

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

## LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

### The [*name of principal area*] (Reorganisation of Community Governance) Order [*year*]

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

Coming into force in accordance with article 1(2)

[*name of principal council*] (“the council”), in accordance with section [82(a)][83(b)][84(c)][85(d)] of the Local Government and Public Involvement in Health Act 2007(e) (“the 2007 Act”), has undertaken a community governance review and made recommendations dated [*month*] [*year*]:

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(f):

The council makes the following Order(g) in exercise of the powers conferred by sections 86[, 98(3)(h)][, 98(4)(i)][, 98(6)(j)] and 240(10) of the 2007 Act.

- 
- (a) Delete from order – note for drafter only – cite section 82 where no petition was involved and the council decided to undertake a community governance review.
  - (b) Delete from order – note for drafter only – cite section 83 where a petition was involved and the council was required to carry out a review in response to the petition.
  - (c) Delete from order – note for drafter only – cite section 84 where a petition was involved, the council was already undertaking a review, and was under a duty to respond to the petition by undertaking a separate review.
  - (d) Delete from order – note for drafter only – cite section 85 where a petition was involved and the council, although not under a duty to undertake one, chose to undertake a review or to modify the terms of reference of a review being undertaken at the time.
  - (e) 2007 c.28.
  - (f) Delete from order – note for drafter only – the statutory ‘Guidance on community governance reviews’ issued under section 100 of the 2007 Act by the Secretary of State and the Electoral Commission is published at [www.communities.gov.uk](http://www.communities.gov.uk) and [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk).
  - (g) Delete from order - note for drafter only - the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S.I. 2008/625) are subject to any provision made in the reorganisation order in relation to the matters with which the Regulations also deal unless provision to the contrary is made.
  - (h) Delete from order - note for drafter only - cite section 98(3) if the reorganisation order includes incidental, consequential, transitional or supplementary provision.
  - (i) Delete from order - note for drafter only - cite section 98(4) if the reorganisation order includes provision with respect to the transfer and management or custody of property or the transfer of functions, property, rights and liabilities.
  - (j) Delete from order - note for drafter only - cite section 98(6) if the reorganisation order includes provision for the exclusion or modification of the application of section 16(3) or section 90 of the Local Government Act 1972 or rules under section 36 of the Representation of the People Act 1983.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

### **Citation and commencement(a)**

1.—(1) This Order may be cited as the [*name of principal area*] (Reorganisation of Community Governance) Order [*year*].

(2) [It shall come into force on 1st April [*year*].]

(3) [It shall come into force on [*any date*] [the day after that on which it is made]].(b)

(4) [Subject to paragraphs (5) and (6) below, this Order comes into force on 1st April [*year*]](c).

(5) Article [*number of article establishing parish electoral arrangement, i.e. numbers of parish councillors and names of parish wards*] shall come into force on the ordinary day of election of councillors in [*year*]](d).

(6) For the purposes of:

(a) this article,

(b) article [*Calculation of budget requirement*]; and

(c) proceedings preliminary or relating to the election[s](e) of parish councillors for the parish of [*name*], to be held on the ordinary day of election of councillors in [*year*],

this Order shall come into force on [15th October [*year preceding parish election*]] [the day after that on which it is made]](f).

### **Interpretation**

2. In this Order—

[“borough” means the borough(g) of [*name of principal area*];]

- 
- (a) Delete from order - note for drafter only – the example commencement provisions set out in article 1 of this model order are illustrative only, not exhaustive. The drafter will need to give careful thought to the commencement provision required as what is required will depend on the types of changes that the order will bring about and, in some cases, on relevant local circumstances. In some cases different articles will need to be commenced at different times and for different purposes.
- (b) Delete from order – note for drafter only - where the Order makes only minor boundary changes to existing parishes it can come into force on any date. However, where boundary changes are more than minor and will affect many electors, the provisions which make those changes must come into force on 1<sup>st</sup> April before the next scheduled elections for the parishes concerned. This is because precepting authorities can only issue precepts for entire financial years (see footnote (c) below), and so that local people can vote for their new parish councillors.
- (c) Delete from order – note for drafter only – Orders that create, alter or abolish parishes and group or de-group parishes should do so with effect from 1st April because parish precepts can only be issued for whole financial years. However, an order establishing a new parish council or new electoral arrangements must be made in time for the principal council to reflect those changes in the electoral register, ideally by 15 October before the election. It should be made no later than 39 working days before the election. However, the administrative deadline is traditionally taken to be 15 February before the election.
- (d) Delete from order – note for drafter only - parish electoral arrangements, i.e. numbers of parish councillors and names and areas of parish wards, come into force at parish elections. Principal councils should note that it may be more convenient for a parish election to coincide with the next election due to take place in an associated district or London borough ward or county division.
- (e) Delete from order – note for drafter only - under section 16 of the LGA 1972, an unwarded parish has a single parish election and a warded parish has a separate election in each parish ward, so use ‘election’ for an unwarded parish and ‘elections’ for a warded parish.
- (f) Delete from order – note for drafter only – although the Order comes into force for parish administrative boundaries on 1<sup>st</sup> April and for parish electoral arrangements on the ordinary day of election, it must come into force early for the purpose of preparing for those elections. Likewise, the article which specifies an amount in relation to the new parish [*Calculation of budget requirement*] must come into force early so as to enable the billing authority to anticipate a precept equivalent to that amount when making its calculations in accordance with section 32 of the Local Government Finance Act 1992 (see regulation 3 of the Local Government Finance (New Parishes) Regulations 2008 (SI 2008/626).
- (g) The [non-]metropolitan district of [*name*] has the status of a borough.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

