LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough) Order 2015

Made 30th March 2015 *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 16th October 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) (Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough) 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 Malpas, 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 Malpas 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 "Malpas 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 Malpas 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 of Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough and constitution of new parish

7. (1) The existing parishes of Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough shall be amalgamated to constitute a new parish comprising the area edged red on the map.

(2) The new parish shall be known as Malpas.

(3) In consequence of paragraph (1), the existing parishes of Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough 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 Malpas the sum of £17,181.00.

Parish council for the new parish

9. (1) There shall be a parish council for the parish of Malpas.

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

Elections for the new parish council

10. The election of all parish councillors for the parish of Malpas 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 Malpas shall be fourteen.

Warding

12. The parish of Malpas 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 Malpas 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 Malpas shall transfer to the new parish council.

Transitional Provisions

17. Until the councillors elected to the council of the new parish of Malpas 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:

John Webb, Christopher Whitehurst, Adrian Waddelove, Gillian Ardern,Martin Shackleton, Barbara Hughes, Roma Hancock, Paul Austin, Susan Griffiths, Charles Lowick Higgie and Karen Meredith.

Revocations

18. Any previous orders concerning the community governance of the existing parishes of Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough 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 A Brodie

Authorised Signatory
Dated 30th March 2015

5996

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	Edge	Malpas
B	Malpas	No Man's Heath and District
C	Malpas	No Man's Heath and District
D	Hampton	Malpas
E	Malpas	No Man's Heath and District
F	Bradley	Malpas
G	Oldcastle	Threapwood

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 Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough. It provides for the alteration of parish boundaries, the amalgamation of the existing parishes of Malpas, Newton-by-Malpas, Oldcastle, Overton, Stockton and Wychough to constitute the new parish of Malpas and the creation of a parish council for the new parish within the borough.

The new parish of Malpas 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 Malpas 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 Malpas.

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 Malpas. It is available, together with the inset maps, at all reasonable times at the offices of Cheshire West and Chester Borough Council.

