STATUTORY INSTRUMENTS

1973 No. 688

LOCAL GOVERNMENT, ENGLAND AND WALES

The New Parishes Order 1973

Made - - - -	*5th April* 1973
Laid before Parliament	*12th April* 1973
Coming into Operation	*3rd May* 1973

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 254(1)(*a*) and (2)(*a*) and (*d*) of the Local Government Act 1972**(a)** 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 New Parishes Order 1973 and shall come into operation on 3rd May 1973.

Interpretation

2.—(1) The Interpretation Act 1889**(b)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

"the Act" means the Local Government Act 1972;

"new parish" means a parish established by paragraph 1 of Part IV of Schedule 1 to the Act or by article 3(2) of this order;

"the rural district council" or "the district council", in relation to any area, means the council of the rural district or the district, as the case may be, in which the area is situated.

(3) In this order, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment, and in this paragraph "enactment" includes any instrument made under any Act.

Provision as to certain divided parishes

3.—(1) The provisions of this article have effect with respect to existing rural parishes which by virtue of the English Non-metropolitan Districts (Definition) Order 1972**(c)** are comprised in more than one non-metropolitan district.

(2) The following areas shall be parishes, that is to say—

(*a*) the part of the existing parish of Abbots Langley in the district of Dacorum;

(*b*) the part of the existing parish of Abbots Langley in the district of Three Rivers;

(a) 1972 c. 70.
(b) 1889 c. 63.
(c) 1972/2039 (1972 III, p. 6204).

(*c*) the parts of the existing parishes of Alwalton, Orton Longueville and Orton Waterville in the district of Huntingdon;

(*d*) the parts of the existing parishes of Alwalton and Orton Waterville in the district of Peterborough;

(*e*) the part of the existing parish of Aston in the district of East Hertfordshire;

(*f*) the part of the existing parish of Brafield-on-the-Green in the district of South Northamptonshire;

(*g*) the part of the existing parish of Collingtree in the district of Northampton and so much of the part of the existing parish of Courteenhall in that district as lies west of the eastern boundary of classified road A508;

(*h*) the parts of the existing parishes of Collingtree and Milton Malsor in the district of South Northamptonshire;

(*i*) the part of the existing parish of Courteenhall in the district of South Northamptonshire;

(*j*) the part of the existing parish of Datchworth in the district of East Hertfordshire;

(*k*) the existing parish of Ecton other than any part thereof in the district of Northampton;

(*l*) the parts of the existing parishes of Great Houghton and Little Houghton in the district of Northampton;

(*m*) the parts of the existing parishes of Great Houghton and Little Houghton in the district of South Northamptonshire;

(*n*) the part of the existing parish of Heighington in the district of Darlington;

(*o*) the part of the existing parish of Kislingbury in the district of South Northamptonshire;

(*p*) the parts of the existing parishes of Kislingbury and Upton in the district of Northampton;

(*q*) the parts of the existing parishes of Milton Malsor, Rothersthorpe and Wootton in the district of Northampton and so much of the part of the existing parish of Courteenhall in that district as lies east of the eastern boundary of classified road A508;

(*r*) the part of the existing parish of Newton Longville in the district of Aylesbury Vale other than the detached area;

(*s*) the part of the existing parish of Orton Longueville in the district of Peterborough;

(*t*) the part of the existing parish of Overstone in the district of Daventry;

(*u*) the part of the existing parish of Redbourn in the district of St. Albans;

(*v*) the part of the existing parish of Reedham in the district of Broadland;

(*w*) the part of the existing parish of Rothersthorpe in the district of South Northamptonshire;

(*x*) the part of the existing parish of St. Michael Rural in the district of St. Albans;

(*y*) the parts of the existing parishes of Shenley Brook End, Tattenhoe and Whaddon in the district of Milton Keynes and the part of the existing parish of Newton Longville in that district which adjoins the existing parish of Tattenhoe;

(*z*) the parts of the existing parishes of Shenley Brook End, Tattenhoe and Whaddon in the district of Aylesbury Vale and the detached area of the part of the existing parish of Newton Longville in that district;

(*za*) the part of the existing parish of Shifnal in the district of Bridgnorth;

(*zb*) the part of the existing parish of Slaugham in the district of Mid Sussex;

(*zc*) the part of the existing parish of Thorpe St. Andrew in the district of Broadland;

(*zd*) the part of the existing parish of Worth in the district of Mid Sussex.

