STATUTORY INSTRUMENTS

1984 No. 152

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Newcastle-Under-Lyme (Parishes) Order 1984

Made - - - - - -	10*th February* 1984
Coming into Operation — for the purposes described in article 2(1)-	16*th February* 1984
for all other purposes -	1*st April* 1984

Whereas the Borough Council of Newcastle-Under-Lyme, acting pursuant to section 48(8) of the Local Government Act 1972(a), has made recommendations to the Local Government Boundary Commission for England for proposals about parishes in the borough:

And whereas the said Commission has seen fit, pursuant to sections 47, 48(9) and 51(1) of that Act, on 31st July 1981, to make the recommended proposals to the Secretary of State:

And whereas the Secretary of State has decided to give effect to those proposals 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 Newcastle-Under-Lyme (Parishes) Order 1984.

2.— (1) 16th February 1984 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 Regulations.

(2) For all other purposes this order shall come into operation on 1st April 1984.

(a) 1972 c.70.

Interpretation

3. In this order—

"the borough" means the borough of Newcastle-Under-Lyme, and "the borough council" means the council of the borough;

"the county" means the county of Staffordshire;

"new parish" means the parish of Loggerheads constituted by this order;

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

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

Maps

4.— (1) In this order—

"the boundary maps" means the 9 maps issued by the Department of the Environment in 4 sheets, each sheet being marked "Map sheet of the Newcastle-Under-Lyme (Parishes) Order 1984" and with the number of the map sheet, and each map being marked with a letter, any reference to a map by number and letter being a reference to the map so lettered on the map sheet so numbered; and

"the ward map" means the map consisting of 4 sheets prepared in duplicate, sealed with the corporate seal of the Secretary of State for the Environment and marked "Loggerheads Parish Ward Map 1984 (Newcastle-Under-Lyme District)".

(2) Regulation 5 of the Regulations shall not apply to the ward map.

(3) One duplicate of the ward map shall be deposited in the offices of the Secretary of State for the Environment and the other shall be deposited in the offices of the borough council.

(4) The borough council shall, after 1st April 1984, send a copy of the ward map, certified by the proper officer of the borough council to be a true copy, to the new parish council for deposit with the records of the new parish.

(5) The ward map deposited in the offices of the borough council shall at all reasonable times be open to inspection by any person affected by the changes of areas made by this order, and on payment of a reasonable fee (to be determined by the borough council) any such person shall be entitled to a copy of or an extract from it, certified by the proper officer of the borough council to be a true copy or extract, which shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map as regards the establishment by this order of the boundaries of any ward.

Changes in areas

5.— (1) A new parish, to be known as the parish of Loggerheads, shall be constituted, consisting of the areas of the parishes of Ashley, Mucklestone and Tyrley. The new parish shall remain or form part of the Newcastle Rural electoral division of the county, of the Loggerheads ward of the borough, of the

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

Pirehill North petty sessional division and of the Staffordshire (North) coroner's district.

(2) The parts of parishes described in column (1) of Schedule 1 to this order and marked on the boundary maps as specified in column (2) shall, in so far as parishes, parish wards, electoral divisions of the county and wards of the borough are specified in respect thereof in columns (3) to (6), be transferred to and form part of such areas.

(3) The parts of parishes described in column (1) of Schedule 2 to this order and marked on the boundary maps as specified in column (2) shall cease to form part of any parish and shall form part of the electoral divisions of the county and wards of the borough specified in respect thereof in columns (3) and (4).

(4) The parts of the area of the former municipal borough of Newcastle-Under-Lyme marked on the boundary maps as specified in column (1) of Schedule 3 to this order shall form part of the parishes, parish wards, electoral divisions of the county and wards of the borough specified in respect thereof in columns (2) to (5).

6.— (1) In this article, "the boundary line" means a line which starts at National Grid Reference SJ 8348451749 in the centre of Peacock Hay Road, runs eastwards along the centre line of that road and then of Lowlands Road, and terminates where it meets a line drawn due south west from the mereing point at National Grid Reference SJ 8440751929.

(2) The parts of the former municipal borough of Newcastle-Under-Lyme falling north of the boundary line shall form part of the town of Kidsgrove, and of the Pirehill North petty sessional division. Those parts lying west of the centre of the Stoke to Manchester railway line shall be comprised in the Talke ward of the town, in the Talke electoral division of the county and in the Talke ward of the borough. Those parts lying east of the centre shall be comprised in the Kidsgrove ward of the town, in the Kidsgrove electoral division of the county and in the Kidsgrove ward of the borough.

