

A F Golding

STATUTORY INSTRUMENTS

Statutory Instruments
Environment
6th March 1986

1986 No. 248

LOCAL GOVERNMENT, ENGLAND AND WALES
CHANGES IN LOCAL GOVERNMENT AREAS
The North Devon (Parishes) Order 1986

Made6th February 1986

Coming into Operation -

for the purposes described

in article 2(1) 10th February 1986

for all other purposes 1st April 1986

Whereas the North Devon District Council, acting pursuant to section 48(8) of the Local Government Act 1972 (a), has made recommendations to the Local Government Boundary Commission for England for proposals about parishes in the district:

And whereas in consequence of those recommendations the Commission has seen fit, pursuant to sections 47, 48(9) and 51(1) of that Act, to make proposals to the Secretary of State:

And whereas more than six weeks has elapsed since those proposals were made:

And whereas the Secretary of State has decided to give effect to the proposals:

Now, therefore, the Secretary of State, in exercise of his powers under sections 51(2) and 67(4) and (5) of that Act and of all other powers enabling him in that behalf, hereby makes the following order:-

Title and commencement

- 1. This order may be cited as the North Devon (Parishes) Order 1986.

(a) 1972 c.70.

2. - (1) 10th February 1986 is hereby specified as the day on which this order shall come into operation for any purpose set out in regulation 4(1) (coming into operation of order) of the Local Government Area Changes Regulations 1976 (a).

(2) For all other purposes, this order shall come into operation on 1st April 1986.

Interpretation

3. In this order -

"the boundary maps" means the 10 maps (duly numbered for reference) which are issued by the Department of the Environment as the "Maps of the North Devon (Parishes) Order 1986";

"county electoral division" means an electoral division of the county of Devon;

"district council" means the North Devon District Council;

"district ward" means a ward of the district of North Devon.

Creation of parish of Newton Tracey

4. In North Devon, there shall be created, without change to the boundary of any district ward or county electoral division, a new parish to be called Newton Tracey, consisting of -

(a) the area of the parish of Horwood;

(b) the area of the parish of Newton Tracey as constituted immediately prior to 1st April 1986; and

(c) the part of the parish of Fremington marked D2 on boundary maps 6, 7 and 8.

It shall form part of the Barnstaple petty sessional division.

(a) S.I 1976/246, as amended by S.I. 1978/247

Amalgamation of parishes

5. - (1) The parishes of Charles and High Bray shall be amalgamated to create a new parish to be known as Brayford. It shall form part of the South Molton petty sessional division.

(2) The parishes of East Buckland and West Buckland shall be amalgamated to create a new parish to be known as East and West Buckland.

(3) No change is made by virtue of this article to the boundary of any district wards or county electoral division.

Parish councils for the new parishes

6. - (1) There shall be a parish council for each parish created by article 4 or 5.

(2) The number of parish councillors for Newton Tracey shall be 7, and for Brayford, 10.

(3) The parish of East and West Buckland shall be divided into two wards of East Buckland and West Buckland, each consisting of the area of the parish of the same name as constituted immediately prior to 1st April 1986. The East Buckland ward shall be represented by 3 parish councillors, and the West Buckland ward by 8.

(4) Elections of parish councillors for the new parishes shall be held on such day prior to 1st April 1986 as the returning officer shall appoint. The persons elected shall come into office on 1st April 1986, and retire on the fourth day after the ordinary day of election of councillors in 1991.

(5) The proper officer of the district council shall convene -

(a) the annual meeting of each new parish council for 1986, which shall be held in April of that year; and

(b) the first assembly of the parish meeting for each new parish.

Where in any parish the first assembly of the parish meeting takes place before the annual meeting of the new parish council the parish meeting may appoint a person to take the chair, who shall have, for the purposes of that occasion only, the powers and authority of a chairman.

(6) In the year beginning on 1st April 1986, the district council shall levy rates in each new parish, and make payments to each new parish council as if that parish council had issued a precept to the district council requiring the payment of a sum equal to the product of a rate (calculated on the total rateable value of the relevant parish as set out in the valuation list at the beginning of that financial year) of the relevant amount in the pound specified below -

Newton Tracey	2p.
Brayford	3p.
East and West Buckland	3p.

Abolition of parishes

7. - (1) The area of the parish of Cheldon shall be transferred to the parish of Chulmleigh.