Malpas Parish Map 2015

Malpas

Area

- A
- B
- C
- D
- E
- F
- G

Cheshire West and Chester

CoSocius

Plot Scale 1:20000 @A3

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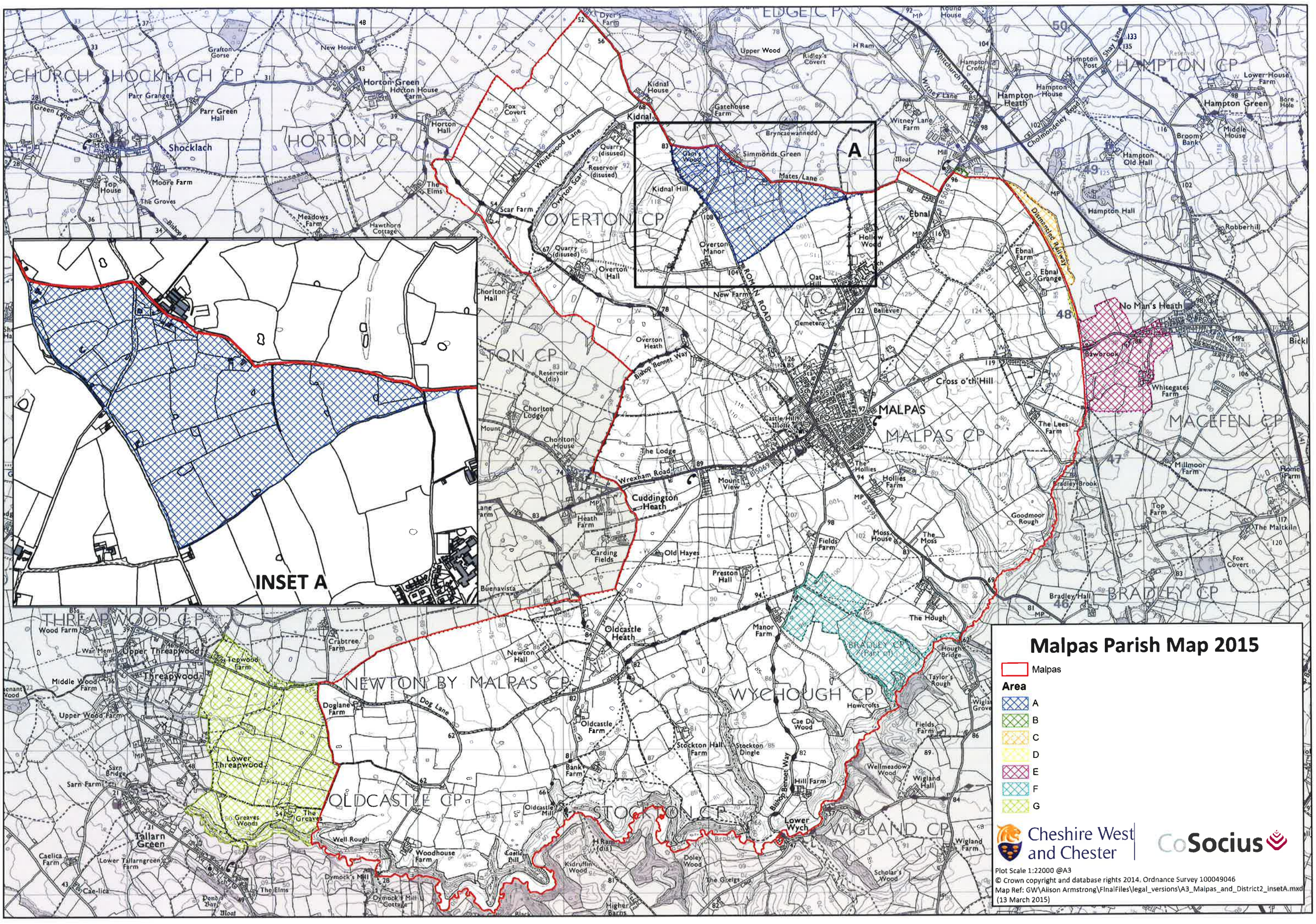
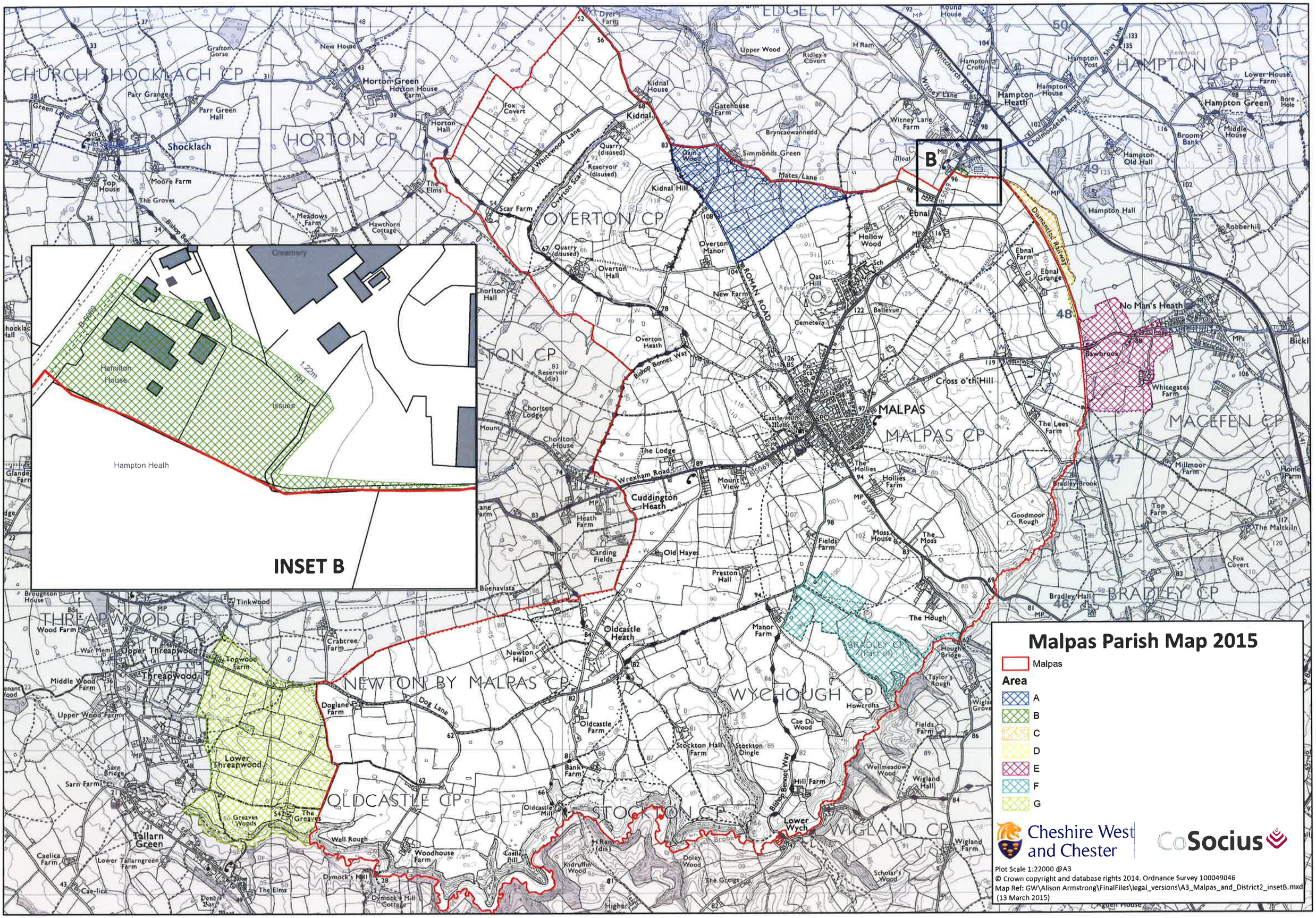
Map Ref: GW\Alison Armstrong\FinalFiles\legal_versions\A3_Malpas_and_District2.mxd (13 March 2015)



