LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Ashton Hayes and Horton-cum-Peel) Order 2015

Made 30th March *2015*

Coming into force in accordance with article 1(2)

Cheshire West and Chester 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 17th July 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(3), 98(4) and 240(10) of the 2007 Act.

Citation and commencement

1. (1) This Order may be cited as the Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Ashton Hayes and Horton-cum-Peel) Order 2015.

(2) Subject to paragraphs (3) and (4) below, this Order shall come into force on 1st April 2015.

(3) Article 11 shall come into force on the ordinary day of election of councillors in 2015.

(4) For the purposes of:

(a) this article,

(b) article 8 (calculation of budget requirement), and

(c) proceedings preliminary or relating to the election of parish councillors for the parish of Ashton Hayes and Horton-cum-Peel, 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 Cheshire West and Chester;

"clerk" means the proper officer appointed by the existing Parish Council of Ashton Hayes for the purposes of Part II of Schedule 12 to the Local Government Act 1972 and whose employment is transferred to the parish council for the new parish under this Order;

"date of dissolution" means 1st April 2015;

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

"map" means the map marked "Ashton Hayes and Horton-cum-Peel Parish Map 2015" and deposited in accordance with section 96(4) of the 2007 Act;

"new parish" means the parish constituted by article 7;

"new parish council " means the parish council constituted by article 9;

"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.

Area affected by the Order

4. The area affected by this Order is shown on the map.

Dissolving the existing parish council

5. The existing Parish Council of Ashton Hayes shall be wound up and dissolved.

Alteration of parish areas

6. Each area marked and designated by a letter on the map and more particularly delineated on the corresponding inset map and specified in column (1) of Schedule 1 shall cease to be part of the existing parish specified in relation to that area in column (2) of Schedule 1 and shall become part of the parish specified in relation to that area in column (3) of Schedule 1.

Amalgamation of existing parishes and constitution of new parish

7. (1) The existing parishes of Ashton Hayes and Horton-cum-Peel shall be amalgamated to constitute a new parish comprising the area edged red on the map.

(2) The new parish shall be known as Ashton Hayes and Horton-cum-Peel.

(3) In consequence of paragraph (1), the existing parishes of Ashton Hayes and Horton-cum-Peel shall cease to exist.

Calculation of budget requirement

8. 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 Ashton Hayes and Horton-cum-Peel the sum of £13,345.20.

Parish council for the new parish

9. (1) There shall be a parish council for the parish of Ashton Hayes and Horton-cum-Peel.

(2) The name of that council shall be "The Parish Council of Ashton Hayes and Horton-cum-Peel".

Elections for the new parish council

10. The election of all parish councillors for the parish of Ashton Hayes and Horton-cum-Peel shall be held on the ordinary day of election of councillors in 2015.

Number of parish councillors

11. The number of councillors to be elected for the parish of Ashton Hayes and Horton-cum-Peel shall be eleven.

Warding

12. The parish of Ashton Hayes and Horton-cum-Peel shall not be warded.

Annual meeting of parish council

13. The annual meeting of the new parish council in 2015 shall be convened by the clerk. 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

14. 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 Staff

15. Any person who is employed by the existing Parish Council of Ashton Hayes immediately before the date of dissolution shall be transferred

on the date of dissolution on the same terms and conditions to the employment of the new parish council.

Transfer of property, rights and liabilities

16. The land, property, rights and liabilities of the existing Parish Council of Ashton Hayes shall transfer to the new parish council.

Transitional Provisions

17. Until the councillors elected to the council of the new parish of Ashton Hayes and Horton-cum-Peel at the elections to be held on the ordinary day of election of councillors in 2015 come into office, the new parish shall be represented by:

Lisa Allman, Jane Colville, Naomi Deynem, Georgina Lloyd-Watts, Garry Charnock, Stephen Davenport, Dave Lee, Trevor Scadeng and David Wilson.

Revocations

18. Any previous orders concerning the community governance of the existing parishes of Ashton Hayes and Horton-cum-Peel are revoked.

Order date

19. 1st April 2015 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

The **COMMON SEAL** of
CHESHIRE WEST AND CHESTER
BOROUGH COUNCIL was hereunto affixed
In the presence of

Kathryn M Brodie

Authorised Signatory

Dated 30th March 2015

SCHEDULE 1

ALTERATION OF AREAS OF PARISHES

Column (1)	*Column (2)*	*Column (3)*
Area	*Existing parish from which omitted*	*Parish to which added from 1st April 2015*
A	Mouldsworth	Ashton Hayes and Horton-cum-Peel
B	Ashton Hayes	Mouldsworth
C	Kelsall	Ashton Hayes and Horton-cum-Peel

EXPLANATORY NOTE

(This note is not part of the Order)

Cheshire West and Chester Borough Council has undertaken community governance reviews of 161 existing parishes within the borough of Cheshire West and Chester and has made recommendations for the reorganisation of community governance to come into effect from 1st April 2015.

