

## **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

### **The Forest Heath District Council (Reorganisation of Community Governance) Order 2019**

**Made:** 18<sup>th</sup> January 2019

**Coming into force:** 1 April 2019

Forest Heath 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 made recommendations dated 26 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), 98(4), 98(6) and 240(10) of the 2007 Act.

#### **Citation and commencement**

1.

(1) This Order may be cited as the Forest Heath District Council (Reorganisation of Community Governance) Order 2019.

(2) Subject to paragraphs (3), (4), and (5) below, this Order comes into force on 1st April 2019.

(3) Articles 7, 9(1), 9(2) and 9(3) shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of: (a) this article, (b) article 6; and (c) proceedings preliminary to or relating to the elections of parish councillors for the parishes of Mildenhall and West Row, to be held on the ordinary day of election of councillors in 2019, this Order shall come into force on 18<sup>th</sup> January 2019

(5) For the purposes of article 6(2) and Schedule 4, the balance of funds from the Mildenhall Parish Council shall transfer on or before 31 July 2019

### **Interpretation**

2. In this Order—

“district” means the district of Forest Heath until 31 March 2019 and West Suffolk Council from 1 April 2019

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

“map” means the map marked “Map referred to in the Forest Heath (Reorganisation of Community Governance) Order 2019” 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 a new parish constituted by articles 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 provision of this Order.

### **Constitution of new parishes**

4. (1) A new parish, comprising the area outlined with a red line on the map referenced as ‘Map 1’, shall be constituted within the district.

(2) The name of the new parish shall be West Row

5. (1) The boundary of the Parish of Mildenhall shall be altered to comprise the area outlined with a red line on the map referenced as ‘Map 2’.

### **Calculation of budget requirement, and funds and balances to be transferred or ring-fenced for use by new councils**

6. (1) 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 West Row the sum of £51,314

(2). The funds and balances referred to in Schedule 4 shall be transferred from Mildenhall Parish to West Row or held by West Suffolk Council and ring-fenced for use by/in consultation with West Row, in accordance with such Schedule 4.

### **Parish council for the parish of West Row**

7. (1) There shall be a parish council for the parish of West Row.

(2) The name of that council shall be "West Row Parish Council".

(3) The next election of all parish councillors for the parish of West Row shall be held on the ordinary day of election of councillors in 2019, and every four years thereafter.

(4) The number of parish councillors to be elected for the parish of West Row shall be 9

### **First annual meeting of West Row Parish Council**

8. (1) The annual meeting of West Row Parish Council in 2019 shall be convened by the Proper Officer of West Suffolk Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the Parish Council take office.

### **Mildenhall Parish Council**

9 (1) The number of parish councillors to be elected for the parish of Mildenhall shall be 15

(2) The Parish of Mildenhall shall be divided into 3 wards which shall be named as set out in Schedule 1. Each ward shall be designated on the map referenced as Map 3, by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each ward shall be the number specified in respect of the ward in column 2 of Schedule 1

(4) The persons elected to the West Row Ward of Mildenhall Parish Council at 31 March 2019 shall remain as Councillors of Mildenhall Parish Council until 6 May 2019 notwithstanding the creation of West Row Parish Council on 1 April 2019.

### **Electoral register**

9. The registration officer for the district 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**

10. 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 or property) shall transfer from Mildenhall Parish Council to West Row Parish Council on the date specified in column (2) of Schedule 2

11. All other interests in property as described in Schedule 2 shall transfer from Mildenhall Parish Council to West Row Parish Council on the date specified in column (3) of Schedule 2.

12. In accordance with paragraph 7 of the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No. 625 Mildenhall Parish Council shall transfer the benefit, burdens, rights and liabilities to West Row Parish Council (to the extent to which they apply to the area of West Row Parish) of several contracts details of which are listed in Schedule 3 and this Order gives effect to such transfer.

13. The allotments located within West Row Parish will transfer in accordance with legislation from Mildenhall Parish Council to West Row Parish Council on 1st April 2019

### **Order date**

14. 1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No. 625.

