STATUTORY INSTRUMENTS

1980 No. 32

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Parish of Penzance Order 1980

Made - - - -	10*th January* 1980
Coming into Operation—	
for the purposes described in article 2 -	31*st January* 1980
for all other purposes -	1*st April* 1980

Whereas the District Council of Penwith, 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 Penzance;

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 Penzance Order 1980.

2. 31st January 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.

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

Interpretation

3. In this order—

"the appointed day" means 1st April 1980;

"the district" means the District of Penwith, and "the district council" means the council of the district;

(a) 1972 c. 70.

"the new parish" means the Parish of Penzance constituted by 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) as amended by the Local Government Area Changes (Amendment) Regulations 1978(b).

Changes in areas

4.—(1) The part of the district being the area of the former borough of Penzance shall form a new parish to be known as the Parish of Penzance.

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

(3) The new parish shall remain part of the Penwith petty sessional division and of the Western coroner's district.

Parish council

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

(2) The new parish shall be divided into 5 parish wards to be known as Penzance Central, Penzance East, Penzance North, Penzance South and Penzance West, which shall respectively comprise the areas at the coming into operation of this order of the corresponding wards of the district. The number of councillors for each parish ward shall be 3.

(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 councillors as the result of the said elections shall come into office on the appointed day 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 in April 1980 and shall be convened by the officer appointed for that purpose by the district council.

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 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 purposes of that meeting, the powers and authority of the chairman.

Local officers of dignity

7. Any powers to appoint local officers of dignity exercisable immediately before the appointed day by the Charter Trustees of the Town of Penzance shall be exercisable on and after that day by the new parish council.

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

Expenses of new parish council

8. 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 0·7p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Signed by authority of the
Secretary of State
10th January 1980.

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

EXPLANATORY NOTE

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

This Order constitutes a new parish, viz., the Parish of Penzance, comprising the area of the former borough of Penzance, in the District of Penwith.

The new parish will have approximately an area of 1,290 hectares, a population of 19,400 and a rateable value of £2,112,300.

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.