

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The North Hertfordshire (Reorganisation of Community Governance) Order 2011

Made: 31 March 2011

Coming into force in accordance with article 1(2)

North Hertfordshire District Council (“the 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 November 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 86, 98(4) and 240(10) of the 2007 Act.

Citation and commencement

1. (1) This Order may be cited as the North Hertfordshire (Reorganisation of Community Governance) Order 2011.
(2) It shall come into force on 1st April 2011.

Interpretation

2. In this Order—

“district” means the district of North Hertfordshire;

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

“map” means the map marked “Map referred to in the North Hertfordshire (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 articles 4 and 6;

“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 new parish

4. (1) A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the district
 - (2) The name of the new parish shall be Great Ashby
 - (3) The new parish shall have the alternative style of community
 - (4) In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parish of Graveley.

Parish council for the parish of Great Ashby

5. (1) There shall be a parish council for the parish of Great Ashby .
 - (2) The name of that council shall be “The Community Council of Great Ashby”.

Constitution of new parish

6. (1) A new parish, comprising the area outlined with a red line on the map, shall be constituted within the district
 - (2) The name of the new parish shall be Graveley
 - (3) In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parish of Graveley.

Parish council for the parish of Graveley

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

Election for the parishes of Graveley and Great Ashby Parish elections

8. (1) The election of all parish councillors for the parishes of Graveley and Great Ashby shall be held 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 parish of Graveley and the parish of Great Ashby shall be four years.
 - (3) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraphs 4 or 6 above to be held on a date other than that for which paragraph 8 provides, it shall cease to have effect to that extent.

Number of parish councillors for the parish of Great Ashby

9. The number of councillors to be elected for the parish of Great Ashby shall be 12.

Number of parish councillors for the parish of Graveley

10. The number of councillors to be elected for the parish of Graveley shall be 5.

Annual meeting of parish councils

11. The annual meeting of the new parish council of Great Ashby and the new parish council of Graveley in 2011 shall be convened by the Democratic Services Manager of the Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish councils take office.

Dissolution of parish council for the parish of Graveley

12. The existing parish council for the parish of Graveley shall be dissolved.

Abolition of the parish of Graveley

13. The existing parish of Graveley shall be abolished.

Electoral register

14. The registration officer for the district 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

15. (1) The property described in Schedule 1 shall transfer from the existing parish council of Graveley to the parish council of Great Ashby on the date specified in column (2) of that Schedule.
- (2) The property described in Schedule 2 shall transfer from the existing parish council of Graveley to the parish council of Graveley on the date specified in column (2) of that Schedule
- (3) The funds and balances described in Schedule 3 shall transfer from the existing parish council of Graveley to the parish council of Great Ashby and the parish of Graveley on the date and in the manner specified in column (2) of that Schedule
- (4) The maintenance responsibilities and other matters described in Schedules 4 and 5 shall transfer from the existing parish council of Graveley to the parish council of Graveley on the date specified in column (2) of those Schedules.

Transitional provision

16. Until the councillors elected to the parish councils of the new parish of Graveley and the new parish of Great Ashby at the elections to be held on the ordinary day of election of councillors in 2011 come into office, the new parishes shall be represented by those persons who immediately before 1st April 2011 are the elected councillors for the electoral divisions of Chesfield, Hitchwood, Offa and Hoo, Cadwell, Knebworth, Kimpton and Codicote.

Order date

17. 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 31st day of March 2011

31st March 2011

[Signature]
Authorised Signatory

SCHEDULE 1

article [number]

**LAND AND PROPERTY TO BE TRANSFERRED TO THE PARISH
COUNCIL OF GREAT ASHBY**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
1 computer with associated software	1 April 2011

SCHEDULE 2

article [number]

**LAND AND PROPERTY TO BE TRANSFERRED TO THE PARISH
COUNCIL OF GRAVELEY**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
1 computer with associated software	1 April 2011
Frame with two swings	1 April 2011
Climbing frame	1 April 2011
See saw	1 April 2011
Slide	1 April 2011
Children's Rides (Three)	1 April 2011
Benches (Five)	1 April 2011
Rubbish bins (Six)	1 April 2011
Dog bins (Three)	1 April 2011
Basket ball goal	1 April 2011
Bus Shelter (High Street, Graveley)	1 April 2011

SCHEDULE 3

article [number]

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>
The funds and balances belonging to the existing parish of Graveley at the close of business on 31 March 2011 are to be divided equally between the parish of Great Ashby and the parish of Graveley	1 April 2011

SCHEDULE 4

article [number]

**MAINTENANCE RESPONSIBILITIES TO BE TRANSFERRED TO
THE PARISH COUNCIL OF GRAVELEY**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Maintenance responsibilities to be transferred</i>	<i>Date</i>
The Maintenance responsibilities in respect of the items listed in Schedule 2 shall be transferred from the existing Graveley parish council to the Graveley parish council	1 April 2011

SCHEDULE 5

**OTHER MATTERS TO BE TRANSFERRED TO THE PARISH
COUNCIL OF GRAVELEY**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Other matters to be transferred</i>	<i>Date</i>
Any liabilities resulting from any casual or informal or formal employment of any persons shall transfer from the existing Graveley parish council to Graveley parish council	1 April 2011
Any liabilities resulting from the use by the existing Graveley parish council of Graveley play ground including payments due to the Council shall be transferred to Graveley parish council.	1 April 2011

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by North Hertfordshire District Council for the dissolution of the existing parish council of Graveley and the abolition of the existing parish of Graveley and the creation of the new parish of Great Ashby, and the creation of a council for the parish of Great Ashby and the creation of the new parish of Graveley and the creation of a council for the parish of Graveley.

The existing parish of Graveley will be abolished and the creation of the new parishes of Great Ashby and Graveley 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 8 provides for parish elections in the parish of Great Ashby and the parish of Graveley in 2011, and then to continue according to the established system of parish elections every four years.

Article 9 specifies the numbers of parish councillors for the new parish of Great Ashby.

Article 10 specifies the numbers of parish councillors for the new parish of Graveley.

Article 14 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.