

**IMPLEMENTATION EXECUTIVE
26 FEBRUARY 2009**

PARISH OF SALISBURY ORDER

Executive Summary

The draft order attached at Appendix A will, if approved, create the Parish of Salisbury with effect from 1 April 2009.

Whilst initially the Parish will be known as the Parish of Salisbury, if the Letters Patent are awarded by Her Majesty the Queen on the 1 April, as we believe will be the case, then the Parish will become known as 'Salisbury City Council'. A map of the proposed electoral wards is attached at Appendix B.

The order reflects the consultation period that has been undertaken and our continuing discussions with the DCLG.

Proposal

That the Implementation Executive are recommended to agree:

- a) The Order for the creation of the Parish of Salisbury.
- b) That the member representation of the new Parish between 1 April 2009 and the elections in June 2009 will comprise those members of the Implementation Executive who currently represent an area that is either wholly or partly within the boundary of the City of Salisbury, with the Charter Trustees acting in an advisory capacity through this period in line with previous Implementation Executive decisions.
- c) That the Solicitor to the County Council is authorised to make minor and consequential amendments to the Order and explanatory notes as may be necessary without further reference to the Implementation Executive.

Reasons For Proposals

To approve the Order for the creation of the Parish of Salisbury in line with the 'One Council for Wiltshire' proposal, subsequent Implementation Executive decisions and public consultation.

Stephen Gerrard
Solicitor to the Council

PARISH OF SALISBURY ORDER

1. Additional Information

- 1.1. This draft order reflects the final order that the IE is invited to make and which will be provided to the Secretary of State; the Electoral Commission; the Office of National Statistics; the Director General of the Ordnance Survey and other principal councils who areas the order relates to in accordance with provision 96 of the Local Government and Public Involvement in Health Act 2007.
- 1.2. It follows the completion of the Community Governance Review which was published by a notice in the Salisbury Journal on 22 January 2009 and made available at various offices for inspection. The deadline for objections to any of the provisions recorded in the notice was 20 February. One valid objection has been raised by a third party whose name is not required for the purposes of this note. The objection has been raised with Solicitor to the Council. He has considered the objection on merit. He has weighed in the balance the statutory requirements pertaining to reviews which have been presented to the IE in a number of papers to date. He is also minded of the fact that this is the only objection received which warrants consideration. He is satisfied that the statutory requirements are met and that the objection is not sustained.
- 1.3. The IE is asked to note the provisions of paragraph 12 of the Order. It is recommended that the authority to represent the new parish between its creation and the June 2009 elections is delegated to a committee of the members of the Implementation Executive whose wards or divisions are wholly or partially within the boundary of the City of Salisbury. The Charter Trustees will to act in an advisory capacity to this committee, in accordance previous decisions of the Implementation Executive and the recent consultation.
- 1.4. Agreement is sought for the Solicitor to the Council to retain the authority to make minor and consequential amendments as may be necessary before the order is made. It is also recommended that the explanatory note accompanying the Order should be cleared through the Solicitor to the Council without further reference back to the IE.
- 1.5. Officers of the County Council have liaised with the DCLG regarding the content of the Order and the approach outlined within it.

2. Financial Implications

- 2.1. The recommendations within this report reflect the previous financial and budget decisions of the Implementation Executive.

3. Legal Implications

- 3.1. This order will complete the creation of the Parish of Salisbury and provide an initial member framework within which it will operate.

4. Timing

- 4.1. The Order is needed to ensure that bank accounts and other supporting processes such as appropriate VAT registration can be in place on 1 April 2009.