STATUTORY INSTRUMENTS

1986 No. 281

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Durham (District Boundaries) Order 1986

Made - - - - -	20*th February* 1986
Laid before Parliament	26*th February* 1986
Coming into Operation —	
for the purposes described in article 2(1)	24*th March* 1986
for all other purposes	1*st April* 1986

Whereas the Local Government Boundary Commission for England, acting pursuant to sections 47 and 51(1) of the Local Government Act 1972 (**a**), has made proposals to the Secretary of State for alterations in the boundaries between the city of Durham and the districts of Chester-le-Street and Sedgefield:

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 the 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 Durham (District Boundaries) Order 1986.

2.—(1) 24th March 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 (**b**).

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

(**a**) 1972 c.70.
(**b**) S.I. 1976/246, amended by S.I. 1978/247.

Interpretation

3. In this order—

"the boundary maps" means the 2 maps (duly numbered for reference) which are issued by the Department of the Environment as the "Maps of the Durham (District Boundaries) Order 1986";

"city ward" means a ward of the city of Durham;

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

"the new parish" means the new parish of Kimblesworth and Plawsworth created by article 7 of this order;

"the 1976 Regulations" means the Local Government Area Changes Regulations mentioned in article 2(1).

Transfers from the city of Durham to Chester-le-Street

4.—(1) Those parts of the city of Durham and of the parishes of Witton Gilbert and Kimblesworth which are marked A and C on boundary map 1 shall be transferred to—

(a) the district of Chester-le-Street;

(b) the Sacriston ward of that district;

(c) the parish of Sacriston;

(d) the Sacriston county electoral division; and

(e) the petty sessional division of Chester-le-Street.

(2) Those parts of the city of Durham and of the parishes of Kimblesworth and Framwellgate Moor which are marked D and E on boundary map 1 shall be transferred to—

(a) the district of Chester-le-Street;

(b) the Plawsworth ward of that district;

(c) the new parish of Kimblesworth and Plawsworth;

(d) the Sacriston county electoral division; and

(e) the petty sessional division of Chester-le-Street.

Transfer from Chester-le-Street to the city of Durham

5. That part of the district of Chester-le-Street and of the parish of Sacriston which is marked B on boundary map 1 shall be transferred to—

(a) the city of Durham;

(b) the Witton Gilbert city ward;

(c) the parish of Witton Gilbert;

(d) the Framwellgate Moor county electoral division; and

(e) the petty sessional division of Durham.

Transfer from Sedgefield to the city of Durham

6. That part of the district of Sedgefield and of the parish of Spennymoor which is marked G on boundary map 2 shall be transferred to—

(a) the city of Durham;

(b) the Croxdale city ward;

(c) the parish of Croxdale and Hett;

(d) the Elvet county electoral division;

(e) the Durham North coroner's district; and

(f) the petty sessional division of Durham.

Creation of new parish and parish council

7.—(1) There shall be created in the district of Chester-le-Street a new parish of Kimblesworth and Plawsworth which shall consist of—

(a) the area of the parish of Plawsworth;

(b) the area of the parish of Kimblesworth which is marked D on boundary map 1; and

(c) the area of the parish of Framwellgate Moor which is marked E on boundary map 1.

(2) There shall be a parish council for the new parish.

(3) The new parish shall be divided into two parish wards to be named Plawsworth ward and Kimblesworth ward. The Plawsworth ward shall consist of the area of the parish of Plawsworth and the area marked E on boundary map 1, and shall be represented by 9 parish councillors. The Kimblesworth ward shall consist of the area marked D on boundary map 1 and shall be represented by 2 parish councillors.

(4) Any councillor for the parish of Plawsworth in office immediately before 1st April 1986 shall represent the Plawsworth ward of the new parish until the fourth day after the ordinary day of election of councillors in 1987.

(5) Any councillor for the parish of Kimblesworth in office immediately before 1st April 1986 who resides in the Kimblesworth ward of the new parish shall represent that ward as a councillor of the new parish until the fourth day after the ordinary day of election of councillors in 1987.

(6) The proper officer of the Chester-le-Street district council shall convene—

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

the first assembly of the parish meeting for the new parish.

If the first assembly of the parish meeting takes place before the first 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 the chairman.

(7) In the year beginning on 1st April 1986, the Chester-le-Street district council shall levy rates in the new parish and make payments to the 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 of 1 p. in the pound, calculated on the total rateable value of the new parish as set out in the valuation list at the beginning of that financial year.

Parishes in the city of Durham and the district of Chester-le-Street

8.—(1) That part of the parish of Kimblesworth which is marked F on boundary map 1 shall be transferred to the parish of Witton Gilbert and to the Witton Gilbert city ward.

(2) The parishes and parish councils of Plawsworth and Kimblesworth shall be abolished. The new Kimblesworth and Plawsworth parish council shall be the residuary successor of the abolished councils, and shall also assume custody of the public books and papers of the abolished parishes.

Town and Country Planning

9.—(1) Any provisions of a local plan adopted by the Durham city council which apply to the area transferred by article 4 immediately before 1st April 1986 shall continue to have effect in relation thereto as if they were part of such a plan adopted by the Chester-le-Street district council.

(2) Any provisions of a local plan adopted by the Chester-le-Street district council which apply to the area transferred by article 5 immediately before 1st April 1986 shall continue to have effect in relation thereto as if they were part of such a plan adopted by the Durham city council.

(3) Any provisions of a local plan adopted by the Sedgefield district council which apply to the area transferred by article 6 immediately before 1st April 1986 shall continue to have effect in relation thereto as if they were part of such a plan adopted by the Durham city council.

Kenneth Baker,
Secretary of State for
the Environment

20th February 1986.

EXPLANATORY NOTE

(This note is not part of the order.)

This order affects districts and parishes in the county of Durham. It—

(a) transfers areas from the city of Durham to the district of Chester-le-Street;
(b) transfers a small area from the district of Chester-le-Street to the city of Durham;
(c) transfers an area from the district of Sedgefield to the city of Durham; and
(d) creates a new parish of Kimblesworth and Plawsworth in the district of Chester-le-Street, transfers part of the parish of Kimblesworth to the parish of Witton Gilbert, and abolishes the parishes of Plawsworth and Kimblesworth.

Other parishes affected are Framwellgate Moor and Croxdale and Hett in the city of Durham; Sacriston in the district of Chester-le-Street; and Spennymoor in the district of Sedgefield.

The map forming part of this note (page 6) gives a general guide to the areas affected by this order as from 1st April 1986.

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

The areas transferred from the city of Durham to the district of Chester-le-Street have together approximately an area of 200 hectares, a population of 460 and a rateable value of £26,415.

The area transferred from the district of Chester-le-Steet to the city of Durham is very small, has no population and no rateable value.

The area transferred from the district of Sedgefield to the city of Durham has approximately an area of 11.965 hectares, a population of 20 and a rateable value of £4,671.

The new parish of Kimblesworth and Plawsworth has approximately an area of 658 hectares, a population of 1,899 and a rateable value of £121,753.

Consequential changes to local government electoral areas are made.

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.

Areas as from 1st April 1986

