STATUTORY INSTRUMENTS

1980 No. 302

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Parish of Newark Order 1980

Made - - - - - - - -	3*rd March* 1980
Coming into Operation-	
for the purposes described in article 2(1)	10*th March* 1980
for all other purposes - - - -	1*st April* 1980

Whereas the District Council of Newark, under section 48(8) of the Local Government Act 1972(a), made recommendations to the Local Government Boundary Commission for England for proposals for the constitution of a new parish in the area of the former borough of Newark;

And whereas the said Commission, under sections 47 and 51(1) of the said Act, made such proposals to the Secretary of State for the Environment:

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 Parish of Newark Order 1980.

2.—(1) 10th March 1980 is hereby specified as the day on which this order shall come into operation for any purposes set out in regulation 4(1) (Coming into operation of order) of the Regulations as modified by paragraph (2).

For all other purposes this order shall come into operation on the appointed day.

(2) In the said regulation 4(1), item (*e*) shall not apply in relation to the constitution of the new parish council.

Interpretation

3. In this order—

"the appointed day" means 1st April 1980;

"the district" means the District of Newark and "the district council" means the council of the district;

(a) 1972 c. 70.

"the new parish" means the Parish of Newark constituted by this order;

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

"the proper officer", in relation to any purpose, means the officer appointed for that purpose by the district council; and

"the Regulations" means the Local Government Area Changes Regulations 1976(a) as amended by the Local Government Area Changes (Amendment) Regulations 1978(b).

The ward map

4.—(1) In this order, "the ward map" means the map prepared in duplicate, sealed with the corporate seal of the Secretary of State for the Environment and marked "Map referred to in the Parish of Newark Order 1980".

(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 district council.

(4) The district council shall, after the appointed day, send a copy of the map, certified by the proper officer of the district council to be a true copy, to the new parish council for deposit with the records of the new parish.

(5) The map deposited in the offices of the district 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 district council) any such person shall be entitled to a copy of or an extract from it, certified by the proper officer of the district 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) The part of the district being the area of the former borough of Newark shall form a new parish to be known as the Parish of Newark.

(2) Nothing in this order shall affect any electoral division of the County of Nottinghamshire or any ward of the district.

(3) The new parish shall remain part of the Newark and Southwell petty sessional division and of the Newark and Nottingham (County) coroner's district.

Parish council

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

(2) From the appointed day to 5th May 1980, for the purposes of any action necessary in relation to matters transferred to the council by regulation 62 of the Regulations, the new parish council shall consist of the district councillors for the Beacon, Bridge, Castle, Devon and Magnus wards.

(3) As from 5th May 1980—

(*a*) the new parish shall be divided into 18 parish wards to be known (except as the district council by resolution provide) as Beacon No. 1, Beacon

(a) S.I. 1976/246. (b) S.I. 1978/247.

No. 2, Beacon No. 3, Bridge No. 1, Bridge No. 2, Bridge No. 3, Bridge No. 4, Castle No. 1, Castle No. 2, Castle No. 3, Castle No. 4, Devon No. 1, Devon No. 2, Devon No. 3, Devon No. 4, Magnus No. 1, Magnus No. 2 and Magnus No. 3, such wards consisting of the areas shown by red lines on the ward map;

(*b*) there shall be one parish councillor for each parish ward.

(4) Parish councillors of the new parish shall be elected on 1st May 1980. The persons elected shall come into office on 5th May 1980 and shall retire on the fourth day after the ordinary day of election of councillors in 1983.

(5) The annual meeting of the new parish council for 1980 shall be held on, or within 14 days after, 5th May 1980 and shall be convened by the proper officer of the district council.

Parish meeting

7.—(1) The first assembly of the parish meeting for the new parish shall be convened by the proper officer of the district council.

(2) 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 purpose of that meeting, the powers and authority of the chairman.

Local officers of dignity

8. Any powers to appoint local officers of dignity exercisable immediately before the appointed day by the Charter Trustees of the Town of Newark shall be exercisable at and after their annual meeting for 1980 by the new parish council.

Town mayor and deputy town mayor

9. Regulation 12(4) of the Regulations shall not have effect until immediately before the annual meeting of the new parish council for 1980.

Expenses of new parish council

10. In the year beginning on the appointed day the district 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 district council requiring the payment of a sum equal to the product of a rate of 5·2p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

D. Gruffydd Jones,
An Under Secretary in the Department of the Environment.

Signed by authority of the Secretary of State
3rd March 1980.

EXPLANATORY NOTE

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

This order constitutes a new parish, viz., the Parish of Newark, comprising the area of the former borough of Newark, in the District of Newark.

The new parish will have approximately an area of 1,360 hectares, a population of 23,635 and a rateable value of £2,957,100.

The order establishes a parish council for the new parish.

Incidental, consequential, transitional and supplementary provision in consequence of orders of the nature of the present one is contained in the Regulations defined in article 3.

The Regulations referred to will transfer property within the definition of "parish matters" in Schedule 6 therein from the district council to the new parish council. A further transfer of property may be effected by a second order, when the district council and the new parish council have been able to consider together.

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