STATUTORY INSTRUMENTS

1981 No. 1075

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Parish of Whittlesey Order 1981

Made - - - -	24*th July* 1981
Coming into Operation—	
for the purposes described in article 2 -	21*st September* 1981
for all other purposes -	1*st November* 1981

Whereas the District Council of Fenland, 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 urban district of Whittlesey;

And whereas the said Commission, under sections 47 and 51(1) of the said Act, on 6th January 1981, 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 Whittlesey Order 1981.

2. 21st September 1981 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 November 1981.

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

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

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

(a) 1972 c. 70.

"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 urban district of Whittlesey shall constitute a new parish to be known as the Parish of Whittlesey.

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

(3) The new parish shall remain part of the Peterborough petty sessional division and of the Northern 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 6 parish wards to be known as Whittlesey Bassenhally, Whittlesey Central, Whittlesey East, Whittlesey Kingsmoor, Whittlesey South and Whittlesey 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 2.

(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 1981 shall be held in November 1981 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.

Statutory definitions of areas

7. In any application of paragraph (1) (certain definitions of areas) of Regulation 40 of the Regulations to a reference to the area of the former urban district of Whittlesey, the following provision, namely—

"For any reference to the area of the former urban district of Whittlesey there shall be substituted a reference to the Parish of Whittlesey."

shall have effect in place of sub-paragraph (*b*).

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

Signed by authority of the
Secretary of State
24th July 1981.

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 Whittlesey, comprising the area of the former urban district of Whittlesey, in the District of Fenland.

The new parish will have approximately an area of 9,454 hectares, a population of 12,000 and a rateable value of £1,343,127.

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 of the order.

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.