["city" means the city(a) of [name of principal area];]

["county" means the county of [name of principal area];]

["district" means the district of [name of principal area];]

["existing" means existing on the date this Order is made;]

["London borough" means the London borough of [name of principal area];]

["map" means the map marked "Map referred to in the [name of principal area] (Reorganisation of Community Governance) Order [year]" 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 [number];]

"ordinary day of election of councillors" has the meaning given by section 37 of the Representation of the People Act 1983(b); and

"registration officer" means an officer appointed for the purpose of, and in accordance with, section 8(c) 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.(d)

### **[Constitution of a new parish(e)]**

**4.—(1)** A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the [borough][city][county][district][London borough].

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

(3) [The new parish shall have the alternative style of [community][neighbourhood][village].]

(4) [In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parish of [name of parish]](f).

### **[Calculation of budget requirement](g)**

**5.** For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008(h) there is specified in relation to the parish of [name] the sum of £[sum].]

---

(a) The [non-]metropolitan district of [name] has the status of a city.

(b) 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).

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

(d) Delete from order – note for drafter only - Section 99 provides for public bodies affected by reorganisation following a community governance review to make agreements about incidental matters and what those agreements may provide for. This text should be included to ensure that the Order applies subject to the terms of any such agreement. By virtue of section 97(2) (supplementary regulations) of the Local Government and Public Involvement in Health Act 2007, the inclusion of this text will also ensure that the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (which are made under section 97(1) of that Act) have effect subject to the terms of any relevant agreement made under section 99.

(e) Delete from order – note for drafter only – section 87 of the 2007 Act sets out the ways in which a new parish may be constituted. The example articles in this order which relate to the constitution of new parishes are not exhaustive and so the drafter should give careful thought to how the article constituting the new parish(es) is worded.

(f) Delete from order – note for drafter only – this paragraph should be included where the new parish which is being created is to be constituted in whole or in part from the area of an existing parish.

(g) Delete from order – note for drafter only – to be used where parish will not have a parish council.

(h) S.I. 2008/626.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

**[Parish council for the parish of *[name]*]**

6.—(1) There shall be a parish council for the parish of *[name]*(a).

(2) The name of that council shall be “The [Community][Neighbourhood][Parish][Village] Council of *[name of parish]*”.(b)

**Grouping or de-grouping parishes(c)**

**[Grouping the parishes of *[names]* under a common parish council(d)]**

7.—(1) [The *[name of parish council]* shall be wound up and dissolved(e).]

(2) The parishes of *[names]* shall be grouped under a common parish council.

(3) The name of the group shall be “The *[names]* Group of [Communities][Neighbourhoods][Parishes][Villages]”.

(4) The name of the common parish council shall be “The Common [Community][Neighbourhood][Parish][Village] Council of *[names]*”.

(5) [The common parish council shall not act without the consent of the parish meeting of each parish(f) affected by any particular act of the council.]

(6) To preserve the separate rights of each parish the common parish council shall be deemed to be a separate parish council for each parish in the group for the purposes of section 79 of the Charities Act 1993(g) (parochial charities) and any provisions of the Local Government Act 1972 with respect to the custody of parish documents.

(7) [Each parish in the group which has an alternative style shall cease to have that style.]]

(8) [Each parish in the group shall have the alternative style [community][neighbourhood][village].]

**[Adding the parish of *[name]* to the *[name of group]* group of parishes under the *[name of common parish council]*(h)]**

8.—(1) [The *[name of parish council]* shall be wound up and dissolved(i).]

(2) The parish of *[name]* shall be added to the *[name of group]* group of parishes(j) under the *[name of common parish council]*(k)[ and shall cease to have an alternative style(l)](a).

