

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Gedling Borough Council (Reorganisation of Community Governance) Order 2018

Made - - - - - 14 February 2018

Coming into force in accordance with Article 1(2)

Gedling Borough Council ("the Council"), in accordance with Section 82 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"), has undertaken a community governance review and made recommendations dated 12 July 2017.

The Council has decided to give effect to those recommendations and in accordance with Section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and 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) and 240(10) of the 2007 Act.

Citation and commencement

- 1.- (1) This Order may be cited as the Gedling Borough Council (Reorganisation of Community Governance) Order 2018.
- (2) Subject to paragraphs (3) and (4) below this order shall come into force on 1 April 2018.
- (3) Articles 11 and 12 (*establishing parish electoral arrangements*) shall come into force on the ordinary day of election of councillors in 2018.
- (4) For the purposes of:
 - (a) this article;
 - (b) article 6 (*Calculation of budget requirement*); and
 - (c) proceedings preliminary or relating to the elections of parish councillors for the parish of Bestwood Village and the parish of St Albans to be held on the ordinary day of election of councillors in 2018;

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

Interpretation

2.- In this Order –

"Borough" means the borough of Gedling.

"Existing" means existing on the date this Order is made.

"Ordinary day of election" has the meaning given by section 37 of the Representation of the People Act 1983

"Map" means the map marked "Map referred to in the Gedling Borough Council (Reorganisation of Community Governance) Order 2018" 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 numbers;

"New Parish" means the parish(es) constituted by articles 4 and 5;

"Ordinary Day of Election of councillors" has the meaning given by section 37 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 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Constitution of New Parishes

4.- (1) A New Parish, comprising the area outlined in red on the Map, shall be constituted within the Borough.

(2) The name of the New Parish shall be Bestwood Village.

5.- (1) A New Parish, comprising the area outlined in in blue on the Map, shall be constituted within the Borough.

(2) The name of the New Parish shall be St. Albans.

Calculation of Budget Requirement

6.- (1) 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 Bestwood Village the sum of £18,400

(2) 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 St. Albans the sum of £26,662

Parish Council for the Parish of Bestwood Village

- 7.- (1) There shall be a parish council for the parish of Bestwood Village.
- (2) The name of that council shall be "The Parish Council of Bestwood Village"

Parish Council for the Parish of St. Albans

- 8.- (1) There shall be a parish council for the parish of St Albans.
- (2) The name of that council shall be "The Parish Council of St. Albans".

Elections for the Parish of Bestwood Village

- 9.- (1) The election of all parish councillors for the parish of Bestwood Village shall be held on the ordinary day of election of councillors in 2018.
- (2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2018 for the parish of Bestwood Village shall be one year.
- (3) There will be further elections of the Bestwood Village Parish Council on the ordinary day of election of councillors in 2019.
- (4) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2019 for the parish of Bestwood Village shall be four years.

Elections for the Parish of St. Albans

- 10.- (1) The election of all parish councillors for the parish of St Albans shall be held on the ordinary day of election of councillors in 2018.
- (2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2018 for the parish of St. Albans shall be one year.
- (3) There will be further elections of the St. Albans Parish Council on the ordinary day of election of councillors in 2019.
- (4) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2019 for the parish of St. Albans shall be four years.

Number of Parish Councillors for the Parish of Bestwood Village

- 11.- The number of councillors to be elected for the parish of Bestwood Village shall be seven (7).

Number of Parish Councillors for the Parish of St. Albans

- 12.- The number of councillors to be elected for the parish of St. Albans shall be nine (9).

Annual Meeting of the Parish Councils

- 13.- The annual meetings of the New Parish Councils constituted by this Order shall, in 2018, be convened by the Chief Executive of Gedling Borough Council. The meetings shall take place no later than 14 days after the day on which the councillors elected to the New Parish Councils take office.

Dissolution of the parish council for Bestwood St. Albans

14.- The parish council for the parish of Bestwood St. Albans shall be dissolved.

Abolition of the parish of Bestwood St. Albans

15.- The parish of Bestwood St. Albans shall be abolished.

Electoral register

16.- The Registration Officer for the Borough 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

17.- The land, property, rights and liabilities described in Schedules 1 and 2 shall transfer from the Bestwood St Albans Parish Council to one of the new parish councils constituted by this Order on the date specified in column (3) of these schedules.

