

## **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

### **The Stroud District Council (Reorganisation of Community Governance) Order 2012**

Made *2<sup>nd</sup> January 2012*

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

Stroud 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 24 November 2011.

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) and 240(10) of the 2007 Act.

#### **Citation and Commencement**

1. (1) This Order may be cited as the Stroud District Council (Reorganisation of Community Governance) Order 2012.
- (2) This Order shall come into force on the 1<sup>st</sup> April 2012.
- (3) For the purpose of:
  - (a) this article,
  - (b) article 5; and
  - (c) proceedings preliminary or relating to the elections of parish councillors for the parishes affected by changes by the Order, to be held on the ordinary day of election of councillors in 2012.

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

#### **Interpretation**

2. In this Order –

"District" means the district of Stroud;

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

"Map" means the maps marked "Map referred to in the Stroud District 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

“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. (1) 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.  
  
(2) Save, as set out in this Order the existing parishes in the district of Stroud, and the existing names, boundaries, council size and other parish governance arrangements in respect of those parishes, shall remain existing.

### **Constitution of a New Parish**

4. (1) A New Parish, comprising the area outlined with a red line on Map A shall be constituted within the District.  
  
(2) The name of the New Parish shall be Moreton Valence.  
  
(3) The area of the New Parish shall cease to be part of the existing parish meeting of Moreton Valence outlined blue on Map B and parish of Haresfield outlined and hatched green on Map B.

### **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 Moreton Valence the sum of £800.

### **Parish Council for the parish of Moreton Valence**

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

### **Election for the parish of Moreton Valence**

7. (1) The election of all parish councillors for the parish of Moreton Valence shall be held on the Ordinary Day of Election of councillors in 2012.  
  
(2) The term of office of every parish councillor elected on the Ordinary Day of Election of councillors in 2012 for the parish of Moreton Valence shall be four years.

### **Number of Parish Councillors for the Parish of Moreton Valence**

8. The number of councillors to be elected for the parish of Moreton Valence shall be five.

### **Annual Meeting of Parish Council**

9. The annual meeting of the New Parish Council in 2012 shall be convened by the clerk or if not yet in post the Legal Services Manager of Stroud District 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.

### **Transitional Provision**

10. Until the councillors elected to the council of the New Parish of Moreton Valence at the elections to be held on the Ordinary Day of Election of councillors in 2012 come into office, the new parish shall be represented by those persons who immediately before 1<sup>st</sup> April 2012 are the elected councillors for the District Ward of Severn and the County Division of Berkeley Vale.

### **Alteration of parish areas and the areas of parish wards**

11. Each area referred to in column (1) of Schedule 1 and shown shaded on the Map shall cease to be part of the parish and where applicable ward of that parish specified in relation to that area in columns (2) and (3) of Schedule 1 and shall become part of the parish and where applicable, parish ward of that parish specified in relation to that area in columns (4) and (5) of Schedule 1.

### **Number of Parish Councillors for parish councils**

12. (1) The number of parish councillors to be elected for each of the parishes shown in column (1) of the Schedule will be the numbers shown in column (3) of Schedule 2 in place of the existing number shown in column (2).
- (2) The effective date of election of the numbers of parish councillors shown in column (3) of the Schedule for the parishes listed in column (1) shall be the ordinary day of election of councillors for the year 2012 and four yearly thereafter.

### **Transfer of property, rights and liabilities**

13. (1) The land, property, rights and liabilities described in Schedules 3, 4, 5, and 6 shall become part of the parish specified in column (4) of Schedule 1.
- (2) The alterations to the areas of the parishes referred to in columns (A) and (B) of Schedule 4 shall become effective from 1<sup>st</sup> April 2012.

### **Electoral Register**

14. The Electoral 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.

**Order Date**

15. 1<sup>st</sup> April 2012 is the Order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Executed as a Deed by

THE COMMON SEAL of STROUD

DISTRICT COUNCIL being affixed hereto and  
authenticated by the undermentioned person  
authorised by the Council to act for that purpose:

*Sane Tye*

*Sane Tye - Lawyer*  
Authorised Signatory

Dated:



**SCHEDULE 1****Article 11****ALTERATION OF AREAS OF PARISHES AND PARISH WARDS**

<b>Column (1)</b>	<b>Column (2)</b>	<b>Column (3)</b>	<b>Column (4)</b>	<b>Column (5)</b>
<b>Area</b>	<b>Parish from which omitted</b>	<b>Parish ward from which omitted</b>	<b>Parish to which added</b>	<b>Parish ward to which added</b>
A1 (Map A)	Haresfield	-	Moreton Valence	-

**SCHEDULE 2****Article 12****NUMBER OF PARISH COUNCILLORS FOR PARISH COUNCILS**

<b>Column (1)</b>	<b>Numbers of Parish Councillors</b>	
<b>Parish Council</b>	<b>Column (2)</b>	<b>Column (3)</b>
	<b>Present</b>	<b>New</b>
Moreton Valence	-	5

**SCHEDULE 3****LAND AND PROPERTY TO BE TRANSFERRED**

<b>Column (1)</b>	<b>Column (2)</b>
<b>Any land and property to be transferred</b>	<b>Date</b>
From Parish area specified in column 2 of Schedule 1 to the Parish area specified in column 4 of the said schedule.	1 April 2012

**SCHEDULE 4****HISTORICAL AND CEREMONIAL PROPERTY TO BE TRANSFERRED**

<b>Column (1)</b>	<b>Column (2)</b>
<b>Any historic and ceremonial property to be transferred</b>	<b>Date</b>
From Parish area specified in column 2 of Schedule 1 to the Parish area specified in column 4 of the said schedule	1 April 2012