---

(a) The parish of *[name]* was created by the *[title [and number] of order that created parish]*.

(b) Delete from order – note for drafter only – the parish council can only have an alternative style if the parish has one.

(c) Delete from order – note for drafter only – by virtue of section 91 of the LGPIH 2007 a community governance review may make recommendations as to whether or not grouping or de-grouping provision should be made and a principal council may give effect to those recommendations in a reorganisation order. In such a case, the grouping or de-grouping provision which may be made in the order is equivalent to provision which may be made in an order under section 11 of the LGA 1972.

(d) Delete from order – note for drafter only – under section 11 of the LGA 1972 parishes can only be grouped with neighbouring parishes in the same district [or unitary authority] and with the consent of the parish meeting of each parish.

(e) Delete from order – note for drafter only – to be used to dissolve a parish’s existing parish council so that the parish can instead be grouped with one or more neighbouring parishes.

(f) This article provides for the parishes of *[names]* to be grouped. Section 9(1) of the Local Government Act 1972 (c.70) provides for every parish to have a parish meeting.

(g) 1993 c.10.

(h) Delete from order – note for drafter only – under section 11 of the LGA 1972 parishes can only be grouped with neighbouring parishes in the same district or unitary authority and with the consent of the parish meeting of each parish.

(i) Delete from order – note for drafter only – to be used to dissolve a parish’s existing parish council so that the parish can join an existing group of neighbouring parishes.

(j) See the *[title of order that established group]*.

(k) Delete from order – note for drafter only – under section 11 of the LGA 1972 parishes can only be grouped with neighbouring parishes in the same district or unitary authority and with the consent of the parish meeting of each parish.

(l) Delete from order – note for drafter only – to be used where parish to be added has an alternative style but parishes in the group do not.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

**[Separating the parish of *[name]* from the *[name of group]* group of parishes under the *[name of common parish council]*](b)**

9.—(1) The parish of *[name]* shall be separated from the *[name of group]* group of parishes under the *[name of common parish council]*(c)[ and shall continue to have the alternative style(d)](e).

**[Dissolving the *[name of group]* group of parishes under the *[name of common parish council]*]**

10.—(1) The *[name of group]* group of parishes shall be dissolved.

(2) The *[name of common parish council]* for the *[name of group]* group of parishes shall be wound up and dissolved.

(3) [Each parish in the group shall continue to have the alternative style [community][neighbourhood][village].](f)

**Amalgamation of existing parishes of *[name of existing parish]* and *[name of existing parish]* and constitution of new parish of *[name of new parish]***

11.—(1) The existing parishes of *[name of parish]* and *[name of parish]* shall be amalgamated to constitute a new parish comprising the area outlined in blue of the map.

(2) The new parish shall be known as *[name of parish]*.

(3) In consequence of paragraph (1), the existing parishes of *[name of parish]* and *[name of parish]* shall cease to exist.

**[[Election[s] for the parish of *[name]*][Parish elections](g)**

12.[The election][Elections] of all parish councillors for the [parish of *[name]*][parishes of *[names]*] shall be held [simultaneously] on the ordinary day of election of councillors in [year](h).

**[[Election[s] for the parish of *[name]*][Parish elections]**

13.—(1) [The election][Elections] of all parish councillors for the [parish of *[name]*][parishes of *[names]*] shall be held [simultaneously] on the ordinary day of election of councillors in [year][years](i).

---

(a) See the [title of order that established group].

(b) Delete from order – note for drafter only – under section 11 of the LGA 1972 a group of parishes or the parish meeting of any parish included in a group of parishes may apply to the district council or unitary authority to separate parishes grouped with neighbouring parishes from that group.

(c) Delete from order – note for drafter only – under section 11 of the LGA 1972 parishes can only be grouped with neighbouring parishes in the same district or unitary authority and with the consent of the parish meeting of each parish.

(d) Delete from order – note for drafter only – to be used where parish to be added has an alternative style but parishes in the group do not.

(e) See the [title of order that established group].

(f) Delete from order – note for drafter only – by virtue of section 91(3) of the Local Government and Public Involvement in Health Act 2007 and section 11B(2) of the LGA 1972, where a reorganisation order makes de-grouping provision, it must provide for each de-grouped parish to continue to have the alternative style.

(g) Delete from order – note for drafter only - under section 16 of the LGA 1972, an unwarded parish has a single parish election and a warded parish has a separate election in each parish ward, so use 'election' for an unwarded parish and 'elections' and 'simultaneously' for a warded parish.

