

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Westmorland and Furness (Reorganisation of Community Governance) Order 2022

Made 24th October 2022

Coming into force in accordance with article 1(2)

By virtue of Article 17 of the Cumbria (Structural Changes) Order 2022 (the 2022 Order) the Shadow Authority for Westmorland and Furness has the powers under the Local Government and Public Involvement in Health Act 2007 to make this Order.

Barrow-in-Furness Borough Council, ("the Borough 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 September 2022 to the Shadow Authority for Westmorland and Furness ("the Shadow Authority").

Under Article 4 of the 2022 Order, a new district council, to be known as the Westmorland and Furness Council is to be established as the sole principal authority for the non-metropolitan district of Westmorland and Furness and Barrow-in-Furness Borough Council is wound up and dissolved on 1st April 2023.

The Borough Council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section.

More particularly, in accordance with section 93 of the 2007 Act, the Borough Council 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 Shadow Authority has considered the conclusions of the Community Governance Review and the Borough Council's recommendations, and in the exercise of the powers conferred on it by sections 86, 98(4) and 240(10) of the 2007 Act makes the following Order.

Citation and commencement(a)

1. — (1) This Order may be cited as the Westmorland and Furness (Reorganisation of Community Governance) Order 2022.
- (2) Subject to paragraphs (3) and (4) below, this Order comes into force on 1st April 2023.
- (3) Article 9 shall come into force on the ordinary date of election of councillors in 2023.
- (4) For the purposes of:
- (a) this article;
 - (b) article 5; and,
 - (c) proceedings preliminary or relating to the election[s] of parish councillors for the parish of Barrow, to be held on the ordinary day of election of councillors in 2023;

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

Interpretation

2. — In this Order

“Council” means the Westmorland and Furness Council.

“map” means the map marked “Map referred to in the Westmorland and Furness (Reorganisation of Community Governance) Order 2022” 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 the parish constituted by article 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 a new parish

4. — (1) A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the area of Westmorland and Furness Council.
- (2) The name of the new parish shall be Barrow.

Calculation of budget requirement

5. — 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 Barrow the sum of £287,700.

Parish council for the parish of Barrow

6. — (1) There shall be a parish council for the parish of Barrow.
- (2) The name of that council shall be “Barrow Parish Council”

Elections for the Parish of Barrow

7. — (1) The election of all parish councillors for the parish of Barrow shall be first held on the ordinary date of elections of Councillors in 2023, and every four years thereafter.
- (2) The term of office of every parish councillor elected on the ordinary day of councillors in 2023 for the parish of Barrow shall be 4 years.

Number of parish councillors for the parish of Barrow

8. — The number of councillors to be elected for the parish of Barrow shall be twenty one (21).

Wards of the parish of Barrow and number of parish councillors

9. — (1) The parish of Barrow shall be divided into 11 wards which shall be named Walney North, Walney South, Barrow Island, Hindpool, Central, Ormsgill, Parkside, Risedale, Hawcoat, Newbarns and Roosecote.
- (2) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by orange lines. Each ward shall comprise the area of the Council ward bearing the same name.

- (3) The number of councillors to be elected for each ward shall be:

Walney North - 2, Walney South - 2, Barrow Island - 1, Hindpool - 2, Central - 2, Ormsgill - 2, Parkside - 2, Risedale - 2, Hawcoat - 2, Newbarns - 2 and Roosecote - 2.

Annual meeting of parish council

10. — The annual meeting of the new parish council in 2023 shall be convened by the Monitoring Officer of Westmorland and Furness Council. The meeting shall take place no later than 14 days after the day on which councillors elected to the new parish council take office.

Electoral Register

11. — The registration officer for the Westmorland and Furness Council 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

12. — The land, property, rights and liabilities described in Schedules 1 and 2 shall transfer from Westmorland and Furness Council to the Barrow Parish Council on the date specified in column (2) of those Schedules.

Charter Trustees

13. — (1) Any Officers appointed by the charter trustees (if any) for the proper discharge of their functions who hold office immediately before the date of dissolution of the charter trustees ("the date of dissolution") shall by virtue of this Order be transferred on the date of dissolution and on the same terms and conditions of appointment to the employment of the parish council.
- (2) Any powers to appoint local officers of dignity exercisable by the charter trustees (if any) immediately before the date of dissolution shall be exercisable by the parish council.
- (3) Any functions which would have been exercisable in relation to the account of the charter trustees, or, (as the case may be), their responsible finance officer if the charter trustees had not been dissolved shall on and after the date of dissolution be exercisable by the parish council or, as the case may be, the parish council's responsible financial officer.

Order date

14. — 1st April 2023 is the order date for the purposes of the Local Government (Parishes and Parish Councils)(England) Regulations 2008.

