

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Ashford Borough (Reorganisation of Community Governance) (South Willesborough & Newtown Community Council) Order 2019

Made 5th March 2019

Coming into force in accordance with article 1(2)

Ashford 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 10th December 2015.

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 and 240(10) of the 2007 Act.

Citation and commencement

- 1.—(1) This Order may be cited as the Ashford Borough (Reorganisation of Community Governance) (South Willesborough & Newtown Community Council) Order 2019.
- (2) Subject to paragraphs (3) and (4) below this Order shall come into force on 1st April 2019.
- (3) Article 6 shall come into force on the ordinary day of election of councillors in 2019.
- (4) For the purposes of:
 - (a) this article;
 - (b) article 5; and
 - (c) proceedings preliminary or relating to the election of parish councillors for the parish of South Willesborough & Newtown to be held on the ordinary day of election of councillors in 2019

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

2. Interpretation

In this Order—

"borough" means the borough of Ashford;

"map" means the map shown at Appendix 1 in accordance with section 96(4) of the 2007 Act;

"ordinary day of election of councillors" has the meaning given by section 37 of the Representation of the People Act 1983 as amended; 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.

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 a new parish council

- (1) A new parish, comprising the area outlined with a black line on the map, shall be constituted within the borough.
- (2) The new parish shall have the alternative style of community council and be known as South Willesborough & Newtown Community Council.

5. Calculation of budget requirements

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 South Willesborough & Newtown the sum of £52,812.00.

6. Parish Council for the Parish of South Willesborough & Newtown

- (1) There shall be a parish council for the parish of South Willesborough & Newtown.
- (2) The name of that council will be "The Community Council of South Willesborough & Newtown".

7. Elections for the parish of South Willesborough & Newtown

Elections for all parish councillors for the parish of South Willesborough & Newtown shall be held simultaneously on the ordinary day of election of councillors in 2019 and every four years thereafter.

8. Wards of the parish of South Willesborough & Newtown and numbers of parish councillors

- (1) The parish of South Willesborough & Newtown shall be divided into two parish wards which shall be named South Willesborough parish ward and Newtown parish ward.

- for South Willesborough parish ward shall be eight;
- for Newtown parish ward shall be three.

9. Annual Meeting of parish council

The annual meeting of the new parish council in 2019 shall be convened by the Monitoring Officer of Ashford Borough 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.

10. Electoral register

The 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.

11. Transfer of property, rights and liabilities

The transfer of property, rights and liabilities to be transferred to South Willesborough & Newtown Community Council shall be arranged by separate agreement between Ashford Borough Council and South Willesborough & Newtown Community Council.

12. Transitional provision

Until the councillors elected to the council of the new parish of South Willesborough & Newtown at the elections to be held on the ordinary day of election of councillors in 2019 come into office, the new parish shall be represented by those persons who immediately before 1st April 2019 are the elected councillors for the borough wards of South Willesborough, Aylesford Green and Highfield.

13. Order date

1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils (England) Regulations 2008.

EXECUTED AS A DEED by the affixing of)
THE COMMON SEAL of ASHFORD)
BOROUGH COUNCIL in the presence of:)

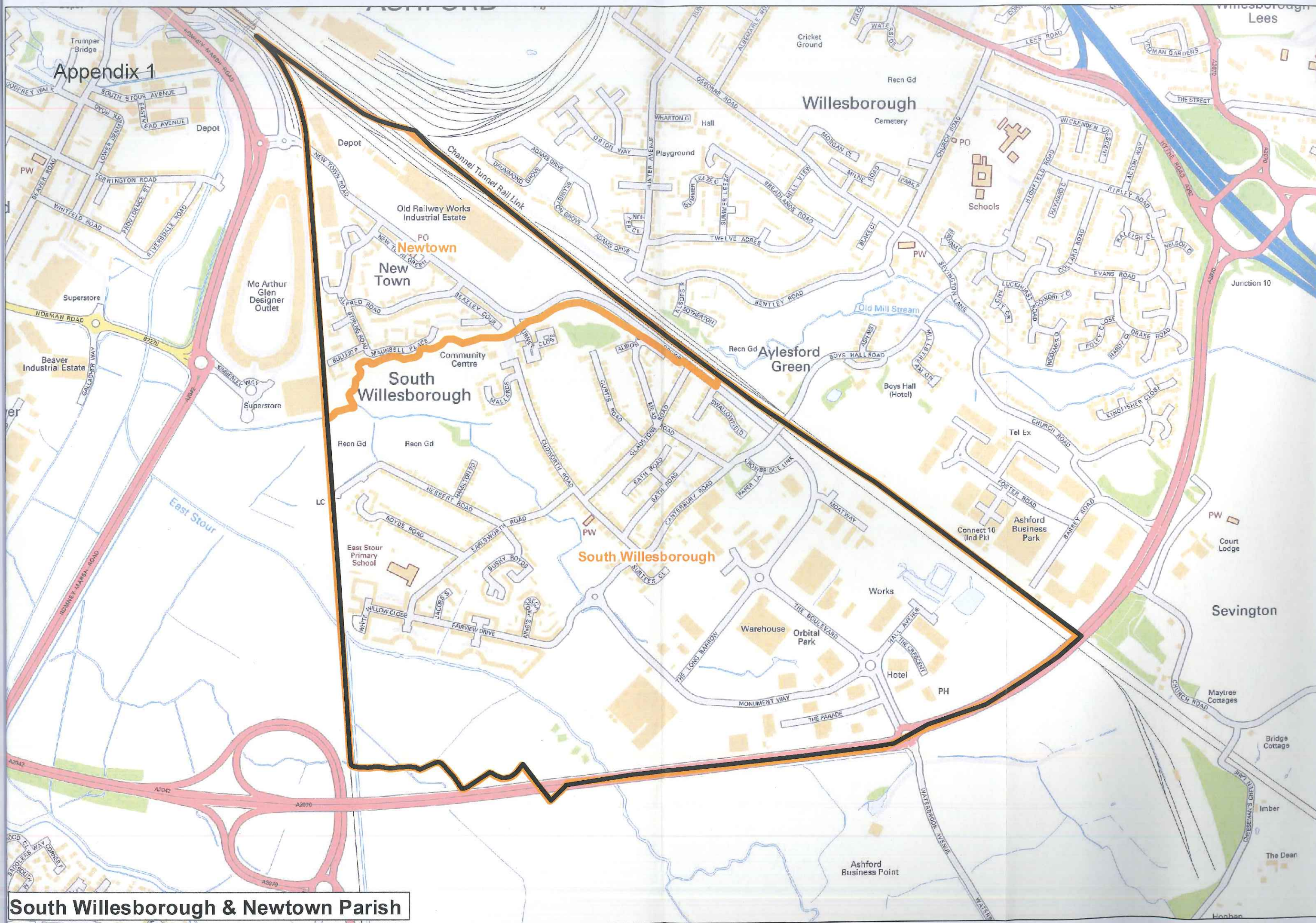
Mayor Tessamy Blanford

Solicitor



Appendix 1 – Map of South Willesborough & Newtown Parish

Appendix 1



South Willesborough & Newtown Parish