  
Authorised officer



## SCHEDULE 1

Wards of the Parish of Mildenhall

<b>Name of Ward</b>	<b>Number of Councillors to be elected</b>
Great Heath	5
Kingsway and Market	5
Queensway	5

## SCHEDULE 2

Land and property to be transferred from Mildenhall Parish Council to West Row Parish Council

<b>Asset</b>	<b>Date of Transfer</b>
West Row Allotments, The Gravel, West Row	1 April 2019
Three Road Signs located in West Row	1 April 2019
Village Sign, West Row	1 April 2019
Bench located at the Bridleway, West Row	1 April 2019
Bench located at the War Memorial, West Row	1 April 2019
Noticeboard, West Row	1 April 2019
Streetlight 196, Bargate Road	1 April 2019
Streetlight 197, Bargate Road	1 April 2019
Streetlight 198, Bargate Road	1 April 2019
Streetlight 199, Bargate Road	1 April 2019
Streetlight 200, Bargate Road	1 April 2019
Streetlight 1806, Bargate Road	1 April 2019
Streetlight 1807, Bargate Road	1 April 2019
Streetlight 1808, Bargate Road	1 April 2019
Streetlight 252, Beeches Road	1 April 2019
Streetlight 253, Beeches Road	1 April 2019
Streetlight 244, Beeches Road	1 April 2019
Streetlight 245, Beeches Road	1 April 2019
Streetlight 246, Beeches Road	1 April 2019
Streetlight 247, Beeches Road	1 April 2019
Streetlight 248, Beeches Road	1 April 2019
Streetlight 249, Beeches Road	1 April 2019
Streetlight 1781, Beeches Road	1 April 2019
Streetlight 1784, Beeches Road	1 April 2019
Streetlight 1791, Beeches Road	1 April 2019
Streetlight 1793, Beeches Road	1 April 2019
Streetlight 1794, Beeches Road	1 April 2019

Streetlight 1795, Beeches Road	1 April 2019
Streetlight 1796, Chapel Road	1 April 2019
Streetlight 1797, Chapel Road	1 April 2019
Streetlight 237, Chapel Road	1 April 2019
Streetlight 238, Chapel Road	1 April 2019
Streetlight 239, Chapel Road	1 April 2019
Streetlight 240, Chapel Road	1 April 2019
Streetlight 241, Chapel Road	1 April 2019
Streetlight 222, Church Gardens	1 April 2019
Streetlight 223, Church Gardens	1 April 2019
Streetlight 224, Church Gardens	1 April 2019
Streetlight 1799, Church Lane	1 April 2019
Streetlight 228, Church Lane	1 April 2019
Streetlight 229, Church Lane	1 April 2019
Streetlight 230, Church Lane	1 April 2019
Streetlight 1800, Church Road	1 April 2019
Streetlight 1801, Church Road	1 April 2019
Streetlight 225, Church Road	1 April 2019
Streetlight 226, Church Road	1 April 2019
Streetlight 227, Church Road	1 April 2019
Streetlight 1779, Cricks Road	1 April 2019
Streetlight 1802, Cricks Road	1 April 2019
Streetlight 212, Cricks Road	1 April 2019
Streetlight 213, Cricks Road	1 April 2019
Streetlight 214, Cricks Road	1 April 2019
Streetlight 215, Cricks Road	1 April 2019
Streetlight 216, Cricks Road	1 April 2019
Streetlight 205, Eldo Road	1 April 2019
Streetlight 206, Eldo Road	1 April 2019
Streetlight 208, Eldo Road	1 April 2019
Streetlight 209, Eldo Road	1 April 2019
Streetlight 1803, Eldo Road	1 April 2019
Streetlight 1804, Eldo Road	1 April 2019
Streetlight 1805, Eldo Road	1 April 2019
Streetlight 200, Farmhouse Drive	1 April 2019
Streetlight 0.004, Ferry Lane	1 April 2019
Streetlight 1907, Ferry Lane	1 April 2019
Streetlight 201, Ferry Lane	1 April 2019
Streetlight 202, Ferry Lane	1 April 2019
Streetlight 203, Ferry Lane	1 April 2019
Streetlight 204, Ferry Lane	1 April 2019
Streetlight 1910/002, Ferry Lane	1 April 2019
Unnumbered Streetlight, Ferry Lane	1 April 2019
Unnumbered Streetlight, Ferry Lane	1 April 2019
Streetlight 232, Friday Street	1 April 2019
Streetlight 233, Friday Street	1 April 2019
Streetlight 234, Friday Street	1 April 2019
Streetlight 235, Friday Street	1 April 2019
Streetlight 236, Friday Street	1 April 2019
Streetlight 1798, Friday Street	1 April 2019