(3) Those parts of the town of Kidsgrove falling south of the boundary line shall cease to form part of any parish, but shall form part of the Bradwell and Porthill electoral division of the county, of the Bradwell ward of the borough, and of the Newcastle-Under-Lyme petty sessional division.

New parish council

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

(2) The new parish shall be divided into 4 parish wards to be known as Ashley, Loggerheads, Mucklestone and Tyrley, such wards consisting of the areas shown by broken red lines on the ward map. The numbers of parish councillors for the said wards shall be 5, 8, 3 and 3 respectively.

(3) Parish councillors of the new parish shall be elected on such day before 1st April 1984 as the returning officer shall appoint, and such elections shall be conducted in accordance with rules made under section 36 of the Representation of the People Act 1983(a).

(a) 1983 c.2.

(4) The persons elected as councillors as the result of the said elections shall come into office on 1st April 1984 and shall retire on the fourth day after the ordinary day of election of councillors in 1987. Any person in office prior to 1st April 1984 as a parish councillor of the parish of Ashley, Mucklestone or Tyrley shall cease to hold office on 1st April 1984.

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

(6) The first assembly of the parish meeting for the new parish shall be convened by the proper officer of the borough council. If such first assembly is 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.

Dissolution of parish authorities

8. The parish councils of Ashley, Mucklestone and Tyrley 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

9. The public books, writings and papers of the parishes of Ashley, Mucklestone and Tyrley (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

10. In the year beginning on 1st April 1984 the borough council shall 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 equal to the product of a rate of 1p. in the pound calculated on the total rateable value as set out in the valuation list on 1st April 1984.

Statutory definitions of areas

11. In any application of sub-paragraph (*b*) of paragraph (1) (statutory definitions of areas) of regulation 40 of the Regulations, the areas to which articles 5(3) and 6(3) apply shall be deemed to have been added to the area of the former municipal borough of Newcastle-Under-Lyme, and the areas to which articles 5(4) and 6(2) apply shall be deemed to have ceased to form part of such area.

Local Acts, orders and byelaws

12.— (1) The area of the former municipal borough of Newcastle-Under-Lyme shall be a relevant area within the meaning of regulation 41 (Local Acts, orders and byelaws) of the Regulations and is hereby specified in relation to paragraph (4) of that regulation, and the area comprising—

the first-mentioned area other than the parts thereof to which articles 5(4) and 6(2) apply; and

the areas to which articles 5(3) and 6(3) apply

is hereby specified in relation to the first-mentioned area.

(2) The parishes of Ashley, Mucklestone and Tyrley are hereby specified in relation to the said paragraph (4) and the new parish is hereby specified in relation to such parishes.

(3) Paragraphs (1) and (2) are without prejudice to the operation of regulation 41(3) of the Regulations in respect of any parish as altered.

SCHEDULE 1

PARTS OF PARISHES TRANSFERRED TO OTHER PARISHES

(1) Description of Areas	(2) References of boundary map and marking of areas	(3) Parish	(4) Parish ward	(5) County electoral division	(6) Borough ward
Part of the Parish of Audley Rural	1c—A1	Kidsgrove	Talke	Talke	Talke
Parts of the Parish of Chapel and Hill Chorlton	4b—A9 and A10	Maer	—	—	—
Parts of the Parish of Chapel and Hill Chorlton	1a,4a and 4b—A8,A12 and A14	Whitmore	—	—	—
Parts of the Parish of Keele	2b and 3a—A2 and A3	Whitmore	—	Newcastle Rural	Whitmore
Parts of the Parish of Madeley	4a and 4b—A6	Whitmore	—	—	Whitmore
Part of the Parish of Maer	4b—A11	Chapel and Hill Chorlton	—	—	—
Part of the Parish of Maer	4a and 4b—A7	Whitmore	—	—	—
Parts of the Parish of Whitmore	1a—A5 and A13	Chapel and Hill Chorlton	—	—	—
Part of the Parish of Whitmore	3a—A4	Keele	—	Keele and Silverdale	Keele

SCHEDULE 2

PARTS OF PARISHES TRANSFERRED TO UNPARISHED AREA

(1) Description of areas	(2) Reference of boundary map and markings of areas	(3) County electoral division	(4) Borough ward
Parts of the Town of Kidsgrove	1b—B1 and B2	Bradwell and Porthill	Bradwell
Part of the Parish of Whitmore	3a—B3	Thistleberry	Seabridge
Parts of the Parish of Whitmore	2a—B4, B5 and B6	Thistleberry	Seabridge

SCHEDULE 3

PARTS OF THE AREA OF THE FORMER MUNICIPAL BOROUGH OF NEWCASTLE-UNDER-LYME TO FORM PARTS OF PARISHES

(1) Reference of boundary map and marking of areas	(2) Parish	(3) Parish ward	(4) County electoral division	(5) Borough ward
1d—C4	Audley Rural	Halmerend	—	—
1b—C1a	Kidsgrove	Talke	Talke	Talke
1b—C1b, C2 and C3	Kidsgrove	Talke	Talke	Talke
2a and 3a—C5 to C10	Whitmore	—	Newcastle Rural	Whitmore

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

Signed by authority
of the Secretary of State

10th February 1984.