Signed on behalf of Westmorland and Furness Council on the 24th day of October 2022

Caroline E. Wood

Interim Monitoring Officer

SCHEDULE 1

LAND AND PROPERTY TO BE TRANSFERRED

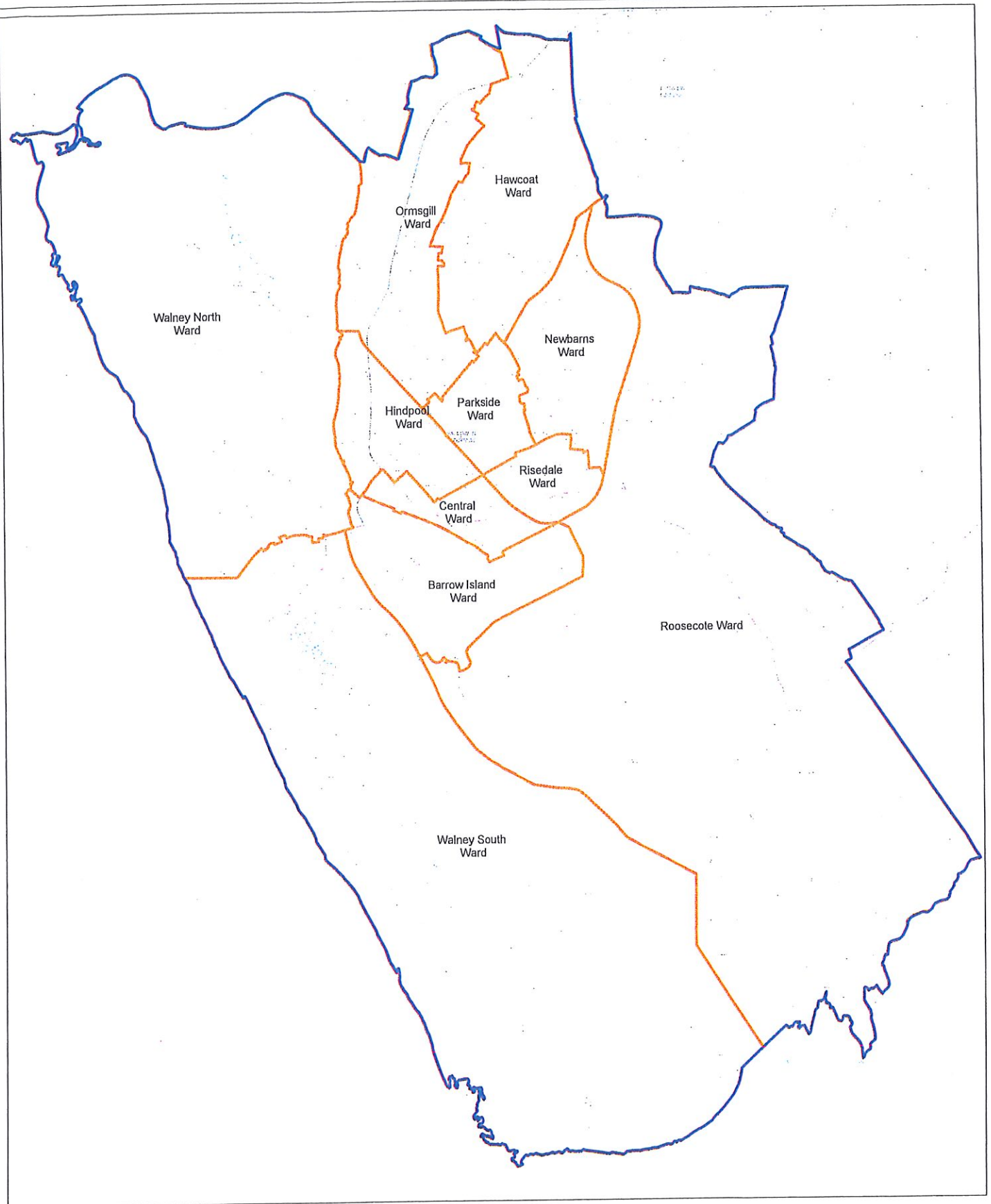
N/A

SCHEDULE 2

HISTORICAL AND CEREMONIAL PROPERTY TO BE TRANSFERRED

Historic and Ceremonial property to be transferred	Date
Mayoral Chain of Office	May 2023
Ceremonial Mace	
Mayoress's Chain of Office	
Presidential Chain of Office for the Master Butcher and Pork Butcher	
Mayoral Car Registration Plate	
Councillors' robes and any associated accoutrements	

Map referred to in the Westmorland and Furness (Reorganisation of Community Governance) Order 2022



*Caroline Elwood
24 November 2022*

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Scale : NOT TO SCALE
Grid : None



Produced on : 17/10/2022



**BOROUGH OF
BARROW IN
FURNESS**

