

# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Allerdale Borough Council (Reorganisation of Community Governance – Broughton Parish Council) Order 2018

*Made - - - - [day] [month] [year]*

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

Allerdale Borough Council (“the council”), in accordance with section 82 of the Local Government and Public Involvement in Health Act 2007 **(1)** (“the 2007 Act”), has undertaken a community governance review and made recommendations dated 24 October 2018.

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(a)**

1.—(1) This Order may be cited as the Allerdale Borough Council (Reorganisation of Community Governance – Broughton Parish Council) Order 2018

(2) Article 3.1 shall come into force on the ordinary day of election of councillors in 2019.

### **Interpretation**

2. In this Order—

“borough” means the borough **(2)** of Allerdale;

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

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983 **(3)**; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 **(4)** of the Representation of the People Act 1983.

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**(1)** 2007 c.28

**(2)** The non-metropolitan district of Cumbria has the status of a borough

**(3)** 1983 c.2, section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the Local Government and Public Involvement in Health Act 2007 (c.28)

**(4)** Section 8 has been amended by the Local Government (Wales) Act 1994 (c.19) and the Local Government etc. (Scotland) Act 1994 (c.39)

**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.

**Number of parish councillors for the parish of Broughton**

3.1. The number of councillors to be elected for the parish of Broughton shall be ten (10).

**Electoral register**

4. 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.

**Transitional provision**

5. Until the councillors elected to the council of the new parish of Broughton at the elections to be held on the ordinary day of election of councillors in 2019 come into office, the new parish shall be represented by those persons who immediately before 1st April 2019 are the elected councillors for the parish of Broughton.

**Order date**

6. 1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008(5).

Sealed with the seal of the council on the [*day e.g. 31st*] day of [*month*] [*year*]

[*Signature*]

[*day e.g. 31st*] [*month*] [*year*] [*Title of signatory*]

## **EXPLANATORY NOTE**

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

This Order gives effect to recommendations made by Allerdale Borough Council for the parish of Broughton within the borough of Allerdale.

The parish of Broughton will be altered 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 3.1 specifies the numbers of parish councillors for the parish of Broughton.

Article 4 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.