

# LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## Tewkesbury Borough Council (Reorganisation of Community Governance) (No.2) Order 2023

*Made 2<sup>nd</sup> February 2023*

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

Tewkesbury 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 17 May 2022.

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) and 240(10) of the 2007 Act.

### **Citation and commencement**

1. (1) This Order may be cited as the Tewkesbury Borough Council (Reorganisation of Community Governance) (No.2) Order 2023.
- (2) The Order comes into force: –
  - (a) in respect of proceedings preliminary or relating to the election of Parish Councillors for the new parish set out in Article 5 of this Order to be held on the ordinary day of election of Councillors in 2023, on the day after that on which it is made.
  - (b) for all other purposes on 1 April 2023.

### **Interpretation**

2. In this Order –
  - "Borough" means the Borough of Tewkesbury;
  - "County" means County of Gloucestershire;
  - "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;

"Map" means the maps marked 'Map referred to in the Tewkesbury Borough Council (Reorganisation of Community Governance) (No.2) Order 2023' 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; and

"Electoral 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. (1) 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.
- (2) Save as set out in Tewkesbury Borough Council (Reorganisation of Community Governance) (No.1) Order 2022 and this Order the existing parishes in the Borough of Tewkesbury, and the existing names, boundaries, council size and other parish governance arrangements in respect of those parishes, shall remain existing.

#### **Abolition of existing parish**

4. The existing parish of Dumbleton as shown edged red on map 1 shall be abolished.

#### **Constitution of a new parish of Dumbleton**

5. (1) A new parish, comprising the area shown hatched red on map 2, shall be constituted within the Borough of Tewkesbury.
- (2) The name of the new parish shall be Dumbleton.

#### **Calculation of budget requirement for new parish of Dumbleton**

6. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Dumbleton the sum of £18,700.00.

#### **Constitution of a new parish of Wormington**

7. (1) A new parish, comprising the area shown cross-hatched blue on map 2, shall be constituted within the Borough of Tewkesbury.
- (2) The name of the new parish shall be Wormington.

#### **Calculation of budget requirement for new parish of Wormington**

8. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Wormington the sum of £4,300.00.

#### **Parish Council for the new parish of Dumbleton**

9. There shall be a Parish Council for the new parish of Dumbleton and the name of that Parish Council shall be Dumbleton Parish Council.

#### **Election for the parish of Dumbleton Parish election**

10. (1) The election of all Parish Councillors for the parish of Dumbleton shall be held on the ordinary day of election of Councillors in 2023.

- (2) The term of office of every Parish Councillor elected on the ordinary day of election of Councillors in 2023 for the parish of Dumbleton shall be four years.

**Number of Parish Councillors for the parish of Dumbleton**

11. (1) The number of Parish Councillors to be elected for the parish of Dumbleton shall be five.

**Annual meeting of Dumbleton Parish Council**

12. The Annual Meeting of Dumbleton Parish Council in 2023 shall be convened by Tewkesbury Borough Council. The meeting shall take place no later than 14 days after the day on which the Councillors elected to the Dumbleton Parish Council take office.

**Wormington Parish**

13. The Parish Meeting for Wormington must assemble between 1 April and 1 June 2023 (inclusive). The meeting shall be convened by Tewkesbury Borough Council.

**Transitional Provision**

14. Until the Councillors elected to the Dumbleton Parish Council at the elections to be held on the ordinary day of election of Councillors in 2023 come into office the new parish shall be represented by those persons who immediately before 1 April 2023 are the elected Councillors for the Borough ward of Isbourne and the County Division of Winchcombe and Woodmancote.

**Transfer of Property, Rights and Liabilities**

15. The land, property, rights and liabilities described in Schedules 1, 2 and 3 transfer from the existing Dumbleton Parish Council to the new Parishes of Dumbleton and Wormington as specified in the Schedules on the dates specified in column 2 of those Schedules.

**Electoral Register**

16. The Electoral 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.

**Order Date**

17. 1 April 2023 is the Order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

THE COMMON SEAL of TEWKESBURY )  
BOROUGH COUNCIL was hereto affixed )  
In the presence of: )



Authorised Officer / Director, One Legal



### SCHEDULE 1

#### LAND AND PROPERTY TO BE TRANSFERRED

Column (1)	Column (2)
Any land and property to be transferred	Date
Any land and property of the existing Dumbleton Parish which is situated within the land shown hatched red on Map 2 shall be transferred to the new Dumbleton Parish.	1 April 2023
Any land and property of the existing Dumbleton Parish which is situated within the land shown cross-hatched blue on Map 2 shall be transferred to the new Wormington Parish.	

### SCHEDULE 2

#### FUNDS AND BALANCES TO BE TRANSFERRED

Column (1)	Column (2)
Any funds and balances to be transferred	Date
The sum of £4,213.20 held by the existing Dumbleton Parish shall be transferred to the new Wormington Parish.	1 April 2023

### SCHEDULE 3

#### MAINTENANCE RESPONSIBILITIES TO BE TRANSFERRED

Column (1)	Column (2)
Any maintenance responsibilities to be transferred	Date
Any maintenance or other responsibilities of the existing Dumbleton Parish relating to the area shown hatched red on Map 2 shall be transferred to the new Dumbleton Parish.	1 April 2023
Any maintenance or other responsibilities of the existing Dumbleton Parish relating to the area show cross-hatched blue on Map 2 shall be transferred to the new Wormington Parish.	