Malpas Parish Map 2015


INSET B
Hampton Heath
Creamery
Hamilton House
1.22m Rhs
Issues
B
Malpas Parish Map 2015
Malpas
Area
A
B
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D
E
F
G
Cheshire West and Chester
CoSocius
Plot Scale 1:22000 @A3
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Map Ref: GW\Alison Armstrong\FinalFiles\legal_versions\A3_Malpas_and_District2_insetB.mxd (13 March 2015)
CHURCH SHOCKLACH CP
HORTON CP
OVERTON CP
EDGE CP
HAMPTON CP
MALPAS CP
MACEFEN CP
BRADLEY CP
NEWTON BY MALPAS CP
WYCHOUGH CP
OLDCASTLE CP
STOCKTON CP
WIGLAND CP
THREAPWOOD CP
Shocklach
Horton Green
Kidnal
Overton Hall
Overton Manor
Malpas
Cross o'th' Hill
Hampton Heath
Hampton Green
No Man's Heath
Cuddington Heath
Oldcastle Heath
Threapwood
Upper Threapwood
Lower Threapwood
Tallarn Green
Newton Hall
Stockton Dingle
Wigland Hall
Roman Road
Bishop Bennet Way
Whitchurch Road
Chorlton Hall
Chorlton Lodge
Chorlton House
Overton Heath
Kidnal Hill
Castle Hill
Oat Hill
Hollies
Hollies Farm
Fields Farm
Moss House
The Moss
The Hough
Manor Farm
Howcrofts
Hough Bridge
Taylor's Rough
Wellmeadow Wood
Cae Du Wood
Stockton Hall Farm
Oldcastle Farm
Oldcastle Mill
Lower Wych
Doley Wood
Kidruffin Wood
Scholar's Wood
Dymock's Mill
Dymock's Mill Cottage
Woodhouse Farm
Well Rough
Greaves Woods
The Greaves
The Greigs
Old Hayes
Carding Fields
Preston Hall
Heath Farm
Mount View
Castle Hill Moats
Hampton Heath
Hampton Post
Hampton Croft
Witney Lane
Witney Lane Farm
Gatehouse Farm
Bryncaewannedd
Simmonds Green
Mates Lane
Oak Wood
Upper Wood
Ridley's Covert
Fox Covert
Kidnal House
Scar Farm
Overton Scar
Whitewood Lane
Quarry (disused)
Reservoir (disused)
Dyer's Farm
Round House
Hampton House
Hampton Old Hall
Hampton Hall
Lower House Farm
Middle House
Broomy Bank
Robberhill
Ebnal
Ebnal Farm
Ebnal Grange
Hollow Wood
Oat Hill
Cemetery
Bellevue
Diamentsd Railway
Bawbrook
Whitegates Farm
The Lees Farm
Millmoor Farm
Bradley Brook
Goodmoor Rough
Top Farm
The Maltkiln
Bradley Hall
Fox Covert
Meadows Farm
Hawthorn Cottage
The Elms
Moore Farm
The Groves
Top House
Parr Grange
Parr Green Hall
Grafton Gorse
New House
Horton Hall
Horton House Farm
Scar Farm
Doglane Farm
Dog Lane
Crabtree Farm
Tinkwood
Tanwood Farm
Middle Wood Farm
Upper Wood Farm
Sarn Bridge
Sarn Farm
Caelica Farm
Lower Tallarngreen Farm
Cae-lica
Broughton House
Wood Farm
War Meml
Buenavista
Bishop Bennet Way
Green Lane
Wrexham Road
Chorlton Lodge
Mount
Glandeg Farm
Ebnal
Ebnal Farm
Ebnal Grange
Hollow Wood
Oat Hill
Cemetery
Bellevue
Diamentsd Railway
Bawbrook
Whitegates Farm
The Lees Farm
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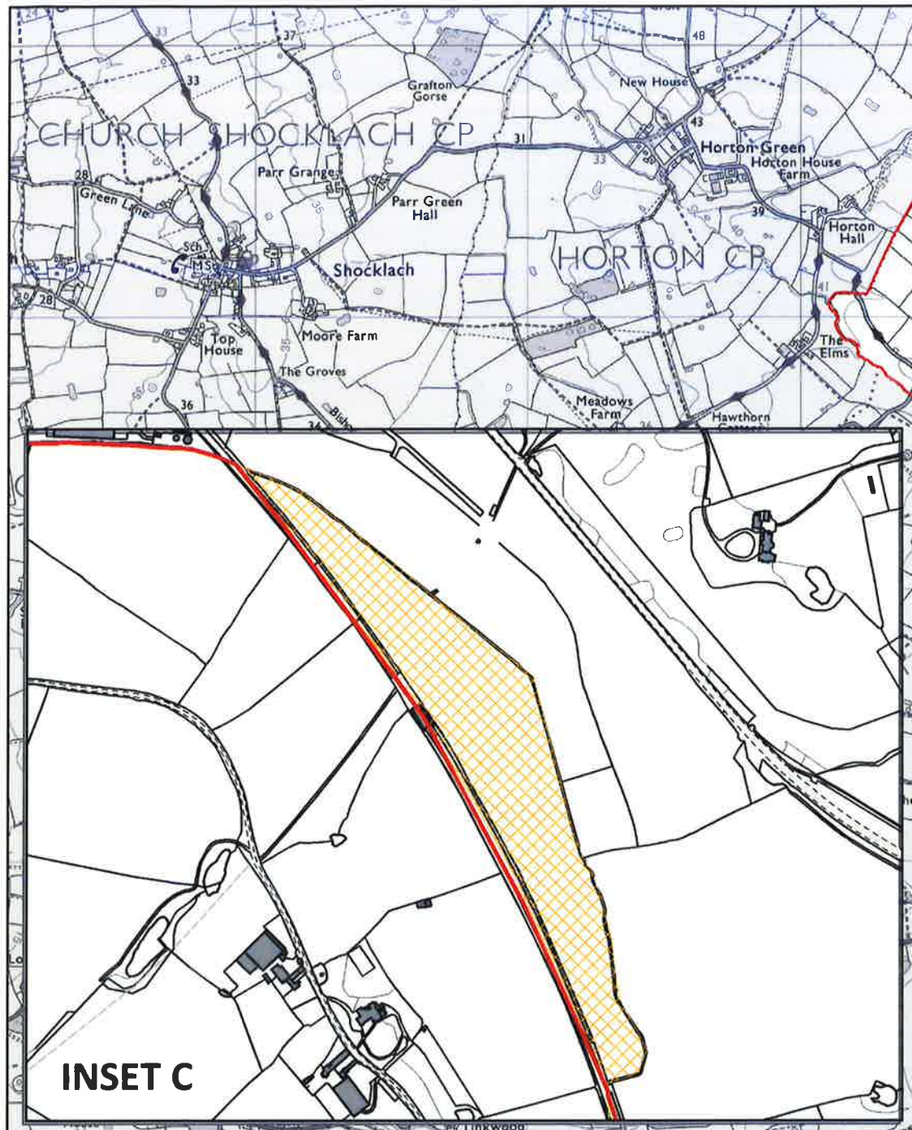
Chorlton Lodge
Mount
Glandeg Farm