(3) (*a*) The part of the existing parish of Heighington in the district of Sedgefield shall be added to the parish of Great Aycliffe.

(b) The part of the existing parish of Shifnal in the district of Wrekin shall be added to the parish of Lilleshall.

(*c*) The part of the existing parish of Upton in the district of South Northamptonshire shall be added to the parish of Harpole.

(*d*) The part of the existing parish of Wootton in the district of South Northamptonshire shall be added to the parish of Hackleton.

(4) The following areas, namely—

the parts of the existing parishes of Aston and Datchworth in the district of Stevenage;

the parts of the existing parishes of Brafield-on-the-Green and Overstone and any part of the existing parish of Ecton in the district of Northampton;

the part of the existing parish of Newton Longville in the district of Milton Keynes which adjoins the existing urban district of Bletchley;

the parts of the existing parishes of Redbourn and St. Michael Rural in the district of Dacorum;

the part of the existing parish of Reedham in the district of Great Yarmouth;

the parts of the existing parishes of Slaugham and Worth in the district of Crawley;

the part of the existing parish of Thorpe St. Andrew in the district of Norwich,

shall cease to be in any parish.

(5) Paragraphs (2) to (4) of this article shall not prevent any existing rural parish from continuing to exist as such until 1st April 1974.

Names of parishes

4.—(1) Any new parish described in column (1) of Schedule 1 to this order shall bear the name specified in respect of such parish in column (2).

(2) The enlarged parish of Fritton shall be renamed and is in this order referred to as Fritton and St. Olaves.

Parish meetings

5.—(1) The first assembly of the parish meeting for any new parish shall be held in March 1974 and shall be convened by the clerk of the rural district council.

At each such first assembly 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.

(2) In the year 1974—

(*a*) it shall not be necessary for the parish meeting of an existing parish mentioned in paragraph (2) of article 3 of this order to assemble as required by paragraph 1(1) of Part VI of Schedule 3 to the Local Government Act 1933(**a**); and

(*b*) the parish meeting of a parish to which part of any parish is added by paragraph (3) of that article shall be held for the enlarged parish.

Parish councils

6.—(1) There shall be separate parish councils for the new parishes established by article 3(2) of this order other than the parish of Courteenhall.

(2) For the purpose of the election of parish councillors the new parishes of Abbots Langley, Bold, Burnham, Harworth Bircotes, Horley, Lydiate, Salfords and Sidlow, Wexham and Worth and the enlarged parishes of Great Aycliffe, Great Sankey, Hackleton and Lilleshall shall be divided into the wards named in respect of such parishes in column (2) of Schedule 2 to this order, which shall comprise the areas specified in respect thereof in column (3). The number of parish councillors for each ward shall be that specified in respect thereof in column (4).

(3) In the case of any new parish other than the parishes named in paragraph (1) or (2) of this article the number of parish councillors shall be that specified in respect thereof in column (3) of Schedule 1 to this order.

(4) The number of parish councillors for the enlarged parishes of Bawtry and Fritton and St. Olaves shall be 13 and 10 respectively.

(5) The annual meeting for 1973 of any parish council constituted by section 9(4)(*c*) of the Act or by paragraph (1) of this article shall be held on, or within 14 days after, the day on which the councillors elected under article 7 come into office, and shall be convened by the clerk of the rural district council.

Councillors

7.—(1) No election of parish councillors shall be held after the coming into operation of this order for any existing parish mentioned in paragraph (2) of article 3 of this order.

(2) Any parish councillor—

(*a*) for an existing parish mentioned in paragraph (2) of the said article 3; or

(*b*) for a parish to which part of another parish is added by paragraph (3) of that article;

who holds office immediately before the coming into operation of this order or

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(**a**) 1933 c. 51.

is appointed thereafter to fill a casual vacancy then existing shall (unless he resigns his office or it otherwise becomes vacant) continue to hold office until 1st April 1974.

(3) Any person in office at 31st March 1974 as parish councillor for an existing parish named in column (1) of the following Table shall (unless he resigns his office or it otherwise becomes vacant) be a member of the parish council specified in respect thereof in column (2) until the fourth day after the ordinary day of election of parish councillors in 1976.

