

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Copeland Borough Council (Reorganisation of Community Governance) Order 2014

Made 4th December 2014

Coming into force in accordance with article 1

Copeland 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 4th December 2014.

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 Copeland Borough Council (Reorganisation of Community Governance) Order 2014.
- (2) Subject to paragraphs (3) and (4) below this Order comes into force on 1st April 2015.
- (3) Article 9 shall come into force on the ordinary day of election of councillors in 2015.
- (4) For the purposes of:
 - (a) this article;
 - (b) article 5; and
 - (c) proceedings preliminary or relating to the elections of parish councillors for the parish of Whitehaven to be held on the ordinary day of election of councillors in 2015;

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 Copeland;

"map" means the map marked "Map referred to in the Copeland Borough Council (Reorganisation of Community Governance) Order 2014" 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 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 (agreement 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 blue line on the map, shall be constituted within the borough of Copeland.

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

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 Whitehaven the sum of £324,183.00.

Parish Council for the Parish of Whitehaven

6. (1) There shall be a parish Council for the parish of Whitehaven.

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

Elections for the Parish of Whitehaven

7. The election of all parish councillors for the parish of Whitehaven shall be held simultaneously on the ordinary day of election of councillors in 2015.

Number of Parish Councillors for the Parish of Whitehaven

8. The number of councillors to be elected for the parish of Whitehaven shall be eleven.

Wards of the Parish of Whitehaven and Numbers of Parish Councillors

9. (1) The parish of Whitehaven shall be divided into seven wards which shall be named Bransty, Harbour, Hensingham, Hillcrest, Kells, Mirehouse and Sandwith.
- (2) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by orange lines.
- (3) Each of the parish wards of Harbour, Hensingham, Hillcrest, Kells and Mirehouse shall comprise the area of the borough ward bearing the same name. The parish ward of Bransty shall comprise that area of the borough ward of Bransty not within Moresby Parish. The parish ward of Sandwith shall comprise that area of the borough ward of Sandwith not within St Bees Parish.
- (5) The number of councillors to be elected for each parish ward shall be
Bransty - 2, Harbour - 2, Hensingham - 2, Hillcrest - 1, Kells - 1,
Mirehouse - 2, Sandwith - 1.

Annual Meeting of Parish Council

10. The annual meeting of the new parish council in 2015 shall be convened by the Chief Executive 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 council take office.

Electoral Register

11. 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

12. The land, property, rights and liabilities described in Schedules 1 and 2 shall transfer from the Council to the Parish Council of Whitehaven on the date specified in column (2) of those Schedules.

Transitional Provision

- 13 Until the 31st May 2015 the Council shall manage on behalf of the Parish Council of Whitehaven the land and property described in Schedule 1 and in consideration of such management the Council will be entitled to retain from rents due from such land and property between the 1st April 2015 and the 31st May 2015 its reasonable costs incurred in connection with such management.

Order Date

14. 1st April 2015 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the common seal of the Council this 4th day of December 2014.



.....
Legal Services Manager.



SCHEDULE 1

LAND AND PROPERTY TO BE TRANSFERRED

Land and Property to be Transferred	Date
Cartgate Allotments site	1 April 2015
Crow Park Allotments site	1 April 2015
Midgey Allotments site	1 April 2015
Sneckyeat Allotments site	1 April 2015
Overend Pigeon Loft site	1 April 2015
Langdale Close, Mirehouse, Pigeon Loft site	1 April 2015
Calder Club, Mirehouse, Pigeon Loft site	1 April 2015

SCHEDULE 2

HISTORICAL AND CEREMONIAL PROPERTY TO BE TRANSFERRED

Historic and ceremonial property to be transferred	Date
The Whitehaven Borough Council jewel inscribed "presented to the Borough of Whitehaven by Earl Lonsdale, first Mayor of the Borough 1894-1895".	11 May 2015

Whitehaven Parish Wards

WHITEHAVEN

Bransty Ward

Harbour Ward

Hillcrest Ward

Kells Ward

Hensingham Ward

Mirehouse Ward

Sandwith Ward



ADG

MAP REFERRED TO IN:
THE COPELAND BOROUGH COUNCIL (REORGANISATION OF COMMUNITY GOVERNANCE)
ORDER 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by Copeland Borough Council for creation of the parish of Whitehaven within the borough of Copeland.

The parish of Whitehaven will be created with effect from 1 April 2015. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of Councillors in 2015.

Article 7 provides for parish elections in the parish of Whitehaven in 2015. By law they will then continue according to the established system of parish elections every four years.

Article 8 specifies the number of parish Councillors for the new parish of Whitehaven as eleven.

Article 9 and the map establish the names and areas of the wards of the new parish of Whitehaven and the numbers of Councillors for each ward.

Article 11 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of Whitehaven. It is available, at all reasonable times, at the offices of Copeland Borough Council.