STATUTORY INSTRUMENTS

2008 No. 625

The Local Government (Parishes and Parish Councils) (England) Regulations 2008

PART 3

OTHER CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

Charter trustees

15.—(1) The following provisions of this regulation apply in any case where, in consequence of a reorganistion order, a city or town for which charter trustees have been constituted by or under any enactment becomes wholly comprised in a parish or in two or more parishes.

(2) On the date on which the first parish councillors for the parish or parishes (as the case may be) come into office—

    (a) the charter trustees shall be dissolved;

    (b) the mayor and deputy mayor (if any) shall cease to hold office as such;

    (c) the appointment of any local officer of dignity shall be treated as if it had been made by the parish council;

    (d) all property, rights and liabilities (of whatever description) of the charter trustees shall become property, rights and liabilities of the parish council; and

    (e) any legal proceedings to which the charter trustees are party may, subject to rules of court, be prosecuted or defended (as the case may be) by the parish council.

(3) Without prejudice to paragraph (2), regulation 5 (continuity of matters) shall apply in a case to which this regulation applies as if the charter trustees were a transferor authority and the parish council were a transferee authority.

(4) In paragraphs (2) and (3) "the parish council"–

    (a) in relation to a city or town which becomes comprised in the area of a single parish, means the council of that parish;

    (b) in relation to a city or town which becomes comprised in the area of more than one parish, means the council of such one of those parishes as is specified in the reorganisation order.

(5) The accounts of the charter trustees and of its committees and officers shall be made up to the date referred to in paragraph (2), and shall be audited in the same manner, and subject to the same procedures and penalties, as if the charter trustees had not been dissolved.