TABLE

(1) *Existing parish*	(2) *Parish council*
Overstone	The Parish Council of Overstone
Redbourn	The Parish Council of Redbourn
Slaugham	The Parish Council of Slaugham

(4) Ordinary elections of councillors of the parish councils constituted by section 9(4)(*c*) of the Act or by article 6(1) of this order (other than parish councils named in column (2) of the said Table) shall be held in 1973 on the same day as the ordinary elections of councillors for the district council. Any person elected as the result of the said elections shall come into office—

(*a*) for the purposes of the appointment of any officer or the taking of any other action, and the incurring of any expenditure in relation thereto to ensure the effective operation of the parish council as from 1st April 1974, on the fourth day after the day of election;

(*b*) for all other purposes, on 1st April 1974.

(5) Ordinary elections of councillors of the parishes to which parts of other parishes are added by paragraph 2 of Part IV of Schedule 1 to the Act or by paragraph (3) of article 3 of this order shall be held in 1973 on the same day as the ordinary elections of councillors for the district council. Any person elected as the result of the said elections shall not act in his office before 1st April 1974 except for the purpose of taking any action with a view to enabling the parish council to exercise their functions on and after that date.

Local government electors

8.—(1) If in relation to any election or parish meeting for any parish constituted or enlarged by article 3 of this order the register of local government electors has not been prepared and published on the basis that that article had become operative, the registration officer shall make such alteration of the register as may be necessary for the purpose of such election or meeting.

(2) The clerk of the rural district council shall render such assistance as may be required by the registration officer in the alteration of the register under this article.

(3) Any necessary expense incurred by the registration officer solely in the alteration of the register under this article shall be defrayed by the rural district council.

Charities

9.—(1) Where, immediately before 1st April 1974, any property is held, as sole trustee, exclusively for charitable purposes by the parish council, parish

meeting or representative body of an existing rural parish mentioned in paragraph 1 of Part IV of Schedule 1 to the Act or in paragraph (2) of article 3 of this order, that property shall on that date vest (on the same trusts)—

(*a*) if it is held for the benefit of, or of the inhabitants of, or of any particular class or body of persons in, a specified area, in the parish council, parish meeting or parish trustees, as the case may be, of the parish, whether a new parish or otherwise, which comprises the whole or the greater part of that specified area; or

(*b*) if it is not so held, in the parish council, parish meeting or parish trustees, as the case may be, of the parish, whether a new parish or otherwise, which comprises the greater part of the area of the existing rural parish.

(2) Where, immediately before 1st April 1974, any power with respect to a charity, not being a charity incorporated under the Companies Act or by charter, is under the trusts of the charity or by virtue of any enactment vested in, or in the holder of an office connected with, the parish council or parish meeting of an existing rural parish to which paragraph (1) of this article applies, that power shall on that date vest in, or in the holder of the corresponding office connected with, or (if there is no such office) the proper officer of, the parish council or parish meeting of the parish, whether a new parish or otherwise, in which had property of the charity been vested in the parish council or parish meeting of the existing rural parish, that property would have vested under paragraph (1) of this article.

(3) References in paragraph (2) of this article to a power with respect to a charity do not include references to a power of any person by virtue of being a charity trustee thereof; but where under the trusts of any charity, not being a charity incorporated under the Companies Acts or by charter, the charity trustees immediately before 1st April 1974 include either the parish council or parish meeting of an existing rural parish to which paragraph (1) of this article applies or the holder of an office connected with such a parish council or parish meeting, those trustees shall as from that date instead include the parish council or parish meeting specified in paragraph (2) of this article or, as the case may require, the holder of the corresponding office connected with, or (if there is no such office) the proper officer of, that authority.

(4) Where the whole or the greater part of a specified area, or the greater part of the area of an existing rural parish, as the case may be, is not comprised in any parish, paragraphs (1), (2) and (3) of this article shall be read as providing for the vesting of the property or the power in, or the inclusion of, or of officers of, the district council.

(5) Nothing in this article shall affect any power of Her Majesty, the court or any other person to alter the trusts of any charity.