(2) The area of the parish of Creacombe shall be transferred to the parish of Rackenford.

(3) The parishes and parish authorities mentioned in the first column below shall be abolished. The residuary successor of each abolished authority shall be the parish council shown in the second column, and that council shall assume custody of the public books and papers of the relevant abolished parish.

The parish, parish meeting and parish trustees of Cheldon	-	The Chulmleigh parish council.
The parish, parish meeting and parish trustees of Creacombe	-	The Rackenford parish council.
The parishes of Horwood and Newton Tracey (as constituted immediately prior to 1st April 1986) and their common parish council.	-	The Newton Tracey parish council.
The parishes of Charles and High Bray, and their common parish council.	-	The Brayford parish council.

The parishes of East Buckland
and West Buckland, and their
common parish council

-

The East and West Buckland
parish council.

Other transfers between parishes

8. Each area marked on the boundary maps as shown in columns 1 and 2 of the Schedule hereto shall be transferred from the relevant parish named in column 3 to that named in column 4.

Where in column 5 there is mentioned in relation to any area -

- (a) a district ward;
- (b) a county electoral division; or
- (c) a petty sessional division -

that area shall additionally be transferred to that ward or division.

Abolition of Fremington parish warding

9. In consequence of article 4, the parish of Fremington shall cease to be warded, and its parish council shall be reduced from 13 to 12 parish councillors. Those parish councillors in office immediately before 1st April 1986 shall -

- (a) if councillors for the Fremington North ward, continue as councillors for the parish until the fourth day after the ordinary day of elections in 1987;
and
- (b) if a councillor for the Fremington Lovacott ward, cease to represent the parish of Fremington on 1st April 1986.

SCHEDULE

OTHER TRANSFERS BETWEEN PARISHES (Article 8)

(1) The area marked	(2) On boundary map number	(3) Transferred from the parish of	(4) To the parish of	(5) Also transferred to
A2	3	Chulmleigh	King's Nympton	Chittlehampton district ward
A6	9	Fremington	Instow	Instow district ward Bideford and Great Torrington petty sessional division
A1	2	Ilfracombe	Berrynarbor	Combe Martin district ward Combe Martin Rural county electoral division
A5	5	Instow	Fremington	Fremington district ward Barnstaple petty sessional division
A4	4	Landkey	Goodleigh	-
A3	1	South Molton	Filleigh	Swimbridge district ward Combe Martin Rural county electoral division
A7	10	Witheridge	East Worlington	Chulmleigh district ward

Signed by authority
of the Secretary of State
6th February 1986.

J.P.G Rowcliffe,
An Under Secretary in the
Department of the Environment.

EXPLANATORY NOTE

(This note is not part of the order.)

This order affects parishes in the district of North Devon.

It -

- (a) creates a new parish to be known as Newton Tracey from the areas of the parishes of Horwood and Newton Tracey (as constituted prior to 1st April 1986), and part of the parish of Fremington;
- (b) amalgamates the parishes of Charles and High Bray to form a new parish of Brayford;
- (c) amalgamates the parishes of East Buckland and West Buckland to form a new parish of East and West Buckland;
- (d) abolishes the parish of Cheldon, transferring its area to the parish of Chulmleigh;
- (e) abolishes the parish of Creacombe, transferring its area to the parish of Rackenford; and
- (f) transfers other areas between existing parishes.

The map forming part of this note (page 9) gives a general guide to the areas affected by this order as from 1st April 1986.

Prints of the detailed boundary maps, which are referred to in article 3, may be inspected at the offices of the district council, and may be inspected at or purchased from the Department of the Environment's Map Library, 2 Marsham Street, London SW1P 3EB.

The approximate area, population, and rateable value of each of the new parishes will be -

	<u>Area</u> <u>(hectares)</u>	<u>Population</u>	<u>Rateable Value</u>
Newton Tracey	1,500	389	£24,083
Brayford	2,600	350	£21,476
East and West Buckland	1,700	334	£24,593

A parish council is established for each new parish.

Consequential changes are made to local government electoral areas.

The Local Government Area Changes Regulations 1976, mentioned in article 2(1), contain further provisions about the effect and implementation of orders such as the present one.

Parishes as from 1 April 1986

Names of new parishes shown in bold italics

Main areas transferred otherwise than to new parishes

Circles indicate location of small areas so transferred

Only parishes affected by changes are named



