

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire East Borough Council (Reorganisation of Community Governance) Order 2010

Made [December 2010]

Coming into force in accordance with article 1(2).

Cheshire East Borough Council ("the Council"), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"), has undertaken a community governance review and made recommendations dated December 2010.

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

The Council, in accordance with section 100 of the 2007 Act, has 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), 98(6) and 240(10) of the 2007 Act.

Citation and commencement

1. (1) This Order may be cited as the Cheshire East Borough Council (Reorganisation of Community Governance) Order 2010.

(2) Subject to paragraph (3) below, this Order comes into force on 1st April 2011.

(3) Articles 6, 7 and 8 shall come into force on the ordinary day of election of councillors in 2011.

Interpretation

2. In this Order—

"borough" means the borough of Cheshire East

"existing" means existing on the date this Order is made;

"map" means the map marked "Map referred to in the Cheshire East Borough Council (Reorganisation of Community Governance) Order 2010" 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 parishes" means the parishes constituted by article 4

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

"electoral 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 new parishes

- 4.(1) Three new parishes, comprising the areas outlined on the map, shall be constituted within the borough.
- (2) The names of the new parishes shall be:
- Wilmslow (area shaded grey on the map)
 - Handforth (area shaded blue on the map)
 - Styal (area shaded red on the map)

Parish Councils

5. (1) There shall be a parish council for each of the parishes of Wilmslow, Handforth and Styal.
- (2) The name of those councils shall be “The Parish Council of Wilmslow”, “The Parish Council of Handforth” and “The Parish Council of Styal” respectively.

Election for the parishes of Wilmslow, Handforth and Styal

6. (1) The election of all parish councillors for the parishes of Wilmslow, Handforth and Styal shall be held simultaneously on the ordinary day of election of councillors in 2011.
- (2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2011 for the parishes of Wilmslow, Handforth and Styal shall be four years until 2015 and thereafter coincide with the ordinary day of election of parish councillors every four years in accordance with s.16 (3) of the Local Government Act 1972.

Number of parish councillors

7. The number of councillors to be elected for each of the new parish Councils shall be as follows:
- (1) Wilmslow – 15
 - (2) Handforth – 7
 - (3) Styal - 7

Wards of the new parishes of Wilmslow and Handforth and numbers of parish councillors

8. (1) The Parish of Wilmslow shall be divided into four wards which shall be named: Wilmslow West Parish Ward; Lacey Green Parish Ward; Dean Row Parish Ward and Wilmslow East Parish Ward.
- (2) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by green lines.
- (3) The number of councillors to be elected for each ward is as follows:
- Wilmslow West Parish Ward shall be 5
 - Lacey Green Parish Ward shall be 2
 - Dean Row Parish Ward shall be 4
 - Wilmslow East Parish Ward shall be 4

- (4) The Parish of Handforth shall be divided into three wards which shall be named:
Handforth West Parish Ward; Handforth East Parish Ward and Handforth South Parish Ward.
- (5) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by yellow lines.
- (6) The number of councillors to be elected for each ward is as follows:
- Handforth West Parish Ward shall be 3
 - Handforth East Parish Ward shall be 2
 - Handforth South Parish Ward shall be 2

Annual meeting of parish councils

9. The annual meeting of the new parish councils in 2011 shall be convened by the Chief Executive of Cheshire East Borough Council. The meeting for each of the new parish councils shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

Calculation of Budget Requirement

10. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008, the following sums are specified for each of the new parishes:

- (1) Wilmslow - £375,000
- (2) Handforth - £85,000
- (3) Styal - £6000

Electoral register

11. The Electoral 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.

Order date

12. 1st April 2011 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of the council on the [] day of [December 2010].

Borough Solicitor

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by Cheshire East Borough council for the creation of a council for each of the parishes of Wilmslow, Handforth and Styal within the borough of Cheshire East.

The three new parishes 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 6 provides for parish elections in the parishes of Wilmslow, Handforth and Styal in 2011, and then to continue according to the established system of parish elections every four years.

Article 7 specifies the numbers of parish councillors for each of the new parishes.

Article 8 and the map establish the names and areas of the wards of the new parishes of Wilmslow and Handforth and the numbers of councillors for each ward. The new parish of Styal is not warded.

Article 10 specifies the amount of the initial precept for each of the new parishes to be applied in the 2011 – 12 financial year.

Article 11 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 areas comprising the three new parishes of Wilmslow, Handforth and Styal and the wards of the parishes of Wilmslow and Handforth. It is available for inspection, at all reasonable times, at the offices of Cheshire East Borough Council.