Streetlight 1780, Jarmans Lane	1 April 2019
Streetlight 254, Manor Farm Road	1 April 2019
Streetlight 242, Mason Gardens	1 April 2019
Streetlight 243, Mason Gardens	1 April 2019
Streetlight 1782, Mildenhall Road	1 April 2019
Streetlight 1783, Mildenhall Road	1 April 2019
Streetlight 1813, Mildenhall Road	1 April 2019
Streetlight 263, Mildenhall Road	1 April 2019
Streetlight 264, Mildenhall Road	1 April 2019
Streetlight 265, Mildenhall Road	1 April 2019
Streetlight 266, Mildenhall Road	1 April 2019
Streetlight 267, Mildenhall Road	1 April 2019
Streetlight 294, Neve Gardens	1 April 2019
Streetlight 295, Neve Gardens	1 April 2019
Streetlight 296, Neve Gardens	1 April 2019
Streetlight 297, Neve Gardens	1 April 2019
Streetlight 231, Parmments Lane	1 April 2019
Streetlight 250, Pollard Lane	1 April 2019
Streetlight 251, Pollard Lane	1 April 2019
Streetlight 190, Pott Hall Road	1 April 2019
Streetlight 191, Pott Hall Road	1 April 2019
Streetlight 192, Pott Hall Road	1 April 2019
Streetlight 193, Pott Hall Road	1 April 2019
Streetlight 194, Pott Hall Road	1 April 2019
Streetlight 195, Pott Hall Road	1 April 2019
Streetlight 1809, Pott Hall Road	1 April 2019
Streetlight 1810, Pott Hall Road	1 April 2019
Streetlight 1811, Pott Hall Road	1 April 2019
Streetlight 1812, Pott Hall Road	1 April 2019
Streetlight 210, Stirling Close	1 April 2019
Streetlight 211, Stirling Close	1 April 2019
Streetlight 1785, The Green	1 April 2019
Streetlight 1786, The Green	1 April 2019
Streetlight 1787, The Green	1 April 2019
Streetlight 1788, The Green	1 April 2019
Streetlight 1789, The Green	1 April 2019
Streetlight 1790, The Green	1 April 2019
Streetlight 246, The Green	1 April 2019
Streetlight 255, The Green	1 April 2019
Streetlight 256, The Green	1 April 2019
Streetlight 257, The Green	1 April 2019
Streetlight 258, The Green	1 April 2019
Streetlight 259, The Green	1 April 2019
Streetlight 260, The Green	1 April 2019
Streetlight 261, The Green	1 April 2019
Streetlight 262, The Green	1 April 2019
Streetlight 217, Wellington Close	1 April 2019
Streetlight 218, Wellington Close	1 April 2019
Streetlight 219, Wellington Close	1 April 2019
Streetlight 220, Wellington Close	1 April 2019

Streetlight 221, Wellington Close	1 April 2019
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### SCHEDULE 3

Contracts and other matters to be transferred from Mildenhall Parish Council to West Row Parish Council, to the extent that they relate to West Row Parish

<b>Contract</b>	<b>Date of Transfer</b>
Contract for the provision of Pest Control Services at allotments, to the extent it relates to West Row, between Mildenhall Parish Council and Pest Rangers	1 April 2019
Contract for the provision of Street Light Maintenance Services, to the extent it relates to West Row, between Mildenhall Parish Council and Pearce and Kemp	1 April 2019
Contract for the provision of grass cutting between Mildenhall Parish Council and Hamill Landscaping and Maintenance Services	1 April 2019
Contracts for the provision of an allotment between Mildenhall Parish Council and Allotment Holders	1 April 2019
Contract for provision of electricity for street lights to the extent it relates to West Row, between Mildenhall Parish Council and Eon	1 April 2019

### SCHEDULE 4

Funds and balances to be transferred from Mildenhall Parish Council to West Row Parish Council or held by West Suffolk Council and ring-fenced for West Row Parish Council

<b>Fund or Balance</b>	<b>Date of Transfer</b>
Deposits paid by allotment holders for West Row Allotments	On or before 31 July 2019
The balance of annual allotment fees paid by allotment holders for West Row Allotments, for the period that the allotments are owned by West Row Parish Council. This payment shall be calculated by dividing the annual fees by the proportion of time that the allotments are owned by Mildenhall Parish Council, and the amount of time that the allotments	On or before 31 July 2019

are owned by West Row Parish Council.	
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### **EXPLANATORY MEMORANDUM**

This order gives effect to recommendations made by Forest Heath District Council for the creation of a new council for the parish of West Row. The Parish shall be created with effect from 1 April 2019. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of Councillors in 2019.

Article 3 provides for West Row Parish Council and Mildenhall Parish Council to make agreements between themselves regarding any property, rights, liabilities, expenses affected by this order and financial relations between themselves.

