

**DISTRICT OF NORTH WEST LEICESTERSHIRE**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT HEALTH ACT 2007**

**(Reorganisation of Community Governance) Order 2010**

**Made on the 12<sup>th</sup> May 2010**

**Coming into force in force in accordance with article 1(2)**

The District Council of North West Leicestershire (“the district council”) in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated January 2010.

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 District of North West Leicestershire (Reorganisation of Community Governance) Order 2010.
- (2) Subject to paragraphs (3) and (4) below, this Order shall come into force on 1 April 2011.
- (3) Articles 8 and 9 shall come into force on the ordinary day of election of councillors in 2011.
- (4) For the purposes of:
  - (a) this article ,
  - (b) article 5,
  - (c) proceedings preliminary or relating to the elections of parish councillors for the parish of Whitwick, to be held on the ordinary day of election of councillors in 2011,

this Order shall come into force on the day after that on which it is made.

## **INTERPRETATION**

2. In this Order-

- “district” means the district of North West Leicestershire ;
- “map” means the map marked “Map referred to in the District of North West Leicestershire ( Reorganisation of Community Governance ) Order 2009 and deposited in accordance with section 96(4) of the 2007 Act;
- “monitoring officer” means the officer designated under section 5 of Local Government and Housing Act 1989;
- “ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983;
- “registration officer” means an officer appointed for the purpose of, and in accordance with Section 8 of the Representation of the People Act 1983;
- “the date of dissolution” means the date on which the Charter Trustees are dissolved;
- “the 2008 Regulations” mean The Local Government (Parishes and Parish Councils (England) Regulations 2008.

## **EFFECT OF ORDER**

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the 2007 Act 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 Whitwick.

## **PARISH COUNCIL FOR THE PARISH OF WHITWICK**

- 5 (1) There shall be a parish council for the parish of Whitwick.
- (2) The name of that council shall be “Whitwick Parish Council”.

## **ELECTIONS FOR THE PARISH OF WHITWICK**

6. (1) The election of all parish councillors for the parish of Whitwick shall be held on the ordinary day of election of councillors in 2011 and every four years thereafter.
- (2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2011 for the parish of Whitwick shall be four years to coincide with the ordinary day of election of parish councillors in accordance with s.16 (3) of the Local Government Act 1972.

**NUMBER OF PARISH COUNCILLORS FOR THE PARISH OF WHITWICK**

7. The number of parish councillors to be elected for the parish of Whitwick shall be eleven.

**WARDS OF THE PARISH OF WHITWICK**

8. The parish of Whitwick shall not be warded.

**ANNUAL MEETING OF THE PARISH COUNCIL**

9. The annual meeting of the new parish council in 2011 shall be convened by the monitoring officer of the district council . The meeting shall take place on Wednesday 18<sup>th</sup> May 2011 at a venue to be arranged. The following meeting is to be held on Wednesday 22<sup>nd</sup> June 2011.

**ELECTORAL REGISTER**

10. The registration officer for the district 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.

**TRANSITIONAL PROVISION**

11. Any land or property of the district council transferred to the parish or new parish council by operation of law as a consequence of this order will continue to be maintained and managed by the district council at the cost of the new parish council until such time as the parish council resolves to make other arrangements. Before such arrangements as may be made by the new parish council are implemented, the new parish council shall serve not less than twelve months` notice on the district council expiring on 31 March in any year.

**ORDER DATE**

12 1st April 2011 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of the council on .....

Signature .....

Title of Signatory .....

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order gives effect to recommendations made by North West Leicestershire District Council for the creation of a council for the parish of Whitwick within the district of North West Leicestershire

The parish of Whitwick will be created with effect from 1 April 2011. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2011.