**SCHEDULE 5****FUNDS AND BALANCES TO BE TRANSFERRED**

<b>Column (1)</b>	<b>Column (2)</b>
<b>Any funds and balances to be transferred</b>	<b>Date</b>

From Parish area specified in column 2 of Schedule 1 to the Parish area specified in column 4 of the said schedule	1 April 2012
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## SCHEDULE 6

### MAINTENANCE RESPONSIBILITIES TO BE TRANSFERRED

<b>Column (1)</b>	<b>Column (2)</b>
<b><i>Any maintenance responsibilities to be transferred</i></b>	<b><i>Date</i></b>
From Parish area specified in column 2 of Schedule 1 to the Parish area specified in column 4 of the said schedule	1 April 2012

## **EXPLANATORY NOTE**

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

This Order gives effect to recommendations made by Stroud District Council in 2011 in respect of the new parish of Moreton Valence, the creation of a council for the parish of Moreton Valence and alteration of parish areas and parish wards and the number of parish councillors.

The parish of Moreton Valence will be created with effect from 1<sup>st</sup> April 2012. The electoral arrangements apply in respect to parish elections to be held on after the ordinary day of election of councillors in 2012.

Article 7 provides for parish elections in the parish of Moreton Valence in 2012, 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 Moreton Valence.

Article 11 provides for alterations to parish areas.

Article 12 contains details of land, property, rights and liabilities described in the Schedules that shall transfer between the Council's defined within this order on the date specified in those Schedules.

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

The maps defined in article 4 shows the alterations to parishes. They are available for inspection during normal working hours at the offices of Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, GL5 4UB.

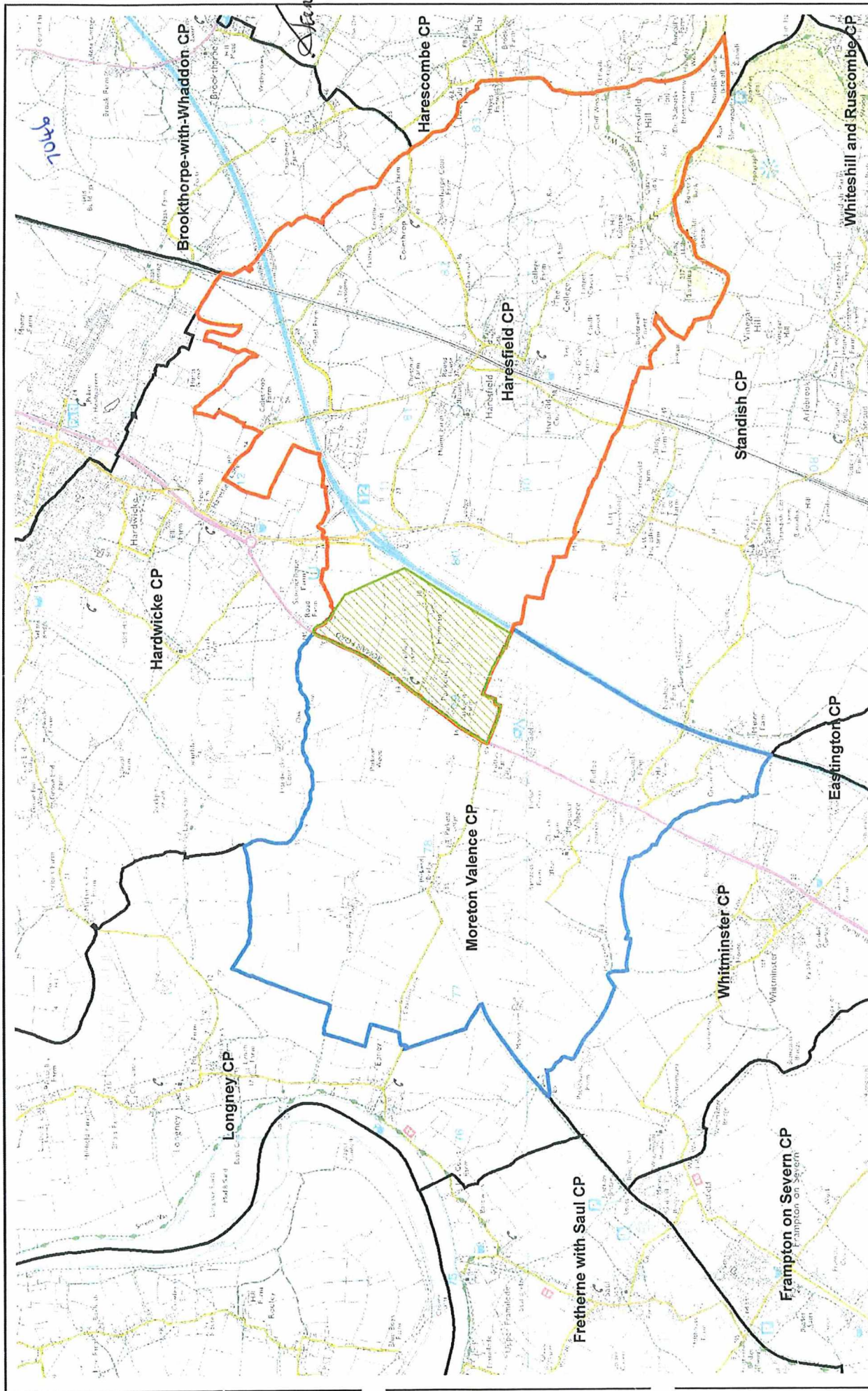












www.stroud.gov.uk

Haresfield and Morton change

Scale: 1:25,000

10/03/2011

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