Transitional provision

18.- Until the councillors elected to the councils of the new parishes of Bestwood Village and of St. Albans at the elections to be held on the ordinary day of election of councillors in 2018 come into office, the new parishes shall be represented by those persons who immediately before 1 April 2018 are the elected councillors for the Borough Ward of Bestwood St Albans and the County Divisions of Newstead and Arnold North.

Order date

19.- 1 April 2018 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 14th of February 2018.

**The COMMON SEAL of
GEDLING BOROUGH COUNCIL
was hereunto affixed
in the presence of:**

Mayor

Monitoring Officer

**SCHEDULE 1
LAND AND PROPERTY TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Land and property to be transferred</i>	<i>Transferred to which new Parish Council</i>	<i>Date</i>
Map Board at Park Road	Bestwood Village Parish Council	1 April 2018
2 x Gateway signs at South and North ends of Moor Road	Bestwood Village Parish Council	1 April 2018
All play, sporting equipment and seating at the play park on the Square (Bestwood Village)	Bestwood Village Parish Council	1 April 2018
4 x Freestanding notice cases at Broad Valley Drive, Park Road, Hill Road (Bestwood Village) and Killarney Park	Bestwood Village Parish Council	1 April 2018
War memorial, Flag pole, flag box and flag as well as surrounding fencing and gates at Park Road, Bestwood Village	Bestwood Village Parish Council	1 April 2018
Multi Use Games Area including all play and sporting equipment at Park Road, Bestwood Village	Bestwood Village Parish Council	1 April 2018
4 x Blue Grit bins located at Yeoman Drive, Broad Valley Drive, Coronation Road and the Spinney, Bestwood Village	Bestwood Village Parish Council	1 April 2018
Land containing the Play Park on the Square, Bestwood Village (title number NT168562)	Bestwood Village Parish Council	1 April 2018
Land containing the War Memorial, Park Road, Bestwood Village (title number NT376763)	Bestwood Village Parish Council	1 April 2018
3 x planters located throughout Bestwood Village	Bestwood Village Parish Council	1 April 2018
1 x planter located at Killarney Park	Bestwood Village Parish Council	1 April 2018

Printer	Bestwood Village Parish Council	1 April 2018
Wooden Filing Cabinet	Bestwood Village Parish Council.	1 April 2018
Computer	Bestwood Village Parish Council.	1 April 2018
Metal Filing Cabinet	Bestwood Village Parish Council.	1 April 2018
4 x benches at Woodchurch Road	St. Albans Parish Council	1 April 2018
3 x noticeboards located at Bewcastle Drive, Deer Park Drive and Woodchurch Road.	St. Albans Parish Council	1 April 2018
3 x grit bins located at Lambeth Road, Fenchurch Close and Jermyn Drive	St. Albans Parish Council	1 April 2018

**SCHEDULE 2
FUNDS AND BALANCES TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Funds and balances to be transferred</i>	<i>Transferred to which new Parish Council</i>	<i>Date</i>
An amount equivalent to the remaining balance of a Section 106 agreement relating to land at Park Road, Bestwood Village to provide a Multi-Use Games Area on land at Bestwood Country Park.	Bestwood Village Parish Council	1 April 2018
An amount equivalent to 60% of the balances within the bank accounts at The Co-Operative Bank with the account holder as Bestwood St Albans Parish Council	St. Albans Parish Council	1 April 2018
An amount equivalent to 40% of the balances within the bank accounts at The Co-Operative Bank with the account holder as Bestwood St Albans Parish Council	Bestwood Village Parish Council.	1 April 2018

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by Gedling Borough Council for the new parishes of Bestwood Village and of St. Albans, the abolition of the parish of Bestwood St Albans, the creation of a council for the parish of Bestwood Village, the creation of a council for the parish of St. Albans and the dissolution of the council for the parish of Bestwood St Albans within the Borough of Gedling.

The parishes of Bestwood Village and of St. Albans will be created with effect from 1 April 2018. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2018.

Articles 9 and 10 provides for parish elections in the parishes of Bestwood Village and of St. Albans in 2018, with further parish elections in 2019 and then to continue according to the established cycle of parish elections every four years. Articles 11 and 12 specify the numbers of parish councillors for the new parishes of Bestwood Village and of St. Albans.

Article 16 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 parishes of Bestwood Village and of St. Albans. It is available, at all reasonable times, at the offices of Gedling Borough Council.