

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT
2007

The Lancaster City Council (Reorganisation of Community Governance)
Order 2009

Made on the day of February 2009

Coming into force in accordance with article 1(2)

Lancaster City Council (“the Council”) received a petition under Section 11 of the Local Government and Rating Act 1997, and the Secretary of State agreed with the Council in accordance with paragraph 10 of the Local Government and Public Involvement in Health Act 2007 (Commencement No. 3, Transitional and Saving Provisions and Commencement No. 2 (Amendment) Order 2008 that the petition should be treated as if it constituted recommendations made in a community governance review for the constitution of a new parish under Section 87 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”);

The Council has decided to give effect to those recommendations and, in so doing has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient:

The Council in accordance with Section 100 of the 2007 Act, has had regard to guidance issued under that section:

The Council makes the following Order in exercise of the powers conferred by sections 86, 98(3), 98(4), 98(6) and 240(10) of the 2007 Act and of all other powers enabling it in that behalf.

Citation and commencement

1.—(1) This Order may be cited as the Lancaster City Council (Reorganisation of Community Governance) Order 2009.

(2) Subject to paragraphs (3) and (4) below, this Order comes into force on the 1st April 2009.

(3) Article 8 and Schedule 1 shall come into force on the ordinary day of election of councillors in 2009.

(4) For the purposes of:

(a) this article,

(b) article 5, and

(c) article 10 and all proceedings preliminary or relating to the election of parish councillors for the parish of Morecambe to be held on the ordinary day of election of councillors in 2009,

this Order shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—

“City” means the City of Lancaster;

“map” means the map marked “Map referred to in the Lancaster City Council (Reorganisation of Community Governance) Order 2009” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means the parish constituted by article 4;

“ordinary day of election of councillors” has the meaning given by section 37 and 37A of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 of the 2007 Act (agreements about incidental matters) relevant to any provision of this Order.

Constitution of a new parish

4.—(1) A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the City.

(2) The name of the new parish shall be Morecambe.

Calculation of budget requirement

5. For the purposes of Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Morecambe the sum of £220,500.

Parish council for the parish of Morecambe

6. – (1) There shall be a parish council for the parish of Morecambe.

(2) The name of that council shall be “The Parish Council of Morecambe”

Elections for the parish of Morecambe

7—(1) Elections of all parish councillors for the parish of Morecambe shall be held on the ordinary day of election of councillors in 2009, 2011, and every four years thereafter.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2009 for the parish of Morecambe shall be two years.

(3) The term of office of every parish councillor elected on the ordinary day of election in 2011 and thereafter shall be four years.

Wards of the parish of Morecambe and numbers of parish councillors

8.—(1) The parish of Morecambe shall be divided into six wards which shall be named as set out in column (1) of Schedule 1.

(2) Each ward shall comprise the area of the city ward specified in respect of the ward in column (2) of Schedule 1 and designated on the map by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each ward shall be the number specified in column (3) of that Schedule 1.

Annual meeting of parish council

9.- The annual meeting of the new parish council in 2009 shall be convened by the Head of Democratic Services of the Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

Electoral register

10.-The registration officer for the City shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Transfer of property, rights and liabilities

11.-The land, property, rights and liabilities described in Schedule 2 shall transfer from the Council to the new parish council on the date specified in column (2) of that Schedule.

Transitional provision

12.-Until the councillors elected to the council of the new parish of Morecambe at the elections to be held on the ordinary day of election of councillors in 2009 come into office, the new parish shall be represented by those persons who immediately before 1st April 2009 are the elected councillors for the city wards of Bare, Harbour, Heysham North, Poulton, Torrisholme and Westgate.

Order date

13.-1st April 2009 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of the Council on the day of February 2009.

Corporate Director

SCHEDULE 1

article 8

WARDS OF THE PARISH OF MORECAMBE

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Name of Parish Ward</i>	<i>Area of Ward</i>	<i>Number of Parish Councillors</i>
Bare	The whole of the city ward of Bare as shown on the map	3
Harbour	The whole of the city ward of Harbour as shown on the map	5
Heysham North	The whole of the city ward of Heysham North as shown on the map	3
Poulton	The whole of the city ward of Poulton as shown on the map	5
Torrisholme	That part of the city ward of Torrisholme shown on the map	5
Westgate	That part of the city ward of Westgate shown on the map	5

SCHEDULE 2

article 9

LAND AND PROPERTY TO BE TRANSFERRED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
Devonshire Road Allotments	1 st April 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by Lancaster City Council for the new parish of Morecambe, within the city of Lancaster City Council.

The parish of Morecambe will be created with effect from 1 April 2009. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2009.

Article 7 provides for parish elections in the parish of Morecambe in 2009, and 2011 and then to continue according to the established system of parish elections every four years.

Article 8 specifies the numbers of parish councillors for the new parish of Morecambe.

Article 8, Schedule 1 and the map establish the names and areas of the wards of the new parish of Morecambe and the numbers of councillors for each ward.

Article 10 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of Morecambe. It is available, at all reasonable times, at the offices of Lancaster City Council.