STATUTORY INSTRUMENTS

1983 No. 1873

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Boston (Parishes) Order 1983

Made - - - - - - -	15*th December* 1983
Coming into Operation—	
for the purposes described in in article 2(1) - - - -	1*st January* 1984
for all other purposes - -	1*st April* 1984

Whereas the Borough Council of Boston, acting pursuant to section 48(8) of the Local Government Act 1972(a), has made a recommendation to the Local Government Boundary Commission for England for a proposal about the constitution of a new parish in the borough:

And whereas the said Commission has seen fit, pursuant to sections 47, 48(9) and 51(1) of that Act, on 21st October 1982, to make the recommended proposal to the Secretary of State:

And whereas the Secretary of State has decided to give effect to that proposal without modification:

Now, therefore, the Secretary of State for the Environment, in exercise of his powers under sections 51(2) and 67(4) and (5) of the said 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 Boston (Parishes) Order 1983.

2.—(1) 1st January 1984 is hereby specified as the day on which this order shall come into operation for any purpose set out in items *(a)* to *(d)* and *(f)* to *(j)* of regulation 4(1) (coming into operation of order) of the Regulations.

(2) Except as provided by paragraph (1) hereof, this order shall come into operation on the appointed day.

(a) 1972 c. 70.

3. In this order—

"the appointed day" means 1st April 1984;

"the borough" means the borough of Boston;

"the borough council" means the council of the borough;

"the boundary map" means the map issued by the Department of the Environment on one sheet marked "Map of the Boston (Parishes) Order 1983";

"the new parish" means the parish constituted by article 4 of this order;

"the new parish council" means the parish council of the new parish; and

"the Regulations" means the Local Government Area Changes Regulations 1976(a).

Changes in areas

4.—(1) A new parish to be known as the parish of Holland Fen-with-Brothertoft shall be constituted, comprising—

(a) the parishes of Hart's Grounds, Pelham's Lands and Brothertoft;

(b) that part of the parish of Kirton north of the red line marked "A–B" on the boundary map; and

(c) that part of the parish of Wyberton shown hatched red on the boundary map.

The new parish shall remain or form part of the Fenside electoral division of the county of Lincolnshire, of the Holland Fen ward of the borough, of the Boston petty sessional division and of the Boston coroner's district.

New parish council

5.—(1) There shall be a parish council for the new parish.

(2) The number of councillors for the new parish shall be 9.

(3) Elections of parish councillors of the new parish shall be held on such day prior to the appointed day as the returning officer shall appoint and the parish council election rules for the time being in force shall apply to the said elections with any necessary modifications.

(4) The persons elected as parish councillors as a result of the said election shall come into office on the appointed day and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

(5) The annual meeting of the new parish council for 1984 shall be held in April 1984 and shall be convened by the officer appointed for that purpose by the borough council.

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

Parish meeting

6.—(1) The first assembly of the parish meeting for the new parish shall be convened by the officer appointed for that purpose by the borough council.

(2) At any such first assembly held before the annual meeting of the new parish council, the parish meeting may appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the chairman.

Residuary successors

7. The Parish Council of Brothertoft and the Parish Meetings and Parish Trustees of Hart's Grounds and Pelham's Lands shall be dissolved. For the purposes of any provision of the Regulations which refers to the residuary successor of a dissolved authority, the new parish council is hereby specified as the residuary successor of such authorities.

Parish books, etc.

8. The public books, writings and papers of the parishes of Hart's Grounds, Pelham's Lands and Brothertoft (including any photographic copies thereof) and all documents directed by law to be kept therewith shall be deposited in the custody of the new parish council.

Expenses of new parish council

9. In the year beginning on the appointed day the borough council may if they think fit levy rates in the new parish and make payments to the new parish council as if the new parish council had issued a precept to the borough council requiring the payment of a sum not exceeding the product of a rate of 2p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Local Acts, orders and byelaws

10. The parishes of Hart's Grounds, Pelham's Lands and Brothertoft are hereby specified in relation to regulation 41(4) (local Acts, orders and byelaws) of the Regulations and the new parish is hereby specified in relation to such parishes.