EXPLANATORY NOTE

(This note is not part of the order.)

This order—

(a) creates a new parish in the borough of Newcastle-Under-Lyme, to be known as the parish of Loggerheads, comprising the areas of the existing parishes of Ashley, Mucklestone and Tyrley;

(b) effects transfers as between parishes in the borough; and

(c) effects transfers as between the unparished area of the former municipal borough and certain parishes.

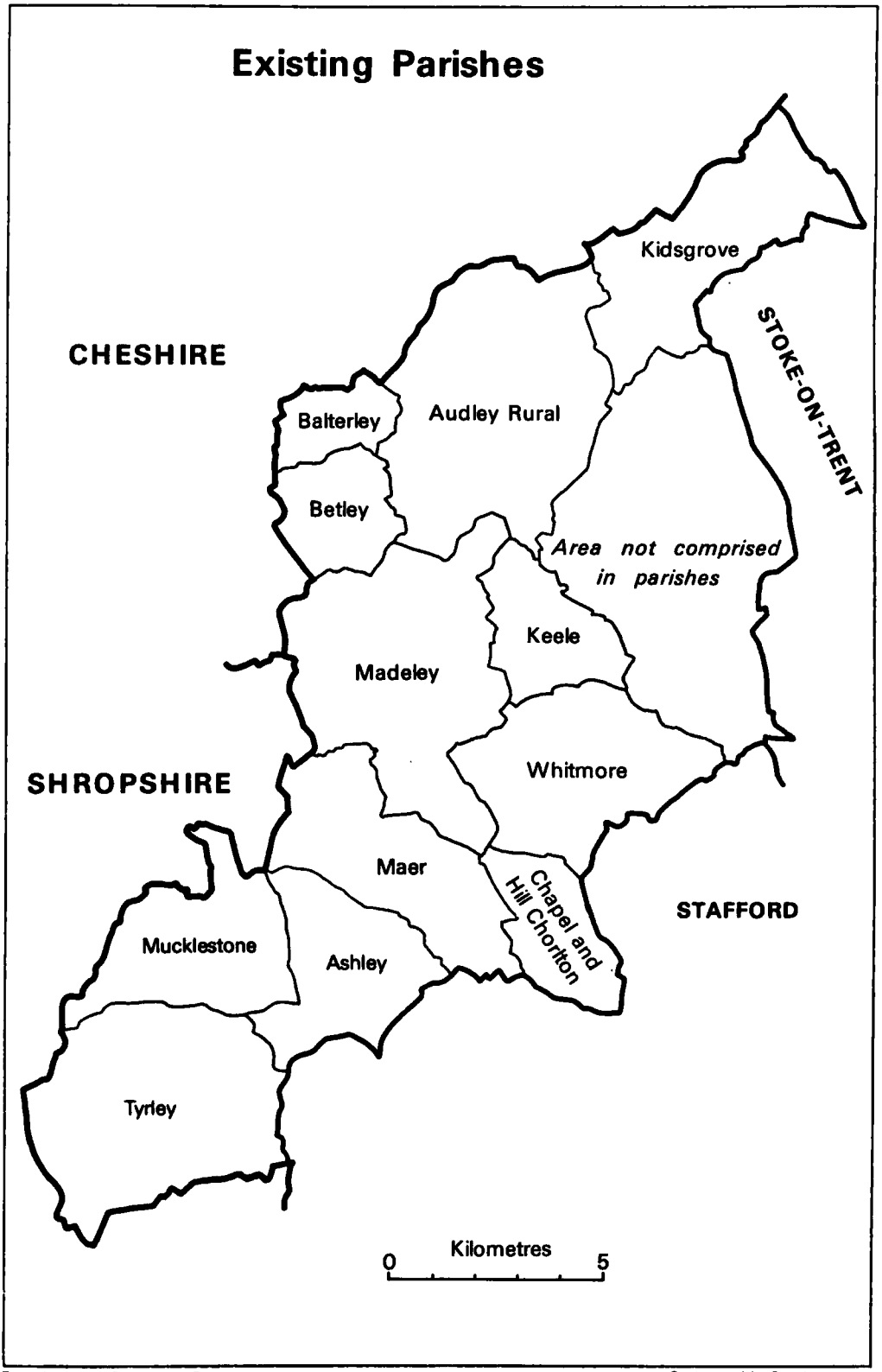
The maps forming part of this note (pages 9 and 10) show the areas affected before and as from 1st April 1984.

