

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire East Borough Council (Reorganisation of Community Governance) (Crewe) Order 2012

Made [.... October 2012]

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 after having made recommendations on 16 May 2012 and having undertaken the processes described below, has made a decision dated 11 October 2012 to which this Order gives effect.

In accordance with section 93 of the 2007 Act, the Council 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 and of all other powers enabling it in that behalf.

1. Citation and commencement

- (1) This Order may be cited as the Cheshire East Borough Council (Reorganisation of Community Governance) (Crewe) Order 2012.
- (2) Subject to paragraphs (3) and (4) below, this Order comes into force on the 1st April 2013
- (3) Article 8 and Schedule 1 shall come into force on 4 April 2013
- (4) For the purposes of:
 - (a) this Article
 - (b) Article 11, and
 - (c) Article 13 – and all proceedings preliminary or relating to the election of parish councillors for the parish of Crewe to be held on 4 April 2013,this Order shall come into force on the day after that on which it is made.

2. Interpretation

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 2012" 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

“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.

3. Effect of Order

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.

4. Constitution of new parish

- (1) With effect from 1 April 2013, a new parish, comprising the area outlined in yellow on the map, shall be constituted within the borough.
- (2) The name of the new parish shall be Crewe.

5. Parish Council

- (1) There shall be a parish council for the parish of Crewe.
- (2) The name of that council shall be “The Parish Council of Crewe”.

6. Elections for the parish of Crewe

- (1) Elections of all parish councillors for the parish of Crewe shall be held on 4 April 2013.
- (2) The term of office of every parish councillor elected on 4 April 2013 for the parish of Crewe shall be two 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.

7. Number of parish councillors

The number of councillors to be elected for the new parish Council shall be 16.

8. Wards of the new parish of Crewe and numbers of parish councillors

- (1) The Parish of Crewe shall be divided into six wards which shall be named as set out in column (1) of Schedule 1.
- (2) Each parish ward shall comprise the area of the borough ward in Crewe specified in respect of each ward in column (2) of Schedule 1 and 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 shall be the number specified in column (3) of Schedule 1.

9. Annual meeting of parish council

The annual meeting of the new parish council in 2013 shall be convened by the Chief Executive of Cheshire East Borough Council. The meeting for the new parish council shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

10. Variation to the area of Minshull Vernon and District Parish Council

The area of the Minshull Vernon and District parish council shall be varied to include within the Leighton Urban ward of that parish the unparished part of the borough ward of Leighton (polling district 1FJ4) as indicated by the red line on the map.

11. Calculation of Budget Requirement

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 Crewe the sum of £xxxxxx.

12. Transfer of property, rights and liabilities

The land, property, rights and liabilities described in Schedule 2 shall transfer from the borough to the new parish council on the date specified in column (2) of that Schedule.

13. Electoral register

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.

14. Order date

1st April 2013 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 [October 2012].

Borough Solicitor

SCHEDULE 1 (ARTICLE 8)

WARDS OF THE PARISH OF CREWE

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

| Column 1 Name of parish Ward | Column 2 Area of Ward | Column 3 Number of parish councillors |
|---------------------------------|--|---|
| Crewe St Barnabas | The whole of the borough ward of St Barnabas as shown on the map | 2 |
| Crewe Central | The whole of the borough ward of Crewe Central as shown on the map | 2 |
| Crewe North | The whole of the borough ward of Crewe North as shown on the map | 2 |
| Crewe South | The whole of the borough ward of Crewe South, except for Gresty Brook (Polling District 1GM2), as shown on the map | 3 |
| Crewe East | The whole of the borough ward of Crewe East as shown on the map | 4 |
| Crewe West | The whole of the borough ward of Crewe West as shown on the map | 3 |

SCHEDULE 2 (ARTICLE 12)

LAND AND PROPERTY TO BE TRANSFERRED

| Column 1 | Column 2 |
|---|--------------|
| Land and property to be transferred | Date |
| Public Conveniences at Crewe Market | 1 April 2013 |
| Allotments holdings on the basis of 150 leases situated at: Alton Street; Brookhouse Drive; Claughton Avenue; Electricity Street; Ford Lane; Henry Street; Hungerford Road; Hulme Street; Manor Way; Ruskin Road; and Walker Street | 1 April 2013 |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to a decision made by Cheshire East Borough Council for the creation of a new parish and a parish council for Crewe within the borough of Cheshire East.

The new parish will be created with effect from 1 April 2013. The electoral arrangements for the parish council apply in respect of parish elections to be held on 4 April 2013.

Article 6 provides for the first parish elections in the parish of Crewe in 2013, and then in 2015 and every four years thereafter according to the established system of parish elections.

Article 7 specifies the number of parish councillors for the new parish of Crewe.

Article 8 and Schedule 1 establish the names and areas of the wards of the new parish of Crewe (as indicated on the map) and the numbers of councillors for each ward.

Article 10 provides for a consequential amendment to the area of the Minshull Vernon and District parish council.

Article 11 specifies the amount of the initial precept for the new parish to be applied in the 2013 – 14 financial year.

Article 13 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 area comprising the new parish of Crewe and the wards of the new parish, together with the change to the area of Minshull Vernon and District parish. It is available for inspection, at all reasonable times, at the offices of Cheshire East Borough Council.