STATUTORY INSTRUMENTS

1983 No. 288

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The West Somerset (Parishes) Order 1983

Made - - - -	*28th February* 1983
Coming into Operation—	
for the purposes described in article 2(1)	*14th March* 1983
for all other purposes	*1st April* 1983

Whereas the District Council of West Somerset, under section 48(8) of the Local Government Act 1972(**a**), made recommendations to the Local Government Boundary Commission for England for proposals in relation to parishes in the district;

And whereas the said Commission, under sections 47 and 51(1) of the said Act, on 28th August 1981, made such proposals, with a modification, 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 giving effect to the said proposals with modifications:—

Title and commencement

1. This order may be cited as the West Somerset (Parishes) Order 1983.

2.— (1) 14th March 1983 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.

(**a**) 1972 c. 70.

Interpretation

3. In this order—

"the appointed day" means 1st April 1983;

"the county" means the County of Somerset;

"the district" means the District of West Somerset, and "the district council" means the council of the district;

"the new parish" means the Parish of Minehead 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 boundary maps

4. In this order—

"the boundary maps" means the 17 maps numbered 1 to 8, 8a, 8b and 9 to 15 printed for Her Majesty's Stationery Office by Ordnance Survey, each such map being marked "Map referred to in the West Somerset (Parishes) Order 1983" and with the number of the map; and

any reference to a numbered boundary map is a reference to the map described and numbered as aforesaid.

Changes in areas

5.— (1) The part of the district being the area of the former urban district of Minehead shall constitute a new parish to be known as the Parish of Minehead.

Nothing in this paragraph shall affect any electoral division of the county or ward of the district.

The said new parish shall remain part of the West Somerset petty sessional division and of the Western coroner's district.

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

New parish: council and meeting

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

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

(2) As from 9th May 1983 the new parish shall be divided into three parish wards to be known as Alcombe, Minehead North and Minehead South, which shall respectively comprise the areas at that date of the corresponding wards of the district. There shall be 5 councillors for each such ward.

(3) The annual meeting of the new parish council for 1983 shall be convened by the proper officer of the district council.

(4) The first assembly of the parish meeting for the new parish shall be convened by the proper officer of the district 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.

Councillors

7.— (1) From the appointed day to 9th May 1983 the new parish council shall consist of the district councillors for the Alcombe, Minehead North and Minehead South wards.

(2) Elections of councillors of the new parish shall be held on 5th May 1983. The persons elected shall come into office on 9th May 1983 and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

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 1p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Charities

9. Regulation 24 (Charities) of the Regulations shall have effect with the following modifications:—

(i) in paragraph (1) there shall be inserted—

"(*cc*) Where such property is held by the District Council of West Somerset for the benefit of, or of the inhabitants of, or of any particular class or body of persons in, a specified area the whole or the greater part of which is in the Parish of Minehead, that property shall by virtue of this paragraph be transferred to and vest (on the same trusts) in the Parish Council of Minehead;";

(ii) in sub-paragraphs (*d*), (*e*) and (*f*) of the said paragraph, for "(*b*) or (*c*)" there shall be substituted "(*b*), (*c*) or (*cc*)"; and

(iii) in paragraphs (2)(*a*) and (3)(*a*), for "(1)(*b*) or (*c*)" there shall be substituted "(1)(*b*), (*c*) or (*cc*)".

Statutory definitions of areas

10. 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 Minehead the following provision, namely—

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

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

SCHEDULE

PARTS OF PARISHES TRANSFERRED TO OTHER PARISHES

(1) Description	(2) Number of boundary map and marking of area		(3) Parish	(4) Parish ward	(5) County electoral division	(6) District ward
Part of the Parish of Brompton Ralph	14	A1	Clatworthy	—	—	—
Parts of the Parish of Brompton Regis	12	A2	Exton	—	—	Quarme
	7	A3				
Part of the Parish of Carhampton	1,2 and 3	A4	Dunster	—	—	Dunster
Part of the Parish of Carhampton	3	A5	Withycombe	—	—	—
Part of the Parish of Exton	6 and 12	A6	Winsford	—	—	—
Part of the Parish of Huish Champflower	13 and 15	A7	Upton	—	—	—
Part of the Parish of Luxborough	7	A8	Exton	—	Dulverton	Quarme
Part of the Parish of Luxborough	7	A9	Brompton Regis	—	Dulverton	Haddon
Part of the Parish of Nettlecombe	14	A10	Clatworthy	—	—	—
Parts of the Parish of Nettlecombe	8	A11 and A12	Old Cleeve	Roadwater	Williton	Old Cleeve
	8 and 3	A13		Washford		
	8a	A14, A15 and A16		Roadwater		
	8b	A17		Roadwater		
Parts of the Parish of Old Cleeve	8	A18	Nettlecombe	—	Quantock	East Brendon
	3	A19				
	8b	A20				
	8a and 8b	A21				
	8a	A22 and A23				
Part of the Parish of Old Cleeve	4	A24	Watchet	—	—	Watchet
Part of the Parish of Sampford Brett	4	A25	Williton	—	—	Williton
Part of the Parish of Stogumber	9	A26	Monksilver	—	—	East Brendon

