

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Ottery St Mary and West Hill (Reorganisation of Community Governance) Order 2017

Made 1st December 2016

Coming into force in accordance with article 1(2)

The East Devon District 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 27 July 2016:

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 in that section:

The council makes the following Order in exercise of the powers conferred by sections 86, 98 and 240(10) of the 2007 Act.

Citation and commencement

1.-(1) This Order may be cited as The Ottery St Mary and West Hill (Reorganisation of Community Governance) Order 2017.

(2) It shall come into force on 1st April 2017.

(3) Article 8 shall come into force on the ordinary day of election of councillors in year 2017.

(4) For the purposes of article 5 and proceedings preliminary or relating to the election of parish councillors for the parish of West Hill, to be held on the ordinary day of election of councillors in 2017,

this Order shall come into force on 1st December 2016

Interpretation

2. In this Order –

'district' means the district of East Devon:

'map' means the map marked 'Map referred to in the Ottery St Mary and West Hill (Reorganisation of Community Governance) Order 2017 and deposited in

accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number:
'new parish' means the parish constituted by article 4:
'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.

Constitution of a new parish

4.- (1) A new parish, comprising the area outlined with a red line on the map, shall be constituted within the district.

(2) The name of the new Parish shall be West Hill.

(3) In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parish of Ottery St Mary.

Calculation of budget requirement

5. 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 West Hill the sum of £55,000 (Fifty five thousand pounds).

Parish Council for the parish of West Hill

6. - (1) There shall be a parish council for the parish of West Hill.

(2) The name of that Council shall be 'West Hill Parish Council'.

Elections for the Parish of West Hill

7. - (1) The elections of all parish councillors for the parish of West Hill shall be held simultaneously on the ordinary day of election of councillors in 2017.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2017 for the parish of West Hill shall be two years.

(3) Thereafter the term of office of every parish councillor elected on the ordinary day of election of councillors in 2019 for the parish of West Hill shall be four years.

Number of Parish Councillors for the Parish of West Hill

8. The number of councillors to be elected for the parish of West Hill shall be 7.

Annual meeting of the Parish Council

9. The annual meeting of the new parish council in 2017 shall be convened by the council. 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.

Alteration of Ottery St Mary parish areas and number of Councillors

10. - (1) There shall be no change to the Ottery St Mary Town Ward.
- (2) The Ottery St Mary North Ward and the Tipton St John Ward shall henceforth compromise the area delineated by the thick black lines on the Map.
- (3) The number of Town councillors for Ottery St Mary shall reduce to 11 comprising 2 each for the North Ward and Tipton St John Ward and 7 for the Town Ward.

Transfer of property, rights and liabilities

11. There shall transfer from the Ottery St Mary Town Council to the West Hill Parish Council the obligations and benefits of a lease dated the 11th March 2011 registered under Title Number DN179624 relating to land adjacent to West Hill Village Hall and this transfer shall take effect on the date of the first annual meeting of the West Hill Parish Council held in accordance with Article 9.

Electoral register

12. The registration officer for the district shall make such arrangements of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Transitional provision

13. Until the councillors elected to the council of the new parish of West Hill at the elections to be held on the ordinary day of election of councillors in 2017 come into office, the new parish shall be represented by those persons who immediately before 1st April 2017 are the elected councillors for the Ottery St Mary Town Council West Hill ward.

Order date

14. 1st April 2017 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

DATED the 1 day of DECEMBER 2016



THE COMMON SEAL OF
EAST DEVON DISTRICT COUNCIL

Was hereunto affixed in the presence of



Authorised Signatory

West Hill Parish and Ottery St Mary Parish Wards

-  Parish Wards
-  Parish Boundary

