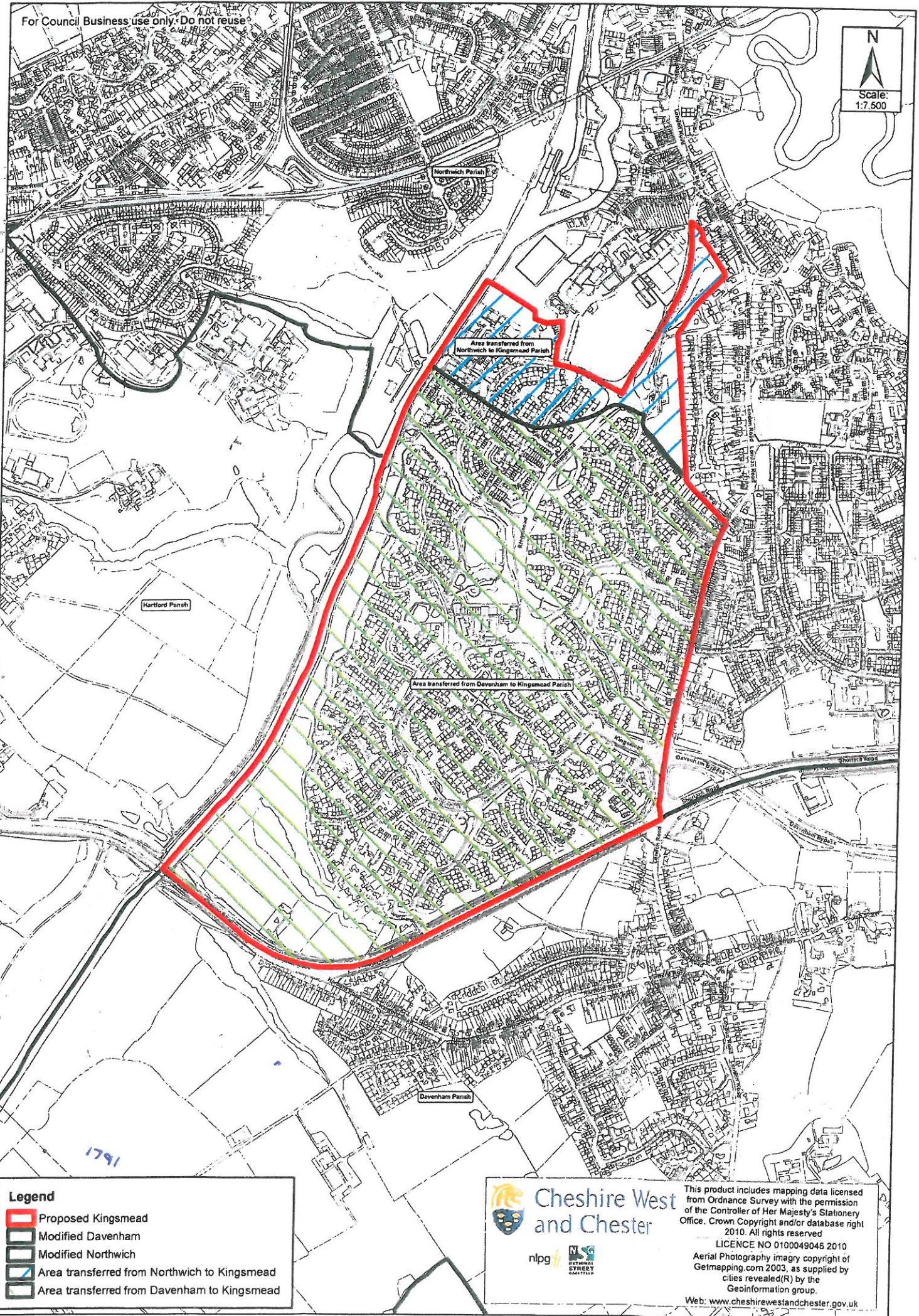
Article 10 specifies the number of parish councillors for the existing parish of Davenham.

Article 12 confirms the number of parish councillors for the existing parish of Northwich.

Article 13, 14 and the map confirm the names and areas of the wards of the parish of Northwich and the numbers of councillors for each ward.

Article 17 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new parish of Kingsmead and the remaining areas of the parishes of Davenham and Northwich. It is available, at all reasonable times, at the following offices of Cheshire West and Chester Borough Council – The Forum Chester, CH1 2HS, The Drummer Wyvern House, The Drummer Winsford CW7 1AH and 4 Civic Way Ellesmere Port CH65 0BE.



Legend

- Proposed Kingsmead
- Modified Davenham
- Modified Northwich
- Area transferred from Northwich to Kingsmead
- Area transferred from Davenham to Kingsmead



Cheshire West
and Chester

nlp



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