This Order gives effect to recommendations made by Cheshire West and Chester Borough Council in the community governance review for the parishes of Ashton Hayes and Horton-cum-Peel. It provides for the alteration of parish boundaries, the amalgamation of the existing parishes of Ashton Hayes and Horton-cum-Peel to constitute the new parish of Ashton Hayes and Horton-cum-Peel and the creation of a parish council for the new parish within the borough.

The new parish of Ashton Hayes and Horton-cum-Peel will be created with effect from 1st 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 10 provides for parish elections in the parish of Ashton Hayes and Horton-cum-Peel in 2015. They will then continue according to the established system of parish elections every four years.

Article 11 specifies the number of parish councillors for the new parish of Ashton Hayes and Horton-cum-Peel.

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

Article 15 provides for the transfer of staff from the existing parish council to the new parish council.

The map defined in article 2 shows the new parish of Ashton Hayes and Horton-cum-Peel. It is available, together with the inset maps, at all reasonable times at the offices of Cheshire West and Chester Borough Council.

Ashton Hayes and Horton-cum-Peel Parish Map 2015

Ashton Hayes and Horton-cum-Peel

Area

A

B

C

Cheshire West and Chester

CoSocius

Plot Scale 1:13,000 @A3

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Map Ref: GW\Alison Armstrong\FinalFiles\legal_versions\A3_Ashton_Hayes.mxd (03 February 2015)

Dismantled Railway

Rookery Farm

Peckmill Brook

Mouldsworth

Stable Lane

Ashton Brook

Ark Wood

Fox Howl

Outdoor Education Centre

Spy Hill

Battleaxe Rd

Mouldsworth Station

Pp Ho

Delamere Lane

FB

Pp Ho (dis)

Brine's Brow

Pit (dis)

