

# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## The Tunbridge Wells Borough Council (Reorganisation of Community Governance) (Rusthall Parish Council) Order 2011

Made 23 February 2011

Coming into force in accordance with article 1(2)

Tunbridge Wells Borough 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 February 2011.

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 the 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 Tunbridge Wells Borough Council (Reorganisation of Community Governance) (Rusthall Parish Council) Order 2011.  
(2) Subject to paragraph (3) it will come into force on 1<sup>st</sup> April 2011.  
(3) For the purpose of:
  - (a) this article, and
  - (b) proceedings preliminary or relating to the elections of Parish Councillors for the Parish of Rusthall, to be held on the ordinary day of election of Councillors in 2011,

this Order will come into force on the day after that on which it is made.

## **Interpretation**

2. In this Order-
  - “County Council” means Kent County Council;
  - “Borough” means the Borough of Tunbridge Wells Borough Council;
  - “existing” means existing on the date this Order is made;
  - “map” means the map marked ‘Map referred to in the Tunbridge Wells Borough Council (Reorganisation of Community Governance)(Rusthall Parish Council) Order 2011’ 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;
  - “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 a new parish**

4. –(1) A new parish, comprising the area outlined with a black broken-line on the map, shall be constituted within the Borough.  
(2) The name of the new parish will be Rusthall.

## **Election for the Parish of Rusthall**

5. –(1)The Elections of all Parish Councillors for Rusthall Parish Council will be held simultaneously on the ordinary day of election of Councillors in 2011.  
(2) The term of office of every Parish Councillor elected on the ordinary day of election of Councillors in 2011 for Rusthall Parish Council will be for four years.

## **Number of Parish Councillors for Rusthall Parish Council**

6. The number of Councillors to be elected for the Rusthall Parish Council will be Nine.

## **Annual Meeting of the Parish Council**

7. The annual meeting of the Rusthall Parish Council in 2011 will be convened by the Monitoring Officer of Tunbridge Wells Borough Council. The meeting will take place no later than 14 days after the day on which the Councillors elected to the new Parish Council take office.

## **Electoral Register**

8. The Electoral Registration Officer for the Borough will 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 Provisions**

9. Until the Councillors elected to the Council of the new Parish Council of Rusthall at the elections to be held in 2011 come into office, the new Parish Council will be represented by those persons who immediately before 1st April 2011 are the elected Councillors for the Rusthall ward on the Tunbridge Wells Borough Council.

## **Order date**

10. 1<sup>st</sup> April 2011 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

**THE CORPORATE COMMON SEAL of THE**

**COUNCIL OF THE BOROUGH OF ROYAL**

**TUNBRIDGE WELLS** was hereunto affixed this

day of February Two Thousand and Eleven

in the presence of:-

Authorised signatory

Authorised signatory

Pursuant to Resolution of Full Council on 23 February 2011.