

1999 No. 156

LOCAL GOVERNMENT, ENGLAND AND WALES

The Tameside (Parishes) Order 1999

Made - - - - 26th January 1999

Coming into force in accordance with article 1(2)

The Secretary of State, in exercise of the powers conferred on him by sections 14 and 23 of the Local Government and Rating Act 1997(a), and of all other powers enabling him in that behalf, hereby makes the following Order which gives effect, amongst other matters, to a petition sent to him under section 11 of that Act by the Mossley Town Council Steering Committee, for the constitution as a parish of an area within the metropolitan borough of Tameside of which no part is within a parish, and for the establishment of a parish council for that area:

Citation, commencement and interpretation

1. - (1) This Order may be cited as the Tameside (Parishes) Order 1999 .

(2) It shall come into force -

- (a) for the purposes of this article, articles 2 and 6 and proceedings preliminary or relating to elections of parish councillors to be held on 6th May 1999, on the day after that on which it is made;
- (b) for all other purposes, on 1st April 1999.

(3) In this Order -

“the map” means the map prepared by the Department of the Environment, Transport and the Regions, marked “Map of the Tameside (Parishes) Order 1999”;

“the new parish” means the parish of Mossley constituted by article 2 of this Order;

“the new council” means the council established by article 3.

Constitution of new parish

2. - (1) A new parish, comprising the area delineated by a blue line on the map, shall be constituted within the metropolitan borough of Tameside.

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

Wards of the new parish

3. - (1) The parish of Mossley shall be divided into three parish wards which shall bear the names Cheshire, Lancashire and Yorkshire and shall comprise the named areas delineated by orange lines on the map.

(2) The number of councillors to be elected for the Cheshire parish ward shall be four, for the Lancashire parish ward shall be three and for the Yorkshire parish ward shall be two.

Parish council for Mossley and transitional provision

4. - (1) There shall be a parish council for the new parish which, subject to paragraph (4), shall consist of a chairman and eight other parish councillors.

(2) The new council shall be a body corporate by the name "The Parish Council of Mossley" and shall have all such functions as are vested in parish councils by the Local Government Act 1972(a) ("the 1972 Act") or otherwise.

(3) Subsections (1) to (9) of section 15 (chairman and vice-chairman of parish council or meeting) of the 1972 Act shall apply to the new council as they apply to parish councils established under Part I of that Act.

(4) From 1st April 1999 to 10th May 1999 the new council shall consist of the persons who, immediately before 1st April 1999, are the elected councillors for the borough electoral ward of Mossley.

Parish council elections and first annual meetings

5. - (1) An election of parish councillors for the new parish shall be held on 6th May 1999 and on the ordinary day of election of councillors(b) in 2003 and every fourth year thereafter.

(2) The councillors elected on 6th May 1999 shall come into office on 10th May 1999.

(a) 1972 c.70.

(b) See section 37 of the Representation of the People Act 1983 (c.2).

(3) The first annual meeting of the new council shall be held on, or within 14 days after, 10th May 1999, and shall be convened by the proper officer^(a) of the Tameside Borough Council ("the proper officer").

(4) The first annual parish meeting of the new parish shall be held on or before 1st June 1999 and shall be convened by the proper officer.

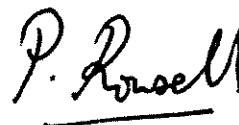
Parish precept

6. For the purposes of regulation 3 of the Local Government Finance (New Parishes) Regulations 1998^(b), the sum of £20,000 is specified in relation to the new parish.

Consequential alteration of district ward boundaries

7. The area marked "A" on the map shall cease to be part of the district ward of Stalybridge North and shall become part of the district ward of Mossley.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions



26 January 1999

A Senior Civil Servant in the Department
of the Environment, Transport and the
Regions

(a) See section 270(3) of the Local Government Act 1972.

(b) S.I. 1998/119 prospectively amended by S.I. 1998/3270.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to a petition sent to the Secretary of State by the Mossley Town Council Steering Committee, for the creation as a parish of an area within the metropolitan borough of Tameside, and for the establishment of a parish council for that area.

Article 2 creates the new parish, to be called Mossley. A map forming part of this note gives a general guide to the area concerned.

Article 3 divides the new parish into wards and provides for the number of councillors for each ward.

Article 4 establishes a parish council for the new parish which, from 10th May 1999 will consist of nine parish councillors. Between 1st April and 10th May 1999 the councils will consist of the district councillors elected for the borough ward of which the new parish forms part. Article 4 also applies to the new councils provisions of the Local Government Act 1972 relating to chairmen and vice-chairmen and general functions.

Article 5 makes provision for elections of councillors for the new parish on 6th May 1999 and every fourth year thereafter. It requires the proper officer of Tameside Borough Council to convene the first meeting of the new parish council to be held after 10th May 1999 and the first annual meeting of the new parish.

Article 6 specifies the sum of £20,000 in relation to the new parish for the purposes of regulation 3 of the Local Government Finance (New Parishes) Regulations 1998.

Article 7 of the Order makes a consequential alteration in the boundaries of the district wards of Mossley and Stalybrige North.

Prints of the map referred to in the Order may be inspected at all reasonable hours at the offices of Tameside Borough Council and at the offices of the Secretary of State for the Environment, Transport and the Regions at Ashdown House, 123 Victoria Street, London SW1E 6DE.

Parishes as from 1 April 1999

OLDHAM

Mossley

TAMESIDE

DERBYSHIRE



New Parish named in bold italics