Articles 7 and 9 provide for electoral arrangements for West Row and the consequential arrangements for Mildenhall Parish Council and specify the number of councillors for each parish.

Map 1 establishes the name and area of the new Parish Council for West Row

Map 2 establishes the revised area of the Parish Council for Mildenhall

Map 3 establishes the wards of Mildenhall Parish Council

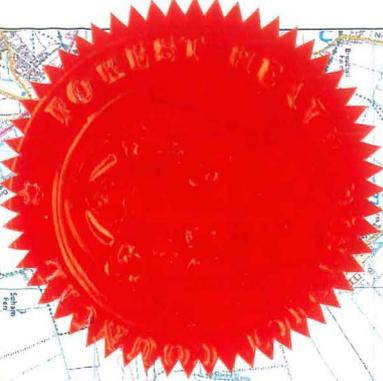
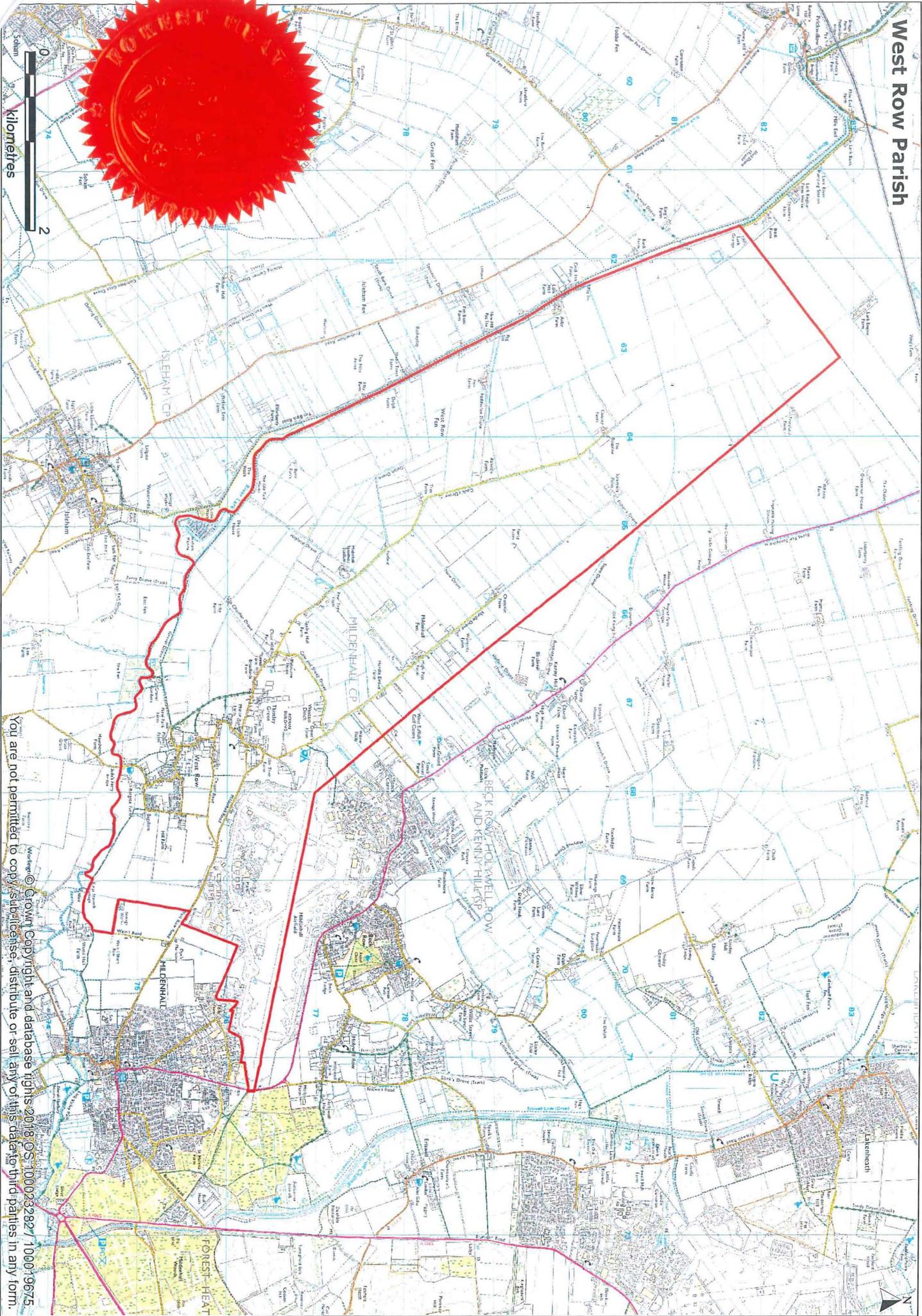
All 3 maps are available at all reasonable times at the offices of Forest Heath District Council