(6) In this article, "charity", "charity trustees", "court" and "trusts" have the same meanings as in the Charities Act 1960**(a)**.

Expenses of parish meeting

10. In the year beginning on 1st April 1974 the district council shall levy rates in the new parish of Courteenhall and make payments to the parish meeting of the new parish as if the chairman of the parish meeting had issued a precept to the district council requiring the payment of a sum equal to a rate

(a) 1960 c. 58.

of 1p in the pound calculated on the total rateable value as set out in the valuation list on 1st April 1974.

General savings

11. Nothing in this order shall affect—

(*a*) the existing division of any parliamentary constituency into polling districts and designation of polling places;

(*b*) any district or sub-district for the purposes of the Registration Service Act 1953(**a**), the Births and Deaths Registration Act 1953(**b**) or the Marriage Acts 1949 to 1970;

(*c*) any ecclesiastical parish or district;

(*d*) the area for the supply of water of any local authority, company or other body, or the powers, byelaws or existing charges of any local authority, company or other body providing such supply;

(*e*) any order in force under the Shops Act 1950(**c**); or

(*f*) any right or interest under any inclosure award.

SCHEDULE 1

NAMES OF NEW PARISHES — Articles 4 and 6

(1) Parish	(2) Name	(3) Number of parish councillors
Parishes constituted by paragraph 1 *of Part IV of Schedule* 1 *to the Act*		
Parish described in item (*a*)	Great Altcar	5
" " " " (*b*)	Altcar	7
" " " " (*c*)	Birtley	15
" " " " (*d*)	Blagdon	11
" " " " (*e*)	Bold	—
" " " " (*f*)	Britwell	13
" " " " (*g*)	Burnham	—
" " " " (*h*)	Burrington	5
" " " " (*i*)	Salfords and Sidlow	—
" " " " (*j*)	Charlwood	9
" " " " (*k*)	Burton	6
" " " " (*l*)	Bransgore	6
" " " " (*m*)	Compton Martin	7
" " " " (*n*)	Corton	9
" " " " (*o*)	East Harptree	7
" " " " (*p*)	North Lodge	9
" " " " (*q*)	Harworth Bircotes	—
" " " " (*r*)	Herringfleet	5
" " " " (*s*)	Horley	—
" " " " (*t*)	Loxton	5
" " " " (*u*)	Lydiate	—
" " " " (*v*)	Sopley	6
" " " " (*w*)	South Biddick	5
" " " " (*x*)	Ubley	7
" " " " (*y*)	West Harptree	7
" " " " (*z*)	Wexham Court	11
" " " " (*za*)	Wexham	—

(**a**) 1953 c. 37. (**b**) 1953 c. 20. (**c**) 1950 c. 28.

(1) Parish	(2) Name	(3) Number of parish councillors
Parishes constituted by article 3(2) *of this order*		
Parish described in item (*a*)	Nash Mills	5
" " " " (*b*)	Abbots Langley	—
" " " " (*c*)	Alwalton	5
" " " " (*d*)	Orton Waterville	9
" " " " (*e*)	Aston	7
" " " " (*f*)	Brafield on the Green	7
" " " " (*g*)	Collingtree	7
" " " " (*h*)	Milton Malsor	9
" " " " (*i*)	Courteenhall	—
" " " " (*j*)	Datchworth	8
" " " " (*k*)	Ecton	9
" " " " (*l*)	Great Houghton	7
" " " " (*m*)	Little Houghton	9
" " " " (*n*)	Heighington	9
" " " " (*o*)	Kislingbury	9
" " " " (*p*)	Upton	11
" " " " (*q*)	Wootton	12
" " " " (*r*)	Newton Longville	7
" " " " (*s*)	Orton Longueville	9
" " " " (*t*)	Overstone	9
" " " " (*u*)	Redbourn	12
" " " " (*v*)	Reedham	9
" " " " (*w*)	Rothersthorpe	7
" " " " (*x*)	St. Michael	7
" " " " (*y*)	Shenley Brook End	5
" " " " (*z*)	Whaddon	5
" " " " (*za*)	Shifnal	15
" " " " (*zb*)	Slaugham	13
" " " " (*zc*)	Thorpe St. Andrew	15
" " " " (*zd*)	Worth	—

