LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Dunham-on-the-Hill and Hapsford) 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 12th December 2013.

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) (Dunham-on-the-Hill and Hapsford) 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 Dunham-on-the-Hill and Hapsford, 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 Dunham-on-the-Hill and Hapsford 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 "Dunham-on-the-Hill and Hapsford 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 group of parishes and the common parish council

5. (1) The Dunham-on-the-Hill and Hapsford group of parishes shall be dissolved.

(2) The existing Parish Council of Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford shall be amalgamated to constitute a new parish comprising the area edged red on the map.

(2) The new parish shall be known as Dunham-on-the-Hill and Hapsford.

(3) In consequence of paragraph (1), the existing parishes of Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford the sum of £4,000.00.

Parish council for the new parish

9. (1) There shall be a parish council for the parish of Dunham-on-the-Hill and Hapsford.

(2) The name of that council shall be "The Parish Council of Dunham-on-the-Hill and Hapsford".

Elections for the new parish council

10. The election of all parish councillors for the parish of Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford shall be ten.

Warding

12. The parish of Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford immediately before the date of dissolution shall by virtue of this Order 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 Dunham-on- the-Hill and Hapsford shall transfer to the new parish council.

Transitional Provisions

17. Until the councillors elected to the council of the new parish of Dunham-on-the-Hill and Hapsford 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:

Andy Jones, Richard Tiplady, Shaun Moore, Haydn Roberts, Rosemary Fielding, Susan Guest, Elsa Shore and Susan Hanson.

Revocations

18. Any previous orders concerning the community governance of the existing parishes of Dunham-on-the-Hill and Hapsford 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

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	Wimbolds Trafford	Dunham-on-the-Hill and Hapsford
B	Dunham-on-the-Hill	Manley

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 Dunham-on-the-Hill and Hapsford. It provides for the alteration of parish boundaries, the amalgamation of the existing parishes of Dunham-on-the-Hilll and Hapsford to constitute the new parish of Dunham-on-the-Hill and Hapsford and the creation of a parish council for the new parish within the borough.

The new parish of Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford 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 Dunham-on-the-Hill and Hapsford.

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 Dunham-on-the-Hill and Hapsford. It is available, together with the inset maps, at all reasonable times at the offices of Cheshire West and Chester Borough Council.

Dunham-on-the-Hill and Hapsford Parish Map 2015

Dunham Hill and Hapsford

Area

A

B

0 125 250 375 500 Meters

Cheshire West and Chester

CoSocius

N

Plot Scale 1:11000 @A3

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Map Ref: GW\Alison Armstrong\FinalFiles\legal_versions\A3_Dunham_on_the_hill_and_Hapsford.mxd (11 March 2015)

Meadow Farm

Helsby Junction

Helsby Sta

Pipe Line

Dismtd Rly

Hornsmill Brook

Liby

CP

ervices

HAPSFORD CP

Moat

New Dairy Farm

Motel

14

Sewage Works

Quarry

Lower Hapsford Hall

Jessamine Farm

Hapsford

A5117

A56

Sch

BS

Hapsford Lane

Meadow Rae

Rake Lane

Helsby Golf Club

Fox Covert

Wood Farm

Peck Mill Farm

Highfield Farm

North Cheshire Way

FB

Cottage Farm

Hob Lane

Hoblane Farm

DUNHAM-ON-THE-HILL CP

Moss House Farm

MP

Dunham Hall

Dunham-on-the-Hill

Beckmill Brook

Town Farm

Willow Beds

Manley

Lower Farm

Warrington Road

Cornhill Farm

Barrow Lane Farm

Manley Road

Dunham Heath

Sandfield Golf Course

Morley Bridge Cottages

Morley Bridge

B5132

Barnhouse Fox Covert

Dunham-on-the-Hill and Hapsford Parish Map 2015

Dunham Hill and Hapsford

Area

A

B

0 50 100 150 200 Meters

Cheshire West and Chester

CoSocius

Plot Scale 1:2500 @A3

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N

Track
Pond
Fox Covert
Pond
Pond
Covert Place
Pond
Poultry Breeding Station
Pond
Pond
Pond
Mast
Cottage Farm
RAKE LANE
12.3m
Def
Bdy
11.5m
Def
Def
Pear Tree
22m RH Def
11.5m
HOB LANE
Ward Bdy
12.4m
11.7m
Long Mynd
Loss House Farm
Pond
Pond
Pond
Pond
Pond
Pond
Track
FB
Track
Issues
Pond
Pond
Pond
Co Const & Ward Bdy

INSET A

Dunham-on-the-Hill and Hapsford Parish Map 2015

Dunham Hill and Hapsford

Area

A

B

0 40 80 120 160 Meters

Cheshire West and Chester

Socius

Plot Scale 1:2500 @A3

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Map Ref: GW\Alison Armstrong\FinalFiles\legal_versions
\A3_Dunham_on_the_hill_and_Hapsford_insetB_large.mxd (11 March 2015)

N

Pond

Pond

Pond

Pond

Pond

Pond

Pond

Co Const Bdy

Peckmill Brook

CS

Track

Brook

Drain

Def

Co Const Bdy

1.22m RH

Ponds

Jetty

Lake

Track

Pond

Farm

Pond

INSET B