Malpas Parish Map 2015

Malpas

Area

- A
- B
- C
- D
- E
- F
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Cheshire West and Chester

CoSocius

Plot Scale 1:22000 @A3

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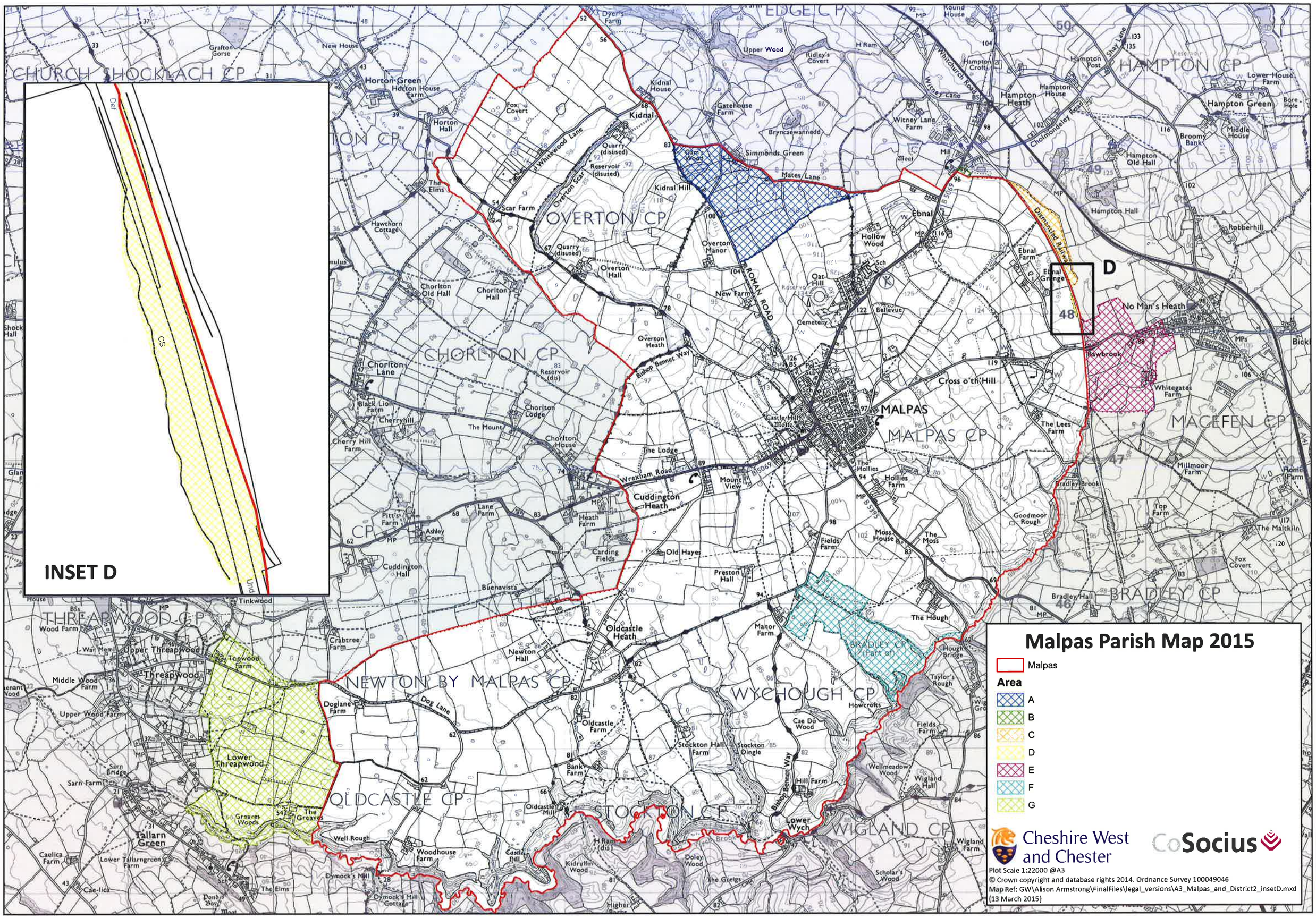
INSET D
D
CHURCH SHOCKLACH CP
OVERTON CP
CHORLTON CP
HAMPTON CP
MALPAS CP
MACEFEN CP
NEWTON BY MALPAS CP
WYCHOUGH CP