SCHEDULE

PARTS OF PARISHES TRANSFERRED TO OTHER PARISHES

(1) Description	(2) Number of boundary map and marking of area		(3) Parish	(4) Parish ward	(5) County electoral division	(6) District ward
Parts of the Parish of Timberscombe	2	A27 and A28	Wootton Courtenay	—	—	—
Part of the Parish of Upton	15	A29	Huish Champflower	—	—	—
Part of the Parish of Williton	9	A30	Nettlecombe	—	Quantock	East Brendon
Part of the Parish of Williton	4	A31	Watchet	—	—	Watchet
Part of the Parish of Williton	4 and 5	A32	West Quantoxhead	—	Quantock	West Quantock
Part of the Parish of Winsford	12	A33	Exton	—	—	—
Part of the Parish of Winsford	10 and 11	A34	Withypoole	—	—	Exmoor
Part of the Parish of Withycombe	3	A35	Carhampton	Carhampton	—	—
Part of the Parish of Wootton Courtenay	2	A36	Timberscombe	—	—	—

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

Signed by authority of the
Secretary of State
28th February 1983.

EXPLANATORY NOTE

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

This order effects the following operations in the District of West Somerset, namely—

(*a*) the constitution of a new parish of Minehead in the area of the former urban district of Minehead; and

(*b*) the transfer of parts of parishes to other parishes.

The map forming part of this note shows the areas and incorporates a grid identifying the maps referred to in article 4 of the order.

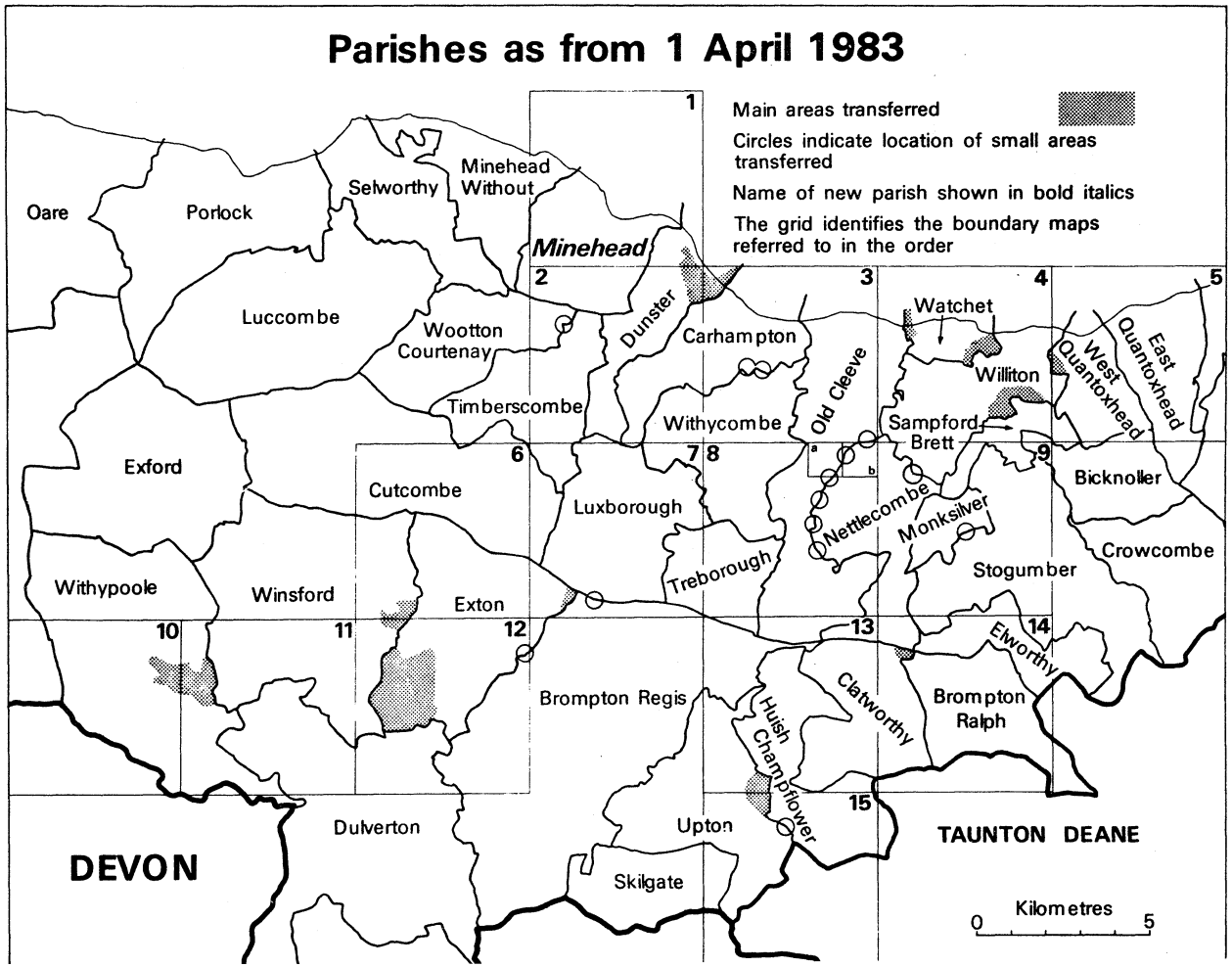
Prints of the maps referred to in article 4 of the order may be inspected at the offices of the district council. Prints may be purchased from the Department of the Environment's Map Library.

The new parish will have approximately an area of 1,108 hectares, a population of 8,720 and a rateable value of £1,495,400.

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.



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