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

Signed by authority of the Secretary of State
15th December 1983.

EXPLANATORY NOTE

(This note is not part of the order.)

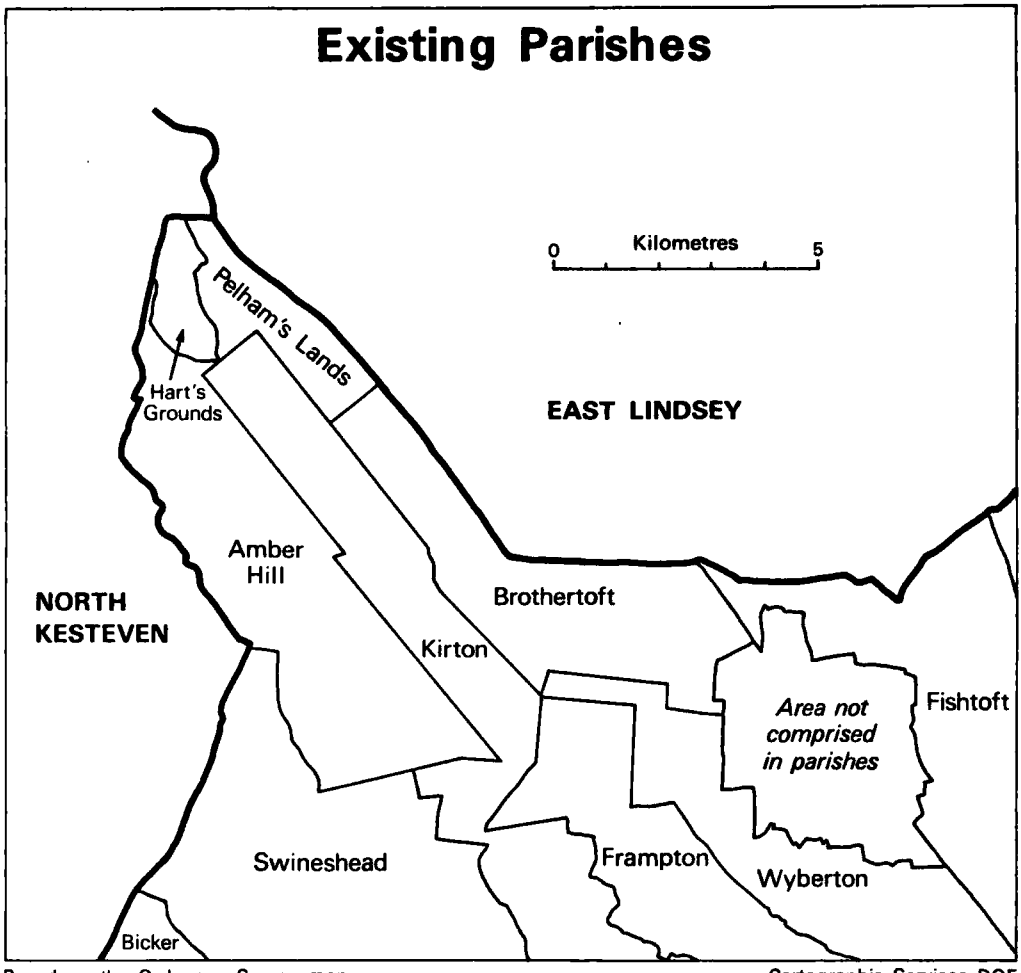
This order creates a new parish in the borough of Boston, viz. the parish of Holland Fen-with-Brothertoft, comprising the parishes of Hart's Grounds, Pelham's Lands and Brothertoft and parts of the parishes of Kirton and Wyberton.