SCHEDULE 2

WARDS

Article 6

(1) New parish	(2) Name of ward	(3) Area comprised in ward	(4) Number of parish councillors
Abbots Langley	No. 1	The part of the Nash Mills ward of the existing parish of Abbots Langley in the new parish	2
	No. 2	The part of the Bedmond ward of the existing parish of Abbots Langley in the new parish	2
	No. 3 (Langleybury)	The Langleybury ward of the existing parish of Abbots Langley	4
	No. 4 (Leavesden)	The Leavesden ward of the existing parish of Abbots Langley	3
Bold	No. 1 (North)	The North ward of the existing parish of Bold	5
	No. 2 (South)	The part of the South ward of the existing parish of Bold in the new parish	7
Burnham	Western	The Western ward of the existing parish of Burnham	8
	Eastern	The Eastern ward of the existing parish of Burnham	1
	Southern	The Southern ward of the existing parish of Burnham	8

(1) New parish	(2) Name of ward	(3) Area comprised in ward	(4) Number of parish councillors
Great Aycliffe	Newton Aycliffe No. 1	The existing Newton Aycliffe No. 1 ward	3
	Newton Aycliffe No. 2	The existing Newton Aycliffe No. 2 ward	3
	Newton Aycliffe No. 3	The existing Newton Aycliffe No. 3 ward	4
	Newton Aycliffe No. 4	The existing Newton Aycliffe No. 4 ward	4
	Newton Aycliffe No. 5	The existing Newton Aycliffe No. 5 ward and the part of the existing parish of Heighington added to the parish	5
	Aycliffe Village	The existing Aycliffe Village ward	2
Great Sankey	No. 1 (East)	The existing East ward	5
	No. 2	The existing West ward and the part of the existing parish of Bold added to the parish	5
Hackleton	No. 1 (Hackleton)	The existing Hackleton ward	6
	No. 2	The existing Piddington ward and the part of the existing parish of Wootton added to the parish	5
Harworth Bircotes	No. 1 (East)	The part of the East ward of the existing parish of Harworth in the new parish	9
	No. 2 (West)	The part of the West ward of the existing parish of Harworth in the new parish	5
Horley	No. 1	The Central ward of the existing parish of Horley	5
	No. 2	The part of the West ward of the existing parish of Horley in the new parish	6

	No. 3	The South East ward of the existing parish of Horley and the part of the North Ward of that parish in the new parish	3
Lilleshall	No. 1 (Lilleshall)	The existing Lilleshall ward	7
	No. 2	The existing Donnington Wood ward and the part of the existing parish of Shifnal added to the parish	8
Lydiate	No. 1 (North)	The part of the North ward of the existing parish of Lydiate in the new parish	3
	No. 2 (South)	The South ward of the existing parish of Lydiate	5
	No. 3 (West)	The West ward of the existing parish of Lydiate	4
Salfords and Sidlow	No. 1	The part of the North ward of the existing parish of Horley in the new parish	6
	No. 2	The parts of the existing parish of Charlwood and the West ward of the existing parish of Horley in the new parish	1
Wexham	No. 1 (George Green)	The George Green ward of the existing parish of Wexham	3
	No. 2 (Middle Green)	The Middle Green ward of the existing parish of Wexham	3
	No. 3 (Wexham Street)	The part of the Wexham Street ward of the existing parish of Wexham in the new parish	3
Worth	No. 1 (Crawley Down)	The Crawley Down ward of the existing parish of Worth	7
	No. 2 (Turners Hill)	The Turners Hill ward of the existing parish of Worth	4
	No. 3 (Worth and Copthorne)	The part of the Worth and Copthorne ward of the existing parish of Worth in the new parish	7

5th April 1973.

Geoffrey Rippon,
Secretary of State
for the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The new counties and metropolitan districts established in England by the Local Government Act 1972 divide a number of parishes. Provision for the part parishes to be new parishes, to be added to adjoining parishes, or to be in no parish was made in the Act. This order makes similar provision in relation to parishes divided between non-metropolitan districts under the English Non-metropolitan Districts (Definition) Order 1972.

This order also names the new parishes and makes provision in relation to the first elections of parish councillors and transitional provision (on the lines of section 210 of the Act) in relation to charities.

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