

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Maldon District Council (Reorganisation of Community Governance) (Heybridge Parish - Basin Ward) Order 2019

*Made as dated below
Coming into force in accordance with article 1(2)*

Maldon District Council (“the Council”), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and on 1 February 2019 agreed the recommendation for the creation of separate civil parish and Parish Council for the Basin Ward of the Parish of Heybridge:

In accordance with section 93 of the 2007 Act, the Council has consulted with the local government electors and other interested persons and taken account of representations received. It 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 has now decided to give effect to that recommendation and in accordance with section 100 of the 2007 Act has also 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.

Citation and commencement

1.(1) This Order may be cited as the Maldon District Council (Reorganisation of Community Governance) (Heybridge Parish – Basin Ward) Order 2019.

(2) Subject to paragraphs 3 and 4 below, it shall come into force on 1 April 2020.

(3) Articles 7 and 11 shall come into force on the ordinary day of election of councillors in May 2020.

(4) For the purposes of:

(a) This Article.

(b) Article 5: and

(c) Proceedings preliminary or relating to the election of councillors for the parish of Heybridge and the parish of Heybridge Basin on the ordinary day of election of councillors in May 2020, this Order shall come into force the day after it is made.

Interpretation

2. In this Order—

“district” means the District of Maldon

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the Maldon (Reorganisation of Community Governance)(Heybridge Parish – Basin Ward) Order 2019” and deposited in accordance with section 96(4) of the 2007 Act;

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

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

“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 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Alteration of area of parish of Heybridge and constitution of new parish

4. (1) The area enclosed in red on the map shall cease to be part of the parish of Heybridge and be constituted as a new parish within the district.

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

Calculation of budget requirement

5. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 No. 626 there is specified in relation to the parish of Heybridge Basin the sum of £24,374.00.

Parish Council for the parish of Heybridge Basin

6. There shall be a parish council for the parish of Heybridge Basin and the name of that council shall be Heybridge Basin Parish Council.

Electoral arrangements for parish of Heybridge Basin

7. (1) The election of all parish councillors for the parish of Heybridge Basin shall be held on the ordinary day of election of councillors in May 2020.

(2) The number of councillors to be elected for the parish of Heybridge Basin shall be 7 (seven).

(3) The term of office of every parish councillor elected on the ordinary day of election in May 2020 for the parish of Heybridge Basin shall be three years with a further election taking place on the ordinary day of elections in May 2023 and every fourth year thereafter, notwithstanding that the first such election shall be within a period shorter than four years.

First annual meeting of new parish council

8. The annual meeting in 2020 of the council of the new parish shall be convened by the Director of Strategy, Performance and Governance of Maldon District 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.

Transfer of property, rights and liabilities

9. All interests in the land, property, rights and liabilities described in Schedule 2 (subject to any existing leases or licences in respect of such land and to any controls and restrictions contained in the Transfer of Property Order dated 31 March 1988 from Maldon District Council to Heybridge Parish Council) shall transfer from Heybridge Parish Council to Heybridge Basin Parish Council on the date specified in column (3) of Schedule 2.

SCHEDULE 2 article 8

<i>Column (1)</i> <i>Land and property to be transferred</i>	<i>Column (2)</i> <i>Land Registry No.</i>	<i>Column (3)</i> <i>Date</i>
Daisy Meadow Car Park, Off Basin Road, Heybridge Basin	N/A	22 May 2020 or as otherwise agreed between Heybridge Parish Council and Heybridge Basin Parish Council