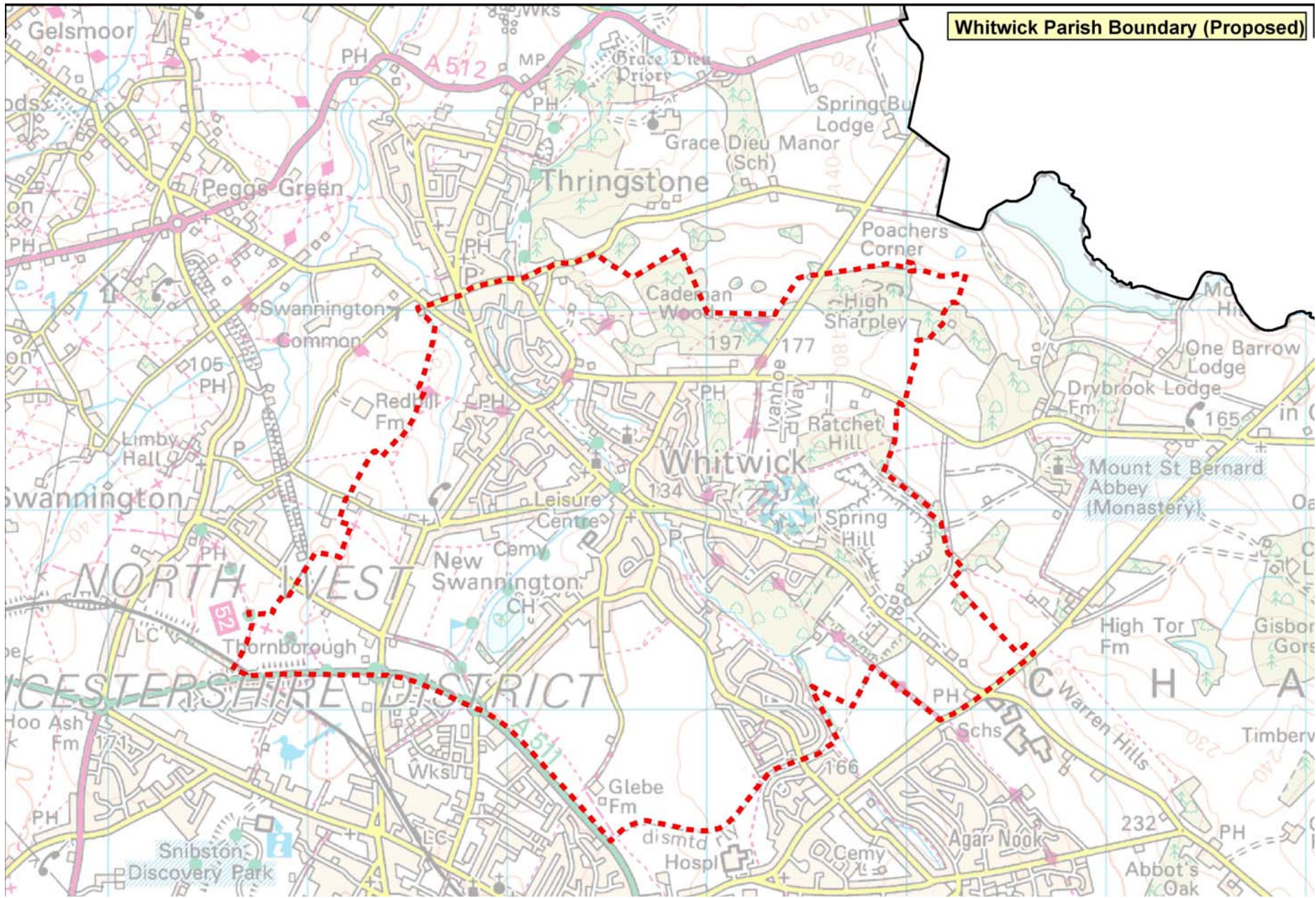
Article 6 provides for parish elections in the parish of Whitwick in 2011, and then to continue according to the established system of parish elections every four years.

Article 7 specifies the numbers of parish councillors for the new parish of Whitwick.

Article 8 and the map establish the names and areas of the wards of the new parish of Whitwick.

Article 10 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of Whitwick. It is available, at all reasonable times, at the offices of North West Leicestershire District Council.



Whitwick Parish Boundary (Proposed)