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Malpas Parish Map 2015
Malpas
Area
A
B
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Cheshire West and Chester
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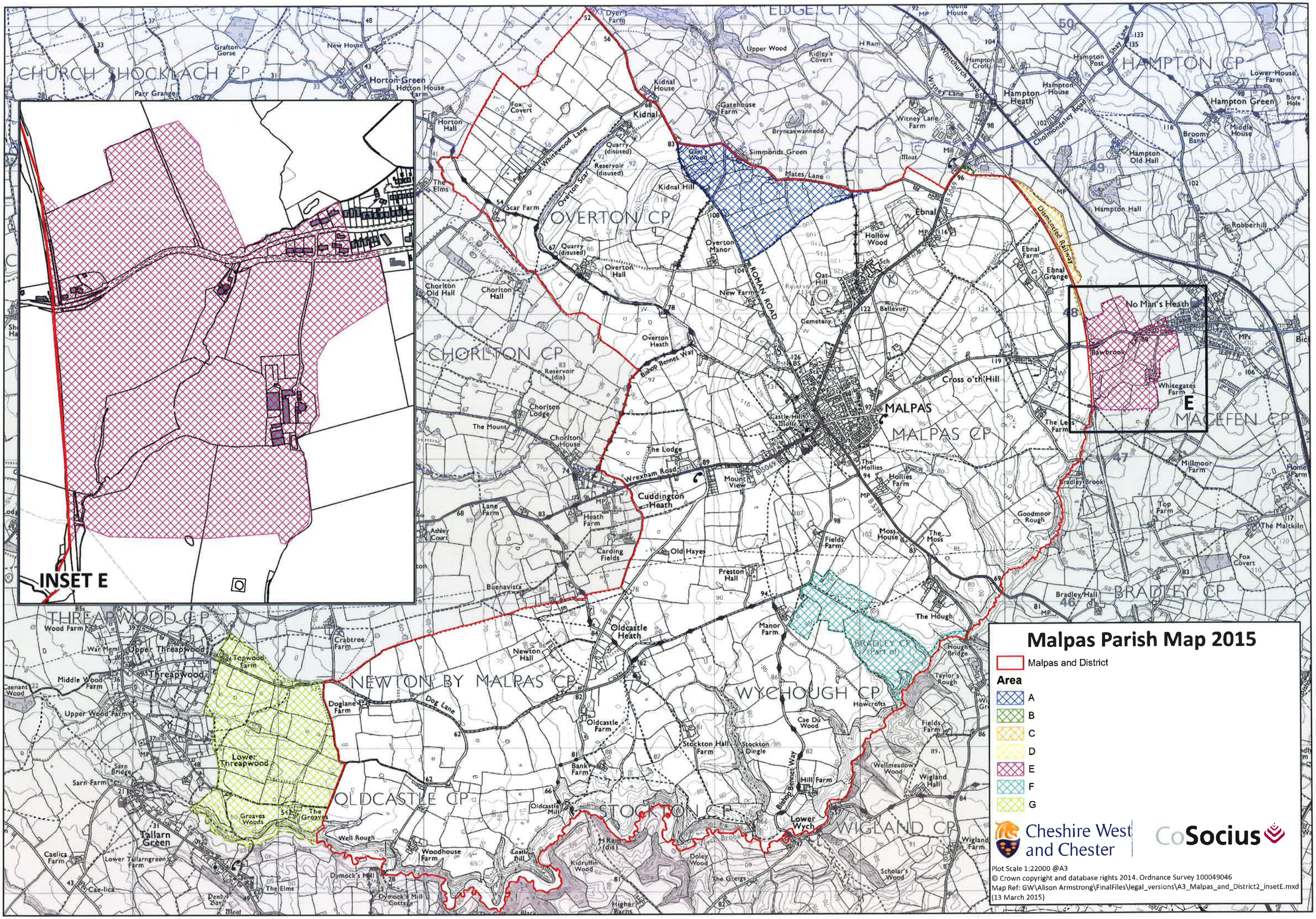
INSET E
CHURCH SHOCKLACH CP
OVERTON CP
CHORLTON CP
HAMPTON CP
MALPAS CP
MACEFEN CP
BRADLEY CP
THREAPWOOD CP