Grange Road

Baker Way

Woodside

Mouldsworth Hall

Stone House Farm

Ashton Brook Bridge

MP

Long Wood

Wright's Gorse

The Rookery

The Grange

Lily Wood

Forest Farm

Brook House

Ashton Brook

Baker Way

Park Farm

Home Farm

Ashton Hayes

Eddisbury Way

Swinfordmill Farm

Peel Hall

Sch

The Village Farm

Ash Wood

The Yeld Farm

Quarries (disused) Reservoir

Nursery

Longley Wood

The Top Lodge

Dale Covert

Longley Farm

Yeld Lane

Longster Trail

Whitegate Farm

PO

Mound

Ashtonhall Farm

Lower Longley Farm

Shay Lane

Dodd's Rough

Kelsall Hill

Horton Hall

HORTON CUM-PEEL CP

Ashton Lane

B 5393

Old Hall Farm

Barrow Lane Farm

Greenacres Farm

Salters Brook

New Farm

Weldon Farm

A54

Northwood Hall

Holly Farm

Childwall Farm

Street Farm

KELSALL CP

Nursery

Lower Grange Farm

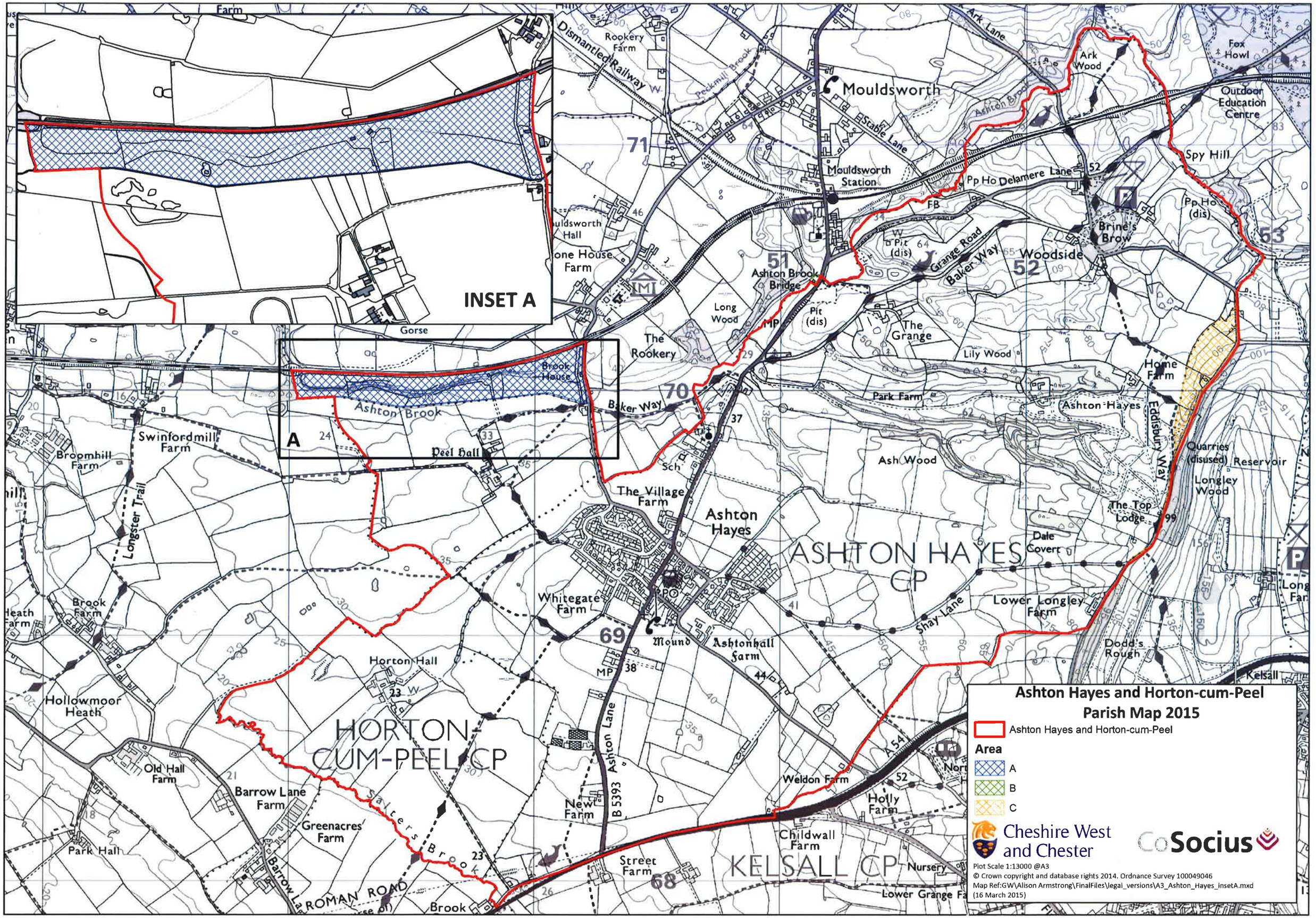
Kelsall

Kelsall Hall

Resr

Brook Farm

ROMAN ROAD (course of)


INSET A
A
Mouldsworth
Mouldsworth Station
Dismantled Railway
Peckmill Brook
Ashton Brook
Ark Lane
Ark Wood
Fox Howl
Outdoor Education Centre
Spy Hill
Pp Ho Delamere Lane
Pp Ho (dis)
Brine's Brow
Woodside
Grange Road
Baker Way
Ashton Brook Bridge
Long Wood
The Rookery
The Grange
Lily Wood
Home Farm
Park Farm
Ashton Hayes
Eddisbury Way
Ash Wood
Quarries (disused)
Reservoir
Longley Wood
The Top Lodge
Dale Covert
Lower Longley Farm
Shay Lane
Dodd's Rough
Kelsall
Rookery Farm
Stable Lane
Pit (dis)
FB
MP
Peel Hall
Brook House
Swinfordmill Farm
Broomhill Farm
Longster Trail
The Village Farm
Ashton Hayes
Sch
PO
Whitegate Farm
Mound
Ashtonhall Farm
Horton Hall
Hollowmoor Heath
Brook Farm
Old Hall Farm
Barrow Lane Farm
Greenacres Farm
Park Hall
Salters Brook
Barrow Lane
ROMAN ROAD
Brook
New Farm
Street Farm
Ashton Lane
B 5393
Weldon Farm
Holly Farm
Childwall Farm
Nursery
Lower Grange Fa
HORTON-CUM-PEEL CP
ASHTON HAYES CP
KELSALL CP
71
70
69
68
51
52
53
Ashton Hayes and Horton-cum-Peel
Parish Map 2015
Ashton Hayes and Horton-cum-Peel
Area
A
B
C
Cheshire West and Chester
CoSocius
Plot Scale 1:13000 @A3
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(16 March 2015)