Article 9 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Articles 10, 11, 12 and 13 contain details of land, property, rights and liabilities described in schedules 2, 3 and 4 that shall transfer from Mildenhall Parish Council to West Row Parish Council

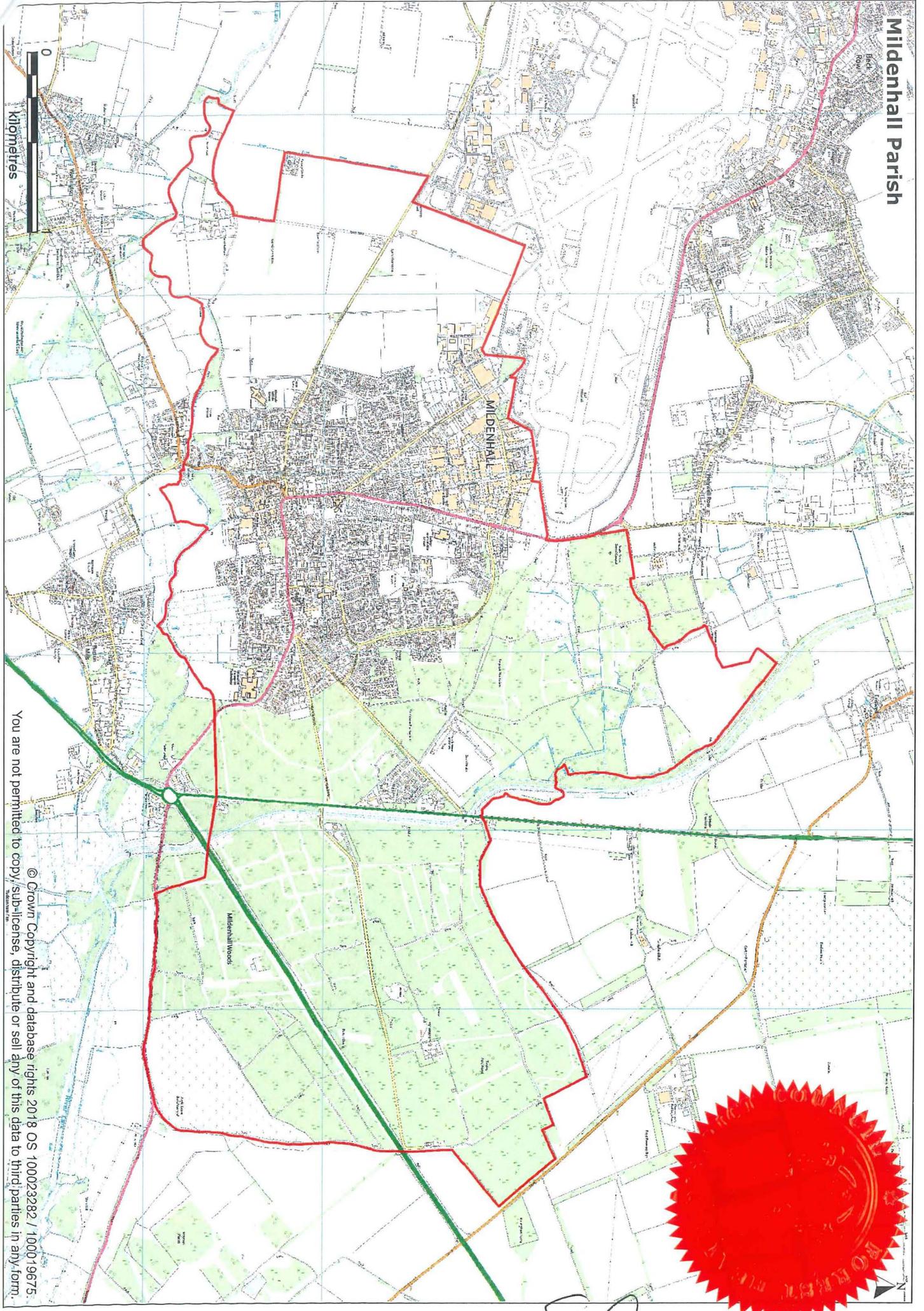


West Row Parish



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Mildenhall Parish



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# Mildenhall Parish and Parish Wards



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