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

This Order gives effect to the recommendations made by Tewkesbury Borough Council on 17 May 2022 for the abolition of the existing Dumbleton Parish Council and the creation of a new Dumbleton Parish Council excluding the area of Wormington which will be served by a Parish Meeting.

Article 2 defines maps showing the alterations to parishes. Maps are available for inspection during normal working hours at the offices of Tewkesbury Borough Council Council Offices Gloucester Road Tewkesbury Glos GL20 5TT.

Articles 4, 5 and 7 abolish the existing Dumbleton Parish and constitute 2 new parishes, Dumbleton and Wormington.

Article 9 establishes a new Dumbleton Parish Council

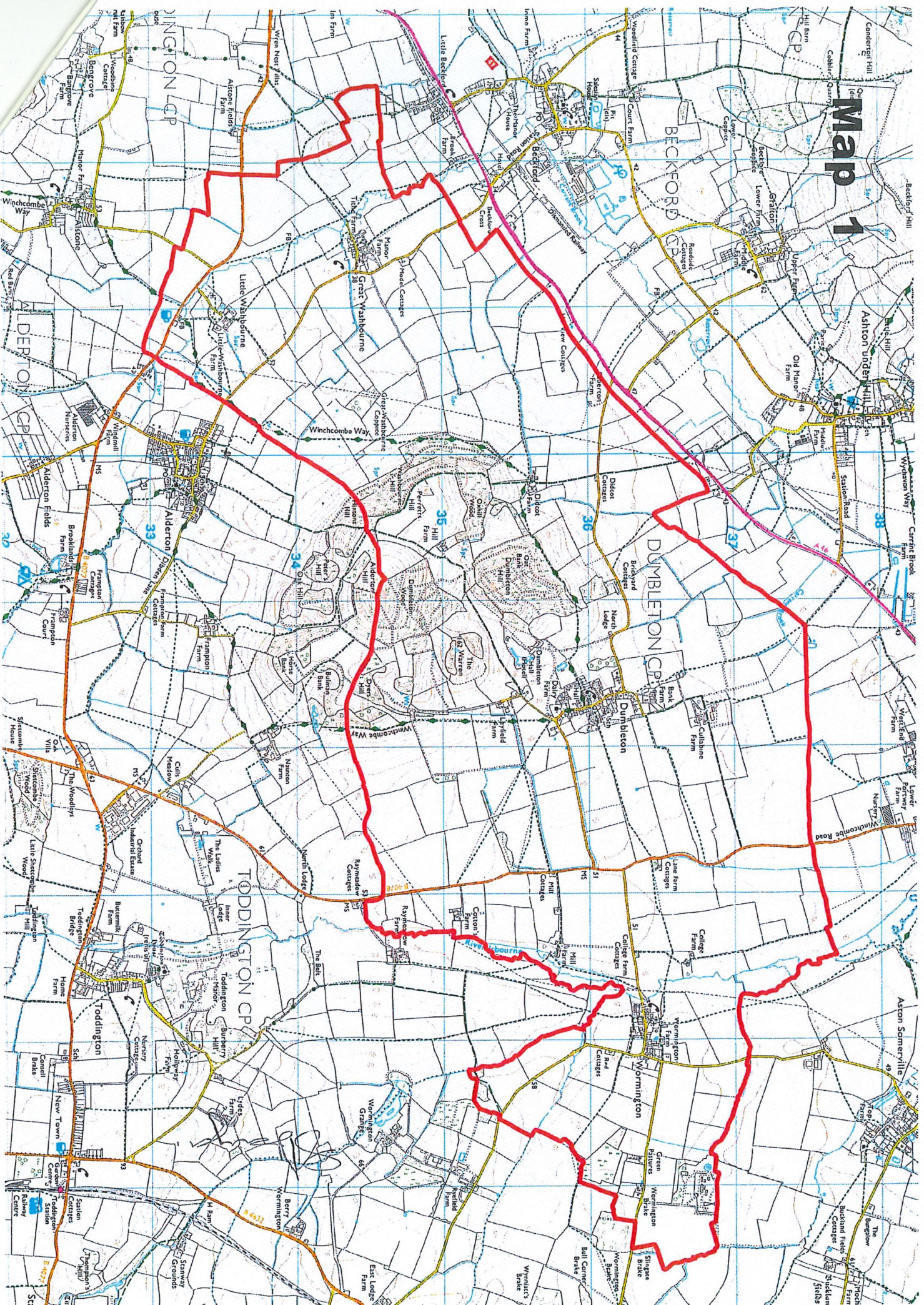
Article 11 provides for the number of Parish Councillors for the new Dumbleton Parish Council.

Article 13 confirms the Parish Meeting for the new Wormington Parish

Article 15 relates to land, property, rights and liabilities described in Schedules 1, 2 and 3 that shall transfer between the parishes defined within this Order on the date specified within those Schedules.

Article 16 obliges the Electoral Registration Officer to make any necessary amendments to the Electoral Register to reflect the new electoral arrangements.

# Map 1



# Map 2