Ashton Hayes and Horton-cum-Peel Parish Map 2015

Ashton Hayes and Horton-cum-Peel

Area

A

B

C

Cheshire West and Chester

CoSocius

Plot Scale 1:13,000 @A3

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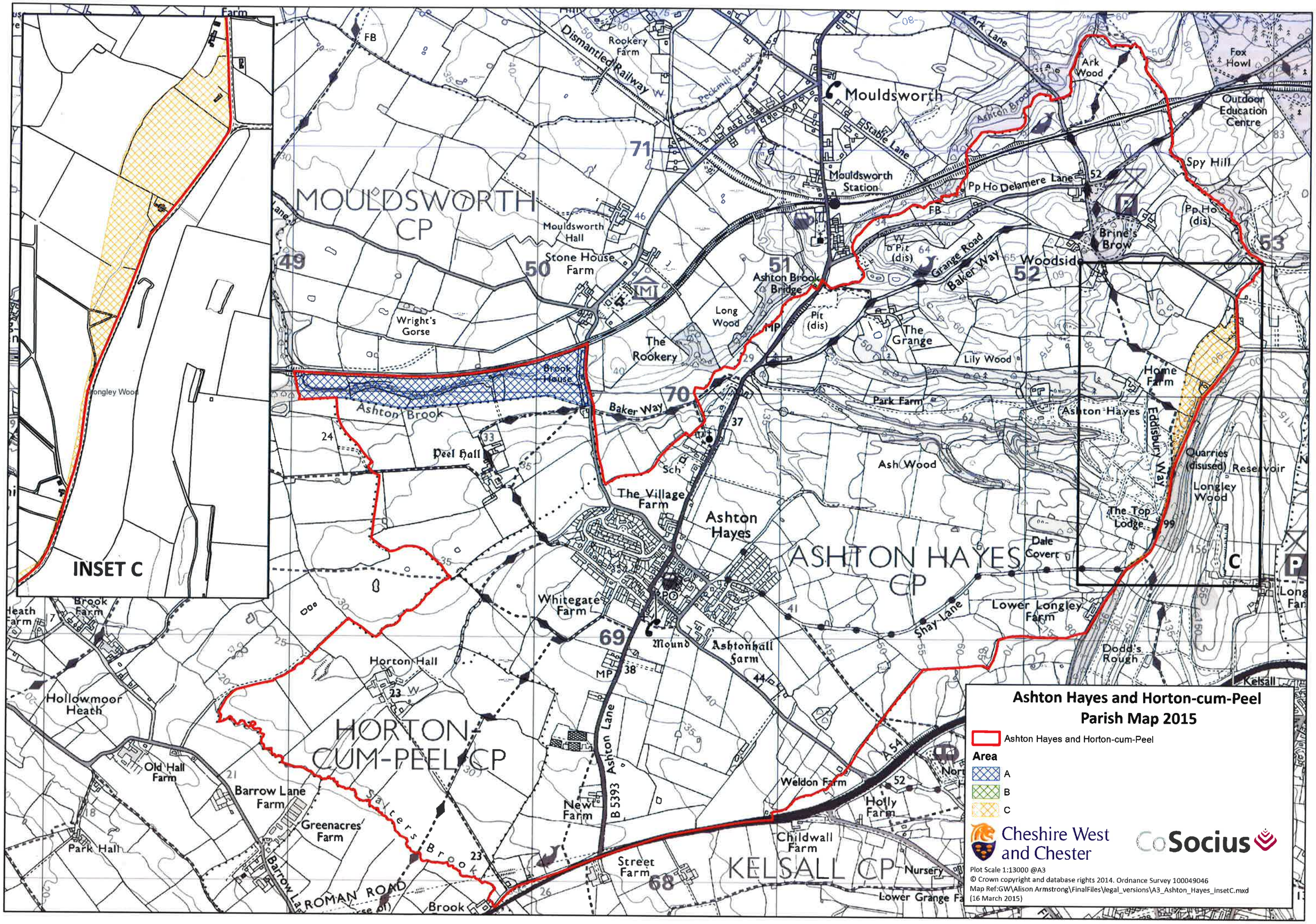
Inset B


MOULDSWORTH CP
ASHTON HAYES CP
HORTON CUM-PEEL CP
KELSALL CP
INSET C
Mouldsworth
Mouldsworth Station
Mouldsworth Hall
Stone House Farm
Rookery Farm
Dismantled Railway
Peckmill Brook
Stable Lane
Ark Lane
Ark Wood
Fox Howl
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Heath Farm
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Baker Way
Lower Grange Fa
Kelsall
A 54
Ashton Hayes and Horton-cum-Peel Parish Map 2015
Ashton Hayes and Horton-cum-Peel
Area
A
B
C
Cheshire West and Chester
CoSocius
Plot Scale 1:13000 @A3
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(16 March 2015)