

# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Wiltshire (Parish of Salisbury) establishment and electoral arrangements Order 2009

*Made 27th February 2009*

*Coming into force in accordance with article 1(2)*

Wiltshire County Council, in accordance with the provisions in the Local Government and Public Involvement in Health Act 2007 (Commencement No.3, Transitional and Saving Provisions and Commencement No. 2 (Amendment)) Order 2008, SI No. 337 and in exercise of the powers conferred by sections 86 and 96 to 100 of the Local Government and Public Involvement in Health Act 2007 makes the following Order;

### **Citation and commencement**

1.—(1) This Order may be cited as the Wiltshire (Parish of Salisbury establishment and electoral arrangements) Order 2009.

(2) This Order subject to paragraph (4) comes into force on 1<sup>st</sup> April 2009

(3) Articles 6,7 and 8 come into force on the ordinary day of election of councillors in 2009.

(4) For the purposes of:

- (a) this article,
- (b) article 5; (calculation of budget) and
- (c) for the purpose of proceedings preliminary or relating to the election of parish councillors for the parish of Salisbury, 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—

["map" means the map marked "Map referred to in the Wiltshire (Parish of Salisbury establishment and electoral arrangements) 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 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 provisions of this Order.

### **Constitution of a new parish**

4.—(1) A new parish, comprising the area outlined on the map, shall be constituted within the city of Salisbury in the county of Wiltshire.

(2) The name of the new parish shall be Salisbury

### **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 Salisbury the sum of £1,203,880.

### **Parish council for the parish of Salisbury**

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

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

(3) In the event that ‘City’ status is granted by Her Majesty on the parish of Salisbury, the name of the council shall be “Salisbury City Council”.

### **Election for the parish of Salisbury**

7. The election of all parish councillors for the parish of Salisbury shall be held on the ordinary day of election of councillors in 2009, and every four years thereafter.

### **Number of parish councillors for the parish of Salisbury**

8. The number of councillors to be elected for the parish of Salisbury shall be 23.

### **Wards of the parish of Salisbury and numbers of parish councillors**

9.—(1) The parish of Salisbury shall be divided into 8 wards which shall be named Bemerton, St Francis and Stratford, St Mark’s and Bishopdown, Fisherton and Bemerton Village, St Paul’s, St Edmunds and Milford, St Martin’s and Cathedral and Harnham.

(2) Each ward shall comprise the area designated on the map by reference to the name of the ward.

(3) The number of councillors to be elected for each ward shall be 3 save for the ward of St Mark’s and Bishopdown which will elect 2.

### **Annual meeting of parish council**

10. The annual meeting of the new parish council in 2009 shall be convened by the Chief Executive, of Wiltshire County 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**

**11.** The registration officer for the county of Wiltshire 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.

### **Charter Trustees of Salisbury City**

**12.—** (1) Any officers appointed by the charter trustees for the proper discharge of their functions who hold office at the date of this Order shall by virtue of this Order be transferred on the date of dissolution and on the same terms and conditions of appointment to the employment of the parish council.

(2) Any powers to appoint local officers of dignity exercisable by the charter trustees immediately before the date of dissolution shall be exercisable by the parish council.

(3) Any functions which would have been exercisable in relation to the account of the charter trustees or as the case may be their responsible financial officer if the charter trustees had not been dissolved shall on and after the date of dissolution be exercisable by the parish council or as the case may be the parish council's responsible financial officer.

### **Transitional provision**

**13.** Until the councillors elected to the council of the new parish of Salisbury 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 are on the Implementation Executive.

### **Order date**

**14.** 1<sup>st</sup> 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

*[day e.g. 31<sup>st</sup>] [month] [year]*

*Chief Executive Wiltshire County Council*

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order gives effect to recommendations made by [*name of principal council*] for [the new parish of [*name*], created][the alteration of the area of the parish of [*name*]][the abolition of the parish of [*name*]][the creation of a council for the parish of [*name*]][the dissolution of the council for the parish of][the parish of [*name*] to be grouped under a common parish council with the parishes of [*names*]][the parish of [*name*] to be separated from the group of parishes under a common parish council][the common parish council for the parishes of [*names*] to be dissolved] within the [borough][city][county][district][London borough] of [*name of principal area*].

The parish of [*name*] will be [created][altered][abolished] with effect from 1 April [*year*]. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in [*year*].

Article 8 provides for parish elections in the parish of [*name*] in [*year*], and then to continue according to the established system of parish elections every four years.

Article 10 specifies the numbers of parish councillors for the new parish of [*name*].

Article 12 and the map establish the names and areas of the wards of the new parish of [*name*] and the numbers of councillors for each ward.

Article 18 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 [*name*]. It is available, at all reasonable times, at the offices of [*name of principal council*].