

# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Eastleigh Borough Council (Reorganisation of Community Governance) (Allbrook) Order 2009

*Made - - - - 23rd November 2009*

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

Eastleigh Borough 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 January 2009 and July 2009:

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), 98(6) and 240(10) of the 2007 Act.

### **Citation and commencement**

1.—(1) This Order may be cited as the Eastleigh Borough Council (Reorganisation of Community Governance) (Allbrook) Order 2009.

(2) Subject to paragraphs (3) and (4) below, this Order comes into force on 1st April 2010.

(3) Article 7 shall come into force on the ordinary day of election of councillors in 2010.

(4) For the purposes of:

(a) this article, and

(b) proceedings preliminary or relating to the election of parish councillors for the parish of Allbrook, to be held on the ordinary day of election of councillors in 2010,

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

### **Interpretation**

2. In this Order—

"borough" means the borough of Eastleigh;

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

"map" means the map marked "Map referred to in the Eastleigh (Reorganisation of Community Governance) (Allbrook) Order 2009" 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. 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 a new parish**

4.—(1) A new parish, comprising the area outlined with a red line on the map, shall be constituted within the borough.

(2) The name of the new parish shall be Allbrook.

### **Parish council for the parish of Allbrook**

5.—(1) There shall be a parish council for the parish of Allbrook.

(2) The name of that council shall be "The Parish Council of Allbrook".

### **Election for the parish of Allbrook**

6.—(1) The election of all parish councillors for the parish of Allbrook shall be held on the ordinary day of election of councillors in 2010.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2010 for the parish of Allbrook shall be four years.

(3) Subsequent elections to the parish of Allbrook shall be held on the ordinary day of election of councillors 2010 and every fourth year thereafter, or as statute otherwise dictates.

### **Number of parish councillors for the parish of Allbrook**

7. The number of councillors to be elected for the parish of Allbrook shall be eight.

### **Annual meeting of parish council**

8. The annual meeting of the new parish council in 2010 shall be convened by the Chief Executive of Eastleigh 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.