Prints of the boundary maps referred to in article 4 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 4790 hectares, a population of 3620, and a rateable value of £404,600.

The order establishes a parish council for the new parish.

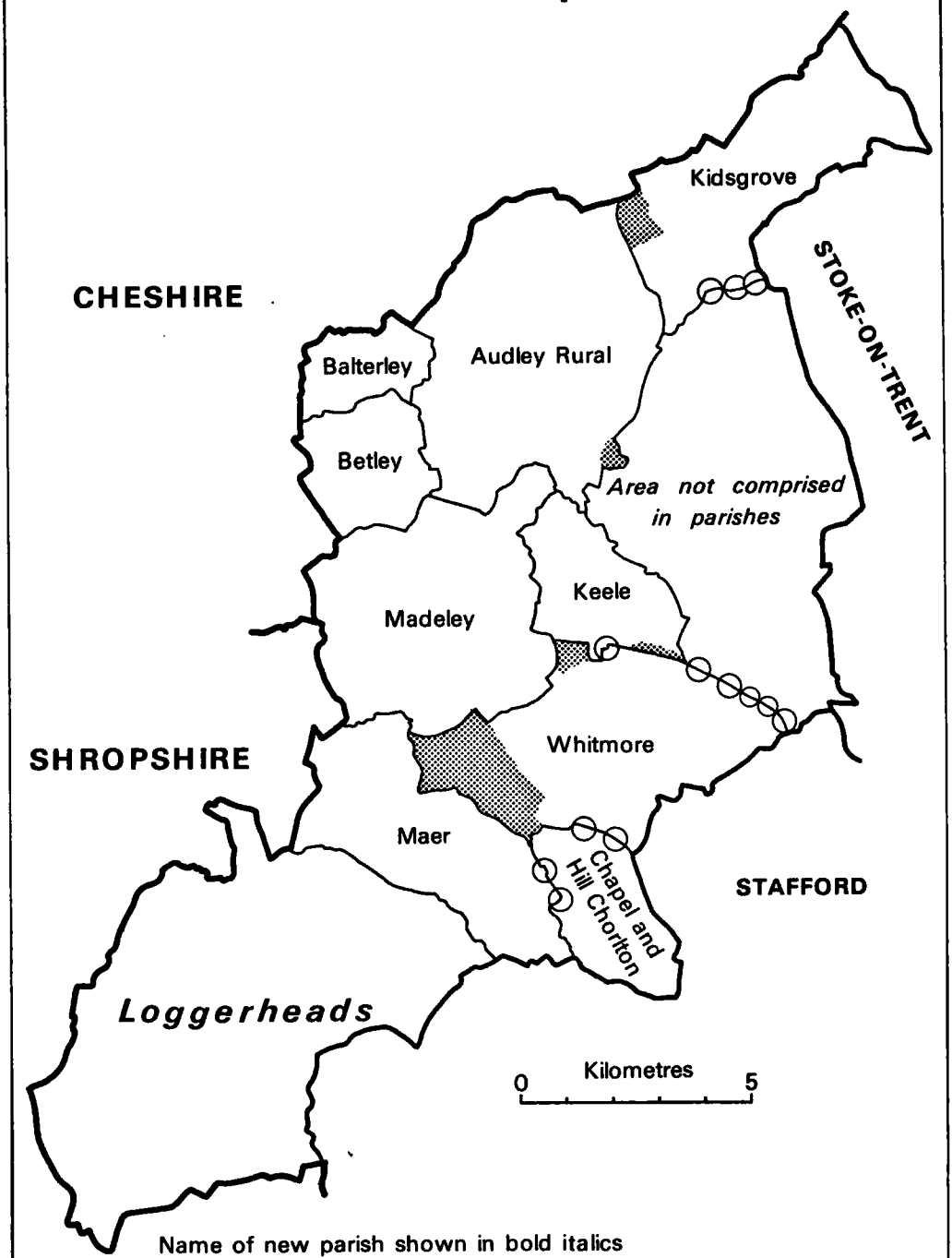
Incidental, consequential, transitional and supplementary provision for orders such as the present one is made by the Local Government Area Changes Regulations 1976 (see article 3).



Based on the Ordnance Survey map

Cartographic Services DOE

Parishes as from 1 April 1984



Name of new parish shown in bold italics

Main areas transferred otherwise than to new parish

Circles indicate location of small areas so transferred

Based on the Ordnance Survey map

Cartographic Services DOE