

2006 No. 3280

LOCAL GOVERNMENT, ENGLAND

The Torbay (Parish) Order 2006

Made - - - - - 4th December 2006

Coming into force in accordance with article 1(2)

The Secretary of State, in exercise of the powers conferred by sections 14 and 23 of the Local Government and Rating Act 1997(a), makes the following Order, which gives effect (without modification) to a recommendation made by Torbay Council, following a review conducted by them in accordance with Part 2 of that Act, for the constitution as a parish within the district of Torbay of an area of which no part is within a parish, and for the establishment of a parish council for that area:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Torbay (Parish) Order 2006.

(2) It shall come into force —

(a) for the purposes of this article and proceedings preliminary or relating to elections of parish councillors to be held on the ordinary day of elections in 2007, on the day after that on which it is made;

(b) for all other purposes, on 1st April 2007.

(3) In this Order—

“the new parish” means the parish constituted by article 2; and

“the map” means the map prepared by the Department for Communities and Local Government, marked “Map referred to in the Torbay (Parish) Order 2006” and deposited in accordance with regulation 6(1) of the Local Government (Parishes and Parish Councils) Regulations 1999(b).

(a) 1997 c.29
(b) S.I. 1999/545.

Constitution of a new parish

2.—(1) A new parish, comprising the area outlined with a blue line on the Map, shall be constituted within the district of Torbay.

(2) The name of the new parish shall be Brixham.

Directions to establish a parish council

3. The Torbay Council is hereby directed to establish a parish council for the new parish.

Transitional Provision

4. Until the councillors elected to the council of the new parish of Brixham at the elections to be held on the ordinary day of elections in 2007 come into office, the new parish shall be represented by those persons who, immediately before the coming into force of this Order, are the elected councillors for the district wards of Berry Head-with-Furzeham and St Mary's-with-Summercombe.

Order Date

5. 1st April 2007 is the order date for the purposes of the Local Government (Parishes and Parish Councils) Regulations 1999.

Signed by authority of the Secretary of State

P. Russell

A Senior Civil Servant
in the Department for Communities and Local Government

4 December 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect (without modification) to a recommendation sent to the Secretary of State by Torbay Council for the creation as a parish of an area within the district of Torbay and for the establishment of a parish council for that area. A map forming part of this note gives a general guide to the area concerned.

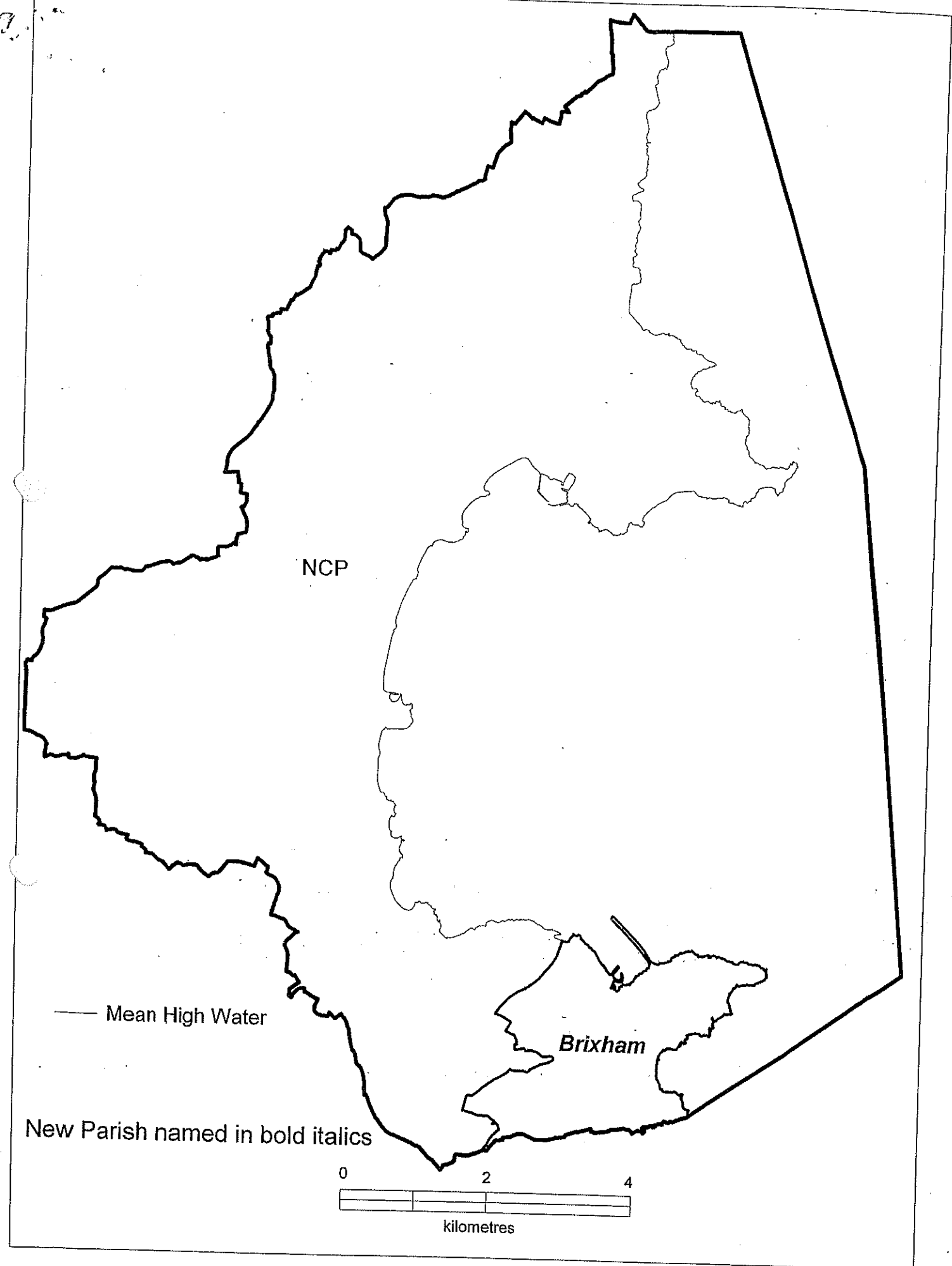
Article 2 creates a new parish to be called Brixham.

Article 3 directs Torbay Council to establish a parish council for the new parish.

Article 4 provides for the parish of Brixham to be represented by the district councillors elected for the district wards of Berry Head-with-Furzeham and St Mary's-with-Summercombe until councillors for the new parish, to be elected on the ordinary day of election in 2007, come into office.

Article 5 specifies 1st April 2007 as the Order date for the purposes of the Local Government (Parishes and Parish Councils) Regulations 1999, which make provision of general application in relation to orders such as this Order.

Prints of the map referred to in the Order may be inspected at all reasonable hours at the offices of Torbay Council at Town Hall, Torquay, TQ1 3DR, and at the Department for Communities and Local Government, Ashdown House, 123 Victoria Street, London SW1E 6DE.



Based on the Ordnance Survey map