

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The County of Herefordshire District Council (Reorganisation of Community Governance)
(Ross-on-Wye) (No. 2) Order 2014

Made: 12 December 2014

Coming into force: in accordance with Article 1

The County of Herefordshire District 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 on 12 December 2014 made the following recommendations:

That, with effect from 1 April 2015:

- a) The existing parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall be amalgamated to constitute a new parish;
- b) The new parish shall be known as 'Ross-on-Wye';
- c) The existing parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall cease to exist;
- d) The parish councils for the parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall be dissolved;
- e) There shall be a new parish council for the new parish of Ross-on-Wye;
- f) The name of that new parish council shall be 'Ross-on-Wye Parish Council';
- g) The first election of all parish councillors for the new parish of Ross-on-Wye shall be held on the ordinary day of election of councillors in 2015;
- h) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2015 for the new parish of Ross-on-Wye shall be four years;
- i) The existing Ross Rural East and Ross Rural West wards of the parish of Ross-on-Wye Rural; and the existing Ross-on-Wye East and Ross-on-Wye West wards of the parish of Ross-on-Wye Town, shall all be abolished;
- j) The number of parish councillors to be elected for the new parish of Ross-on-Wye shall be eighteen;
- k) The new parish of Ross-on-Wye shall be divided into three wards which shall be named: Ross East, Ross North, and Ross West; and shall comprise the respective areas of the district wards bearing the same names in Schedule 1 of the Herefordshire (Electoral Changes) Order 2014;
- l) The number of parish councillors to be elected for each ward in the new parish of Ross-on-Wye shall be six;
- m) All the land, property, rights and liabilities of Ross-on-Wye Rural Parish Council and Ross-on-Wye Town Council shall transfer from those councils to the new Ross-on-Wye Parish Council; and
- n) From the effective date until the councillors to be elected to the new parish council come into office, the new parish shall be represented by those persons who were councillors for Ross-on-Wye Rural Parish Council and/or Ross-on-Wye Town Council on 31 March 2015 provided that any person who was a councillor for both of those councils on that date shall have only one vote on the new Ross-on-Wye Parish Council.

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.

On 26 September 2014 the Council resolved to give effect to those recommendations and made The County of Herefordshire District Council (Reorganisation of Community Governance) (Ross-on-Wye) Order 2014 ('the First Reorganisation Order 2014'), but the council did not have consent from the Local Government Boundary Commission for England ('the Commission') to make that Order. The requisite consent of the Commission has now been granted and the council accordingly 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 County of Herefordshire District Council (Reorganisation of Community Governance) (Ross-on-Wye) (No. 2) Order 2014’.

(2) Subject to paragraphs (3) and (4) below, this Order shall come into force on 1 April 2015.

(3) Article 7(2) below (which establishes the number of parish councillors for the new Ross-on-Wye Parish Council) shall come into force on the ordinary day of election of councillors in 2015.

(4) For the purposes of proceedings preliminary or relating to the election of parish councillors for the new Ross-on-Wye Parish Council, to be held on the ordinary day of election of councillors in 2015, this Order shall come into force on 12 December 2014.

(5) The First Reorganisation Order 2014 is revoked with immediate effect.

Interpretation

2. In this Order:

‘**district**’ means the district of the County of Herefordshire;

‘**effective date**’ means 1 April 2015

‘**existing**’ means existing on the date this Order is made;

‘**map**’ means the map marked ‘Map referred to in The County of Herefordshire District Council (Reorganisation of Community Governance) (Ross-on-Wye) (No. 2) Order 2014’ and deposited in accordance with section 96(4) of the 2007 Act;

‘**new parish**’ means the parish constituted by article 4 below;

‘**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(c) 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.

Amalgamation of existing parishes of Ross-on-Wye Rural and Ross-on-Wye Town and constitution of new parish of Ross-on-Wye

4.—(1) The existing parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall be amalgamated to constitute a new parish comprising the area edged blue on the map.

(2) The new parish shall be known as ‘Ross-on-Wye’.

(3) In consequence of paragraph (1), the existing parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall cease to exist.

Dissolution of parish councils for the parishes of Ross-on-Wye Rural and Ross-on-Wye Town

5. The existing parish councils for the parishes of Ross-on-Wye Rural and Ross-on-Wye Town shall be dissolved.

Parish council for the parish of Ross-on-Wye

6.—(1) There shall be a new parish council for the new parish of Ross-on-Wye.

(2) The name of that new council shall be ‘Ross-on-Wye Parish Council’.

Election of Parish Councillors for the parish of Ross-on-Wye

7.—(1) The first election of all parish councillors for the new parish of Ross-on-Wye shall be held on the ordinary day of election of councillors in 2015.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2015 for the new parish of Ross-on-Wye shall be four years.

(3) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraph 4(1) above to be held on a date other than that for which paragraphs 7(1) and 7(2) provide, it shall cease to have effect to that extent.

Wards of the new parish of Ross-on-Wye and number of parish councillors

8.—(1) The existing Ross Rural East and Ross Rural West wards of the parish of Ross-on-Wye Rural; and the existing Ross-on-Wye East and Ross-on-Wye West wards of the parish of Ross-on-Wye Town, shall all be abolished;

(2) The number of councillors to be elected for the new parish of Ross-on-Wye shall be eighteen.

(3) The new parish of Ross-on-Wye shall be divided into three wards which shall be named: Ross East, Ross North, and Ross West; and shall comprise the respective areas of the district wards bearing the same names in Schedule 1 of the Herefordshire (Electoral Changes) Order 2014;

(4) The number of parish councillors to be elected for each ward in the new parish of Ross-on-Wye shall be six.

Annual meeting of the new parish council

9. The annual meeting of the new Ross-on-Wye Parish Council in 2015 shall be convened by the Assistant Director, Governance 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 Council 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. All the land, property, rights and liabilities of Ross-on-Wye Rural Parish Council and Ross-on-Wye Town Council shall transfer from those councils to the Ross-on-Wye Parish Council on the date specified in Article 1(2) above.

Transitional provision

12. Until the parish councillors elected to the new Ross-on-Wye Parish Council at the elections to be held on the ordinary day of election of councillors in 2015 come into office, the new parish shall be represented by those persons who were councillors for Ross-on-Wye Rural Parish Council and/or Ross-on-Wye Town Council on 31 March 2015 provided that any person who was a councillor for both of those councils on that date shall have only one vote on the new Ross-on-Wye Parish Council.

Order date

13. 1 April 2015 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

**The Common Seal of the County of Herefordshire District Council
was hereunto affixed on 12 December 2014 in the presence of:**

Bill Norman

Assistant Director, Governance
(Authorised Officer)