The maps forming part of this note show the area concerned before and as from 1st April 1984.

Prints of the boundary map referred to in article 3 may be inspected at the offices of the borough council, and may be purchased from the Department of the Environment's Map Library.

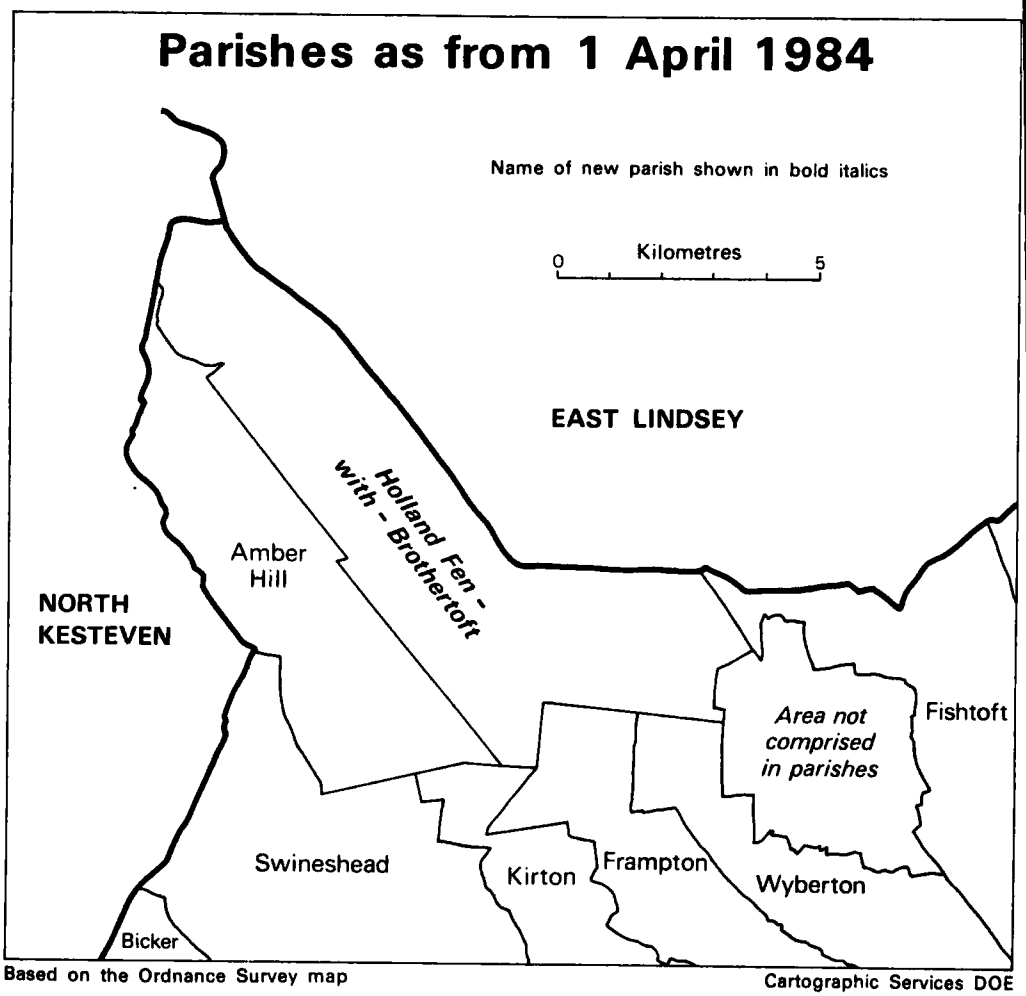
The new parish will have approximately an area of 3,629 hectares, a population of 546, and a rateable value of £41,894.

The order establishes a parish council for the new parish. Incidental, consequential, transitional and supplementary provision in consequence of orders such as the present one is made by the Local Government Area Changes Regulations 1976 (see article 3).



Based on the Ordnance Survey map

Cartographic Services DOE



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