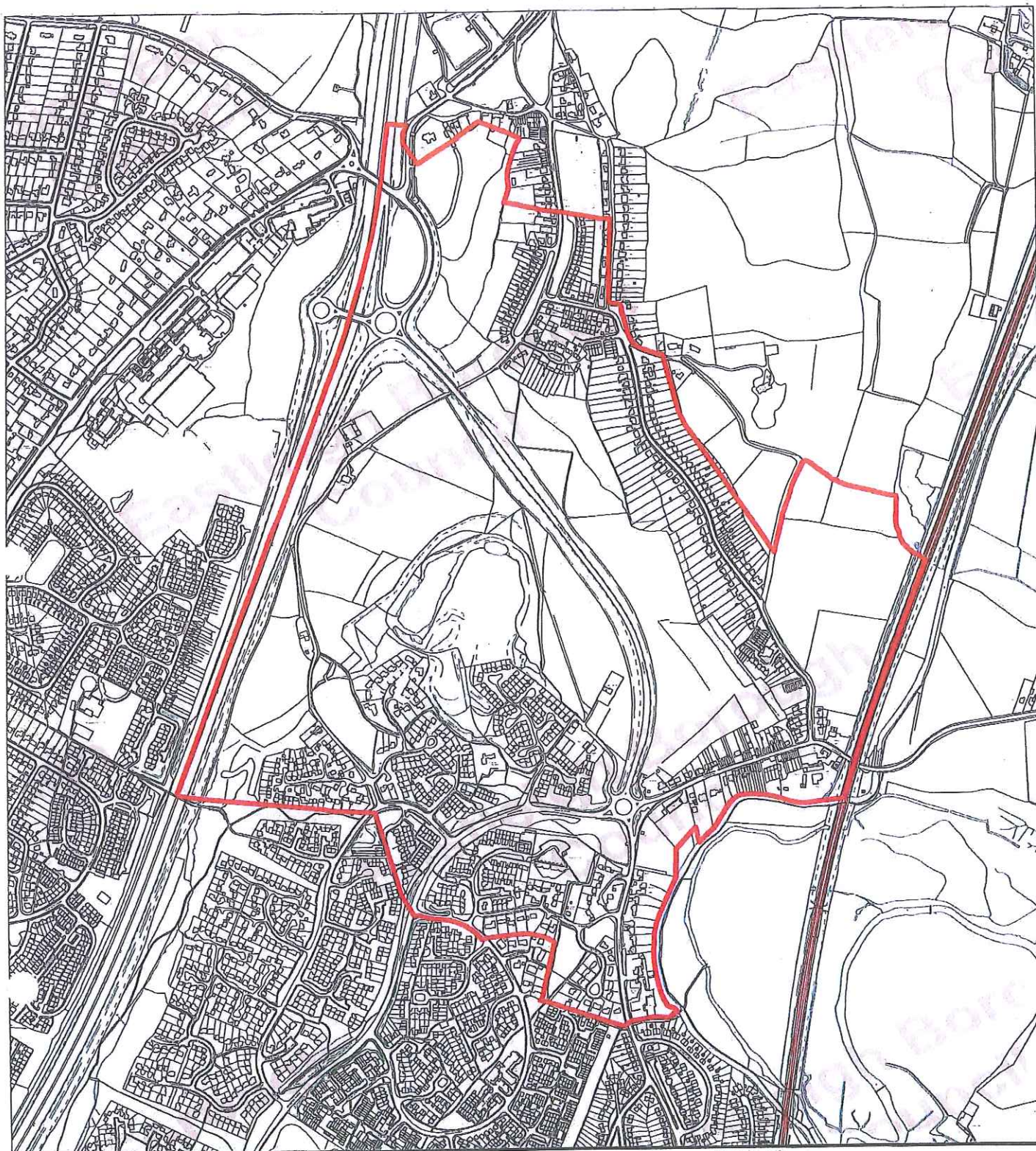
### **Electoral register**

9. 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.

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

10. The land, property, rights and liabilities described in Schedule shall transfer from the Eastleigh Borough Council to the Allbrook Parish Council on the date specified in column (2) of that Schedule.





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# TITLE ALLBROOK PARISH OPTION 5



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## File Reference

Name: Date 07/07/2009  
Map Ref SU4521 Scale 1:10000



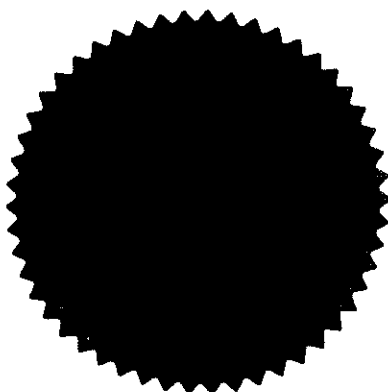
### Transitional provision

11. Until the councillors elected to the council of the new parish of Allbrook at the elections to be held on the ordinary day of election of councillors in 2010 come into office, the new parish shall be represented by those persons who immediately before 1st April 2010 are the elected councillors for the borough ward of Eastleigh North.

### Order date

12. 1st April 2010 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 23<sup>rd</sup> day of November 2009



A R Ward  
Head of Legal & Democratic Services

## SCHEDULE

article 10

### LAND AND PROPERTY TO BE TRANSFERRED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
Otterbourne Allotments at Lincolns Rise off Pitmore Road	1 April 2010
Broomhill Allotment Site, Off Boyatt Lane	1 April 2010

### EXPLANATORY NOTE

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

This Order gives effect to recommendations made by Eastleigh Borough Council for the new parish of Allbrook, created within the borough of Eastleigh.

The parish of Allbrook will be created with effect from 1 April 2010. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2010.

Article 6 provides for parish elections in the parish of Allbrook in 2010, and then to continue according to the established system of parish elections every four years.

Article 7 specifies the numbers of parish councillors for the new parish of Allbrook.

Article 9 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.