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WIGLAND CP
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EDGE CP
Malpas Parish Map 2015
Malpas and District
Area
A
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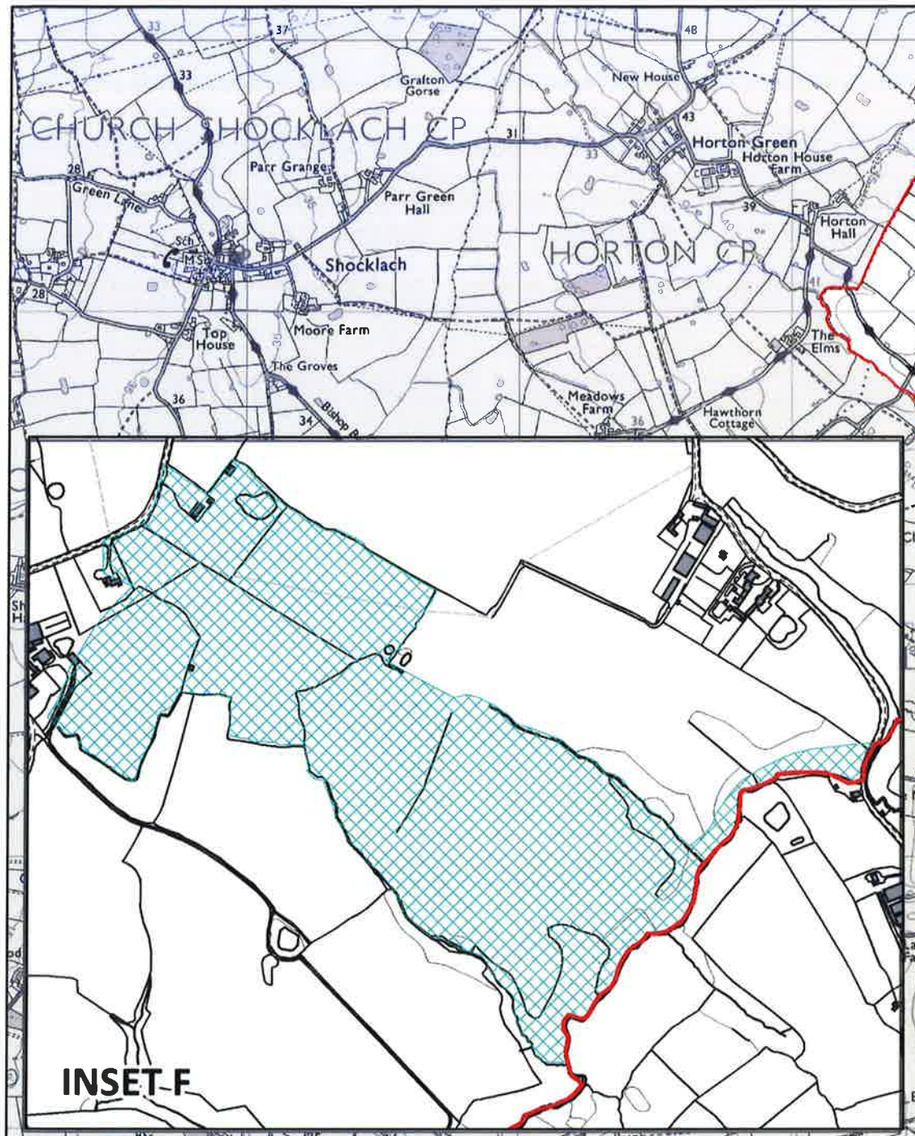

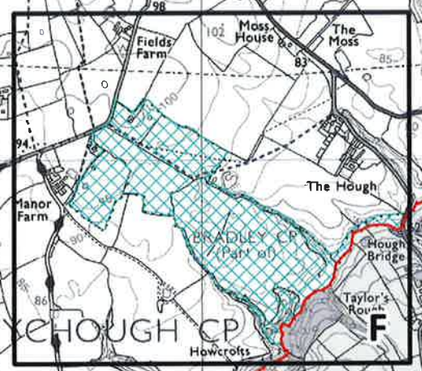

Malpas Parish Map 2015

Malpas

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