(h) This article provides for parish elections in the new parishes of *[names]* in [year]. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

(i) This article provides for parish elections in the new parishes of *[names]* in [year]. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in [year] for the parish of [name] shall be [five][three][two][one] year[s].

(3) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraphs [number] or [number] above to be held on a date other than that for which paragraphs [number] and [number] provide, it shall cease to have effect to that extent.]

**[Number(a) of parish councillors for the parish of [name]**

**14.** The number(b) of councillors to be elected for the parish of [name] shall be [number].]

**[Numbers(c) of parish councillors for the parish of [name]**

**15.** The number(d) of councillors to be elected for each of [names] wards of the parish of [name] shall be [number] and for [name] ward of that parish shall be [number].]

**[Number(e) of parish councillors for the parish of [name]**

**16.—(1)** The existing wards of the parish of [name] shall be abolished.

(2) The number(f) of councillors to be elected for the parish of [name] shall be [number].]

- 
- (a) Delete from order – note for drafter only - Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish. Therefore, a parish may have less than five parish councillors if the parish is grouped under a common parish council so that the total number of parish councillors on the parish council is at least five. An unwarded parish has a single number of parish councillors but a warded parish has separate numbers of parish councillors for each parish ward.
- (b) Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.
- (c) Delete from order – note for drafter only - Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish. Therefore, a parish may have less than five parish councillors if the parish is grouped under a common parish council so that the total number of parish councillors on the parish council is at least five. An unwarded parish has a single number of parish councillors but a warded parish has separate numbers of parish councillors for each parish ward.
- (d) Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.
- (e) Delete from order – note for drafter only - Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish. Therefore, a parish may have less than five parish councillors if the parish is grouped under a common parish council so that the total number of parish councillors on the parish council is at least five. An unwarded parish has a single number of parish councillors but a warded parish has separate numbers of parish councillors for each parish ward.
- (f) Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

**[Numbers(a) of parish councillors for the parish of *[name]*]**

17.—(1) The existing wards of the parish of *[name]* shall be abolished.

(2) The number(b) of councillors to be elected for each of *[names]* wards of the parish of *[name]* shall be *[number]* and for *[name]* ward of that parish shall be *[number]*.]

**[Wards of the parish of *[name]* and numbers of parish councillors]**

18.—(1) The parish of *[name]* shall be divided into *[number]* wards which shall be named *[names]*.

(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 [borough][city][county][district][London borough] [ward][electoral division](c) bearing the same name.]

(3) The number of councillors to be elected for [each ward shall be *[number]*][each of *[names]* wards shall be *[number]*, and for *[name]* ward shall be *[number]*].]

**[Wards of the parish of *[name]* and numbers of parish councillors]**

19.—(1) The existing wards(d) of the parish of *[name]* shall be abolished.

(2) The parish shall be divided into *[number]* wards which shall be named *[names]*.

(3) [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 [borough][city][county][district][London borough] [ward][electoral division](e) bearing the same name.]

(4) The number of councillors to be elected for [each ward shall be *[number]*][each of *[names]* wards shall be *[number]*, and for *[name]* ward shall be *[number]*].]

**[Wards of the parish of *[name]* and numbers of parish councillors]**

20.—(1) The parish of *[name]* shall be divided into *[number]* wards which shall be named as set out in column (1) of [the Schedule][Schedule *[number]*].]

(2) Each ward shall comprise the area of the [borough][city][county][district][London borough] [ward][electoral division](f) specified in respect of the ward in column (2) of that Schedule.]

(3) The number of councillors to be elected for each ward shall be [[*[number]*][the number specified in respect of the ward in column (3) of that Schedule].]

- 
- (a) Delete from order – note for drafter only - Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish. Therefore, a parish may have less than five parish councillors if the parish is grouped under a common parish council so that the total number of parish councillors on the parish council is at least five. An unwarded parish has a single number of parish councillors but a warded parish has separate numbers of parish councillors for each parish ward.
- (b) Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.
- (c) See the [title and number of S.I. that established borough, city, district or London borough ward or county electoral division].
- (d) See the [title [and number] of S.I. that established existing parish wards].
- (e) See the [title and number of S.I. that established borough, city, district or London borough ward or county electoral division].
- (f) See the [title and number of S.I. that established borough, city, district or London borough ward or county electoral division].

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

**[Wards of the parish of *[name]* and numbers of parish councillors**

- 21.—(1) The existing wards of the parish of *[name]* shall be abolished.
- (2) The parish shall be divided into *[number]* wards which shall be named as set out in column (1) of [the Schedule][Schedule *[number]*].
- (3) Each ward shall comprise the area of the [borough][city][county][district][London borough][ward][electoral division](a) specified in respect of the ward in column (2) of that Schedule.]
- (4) The number of councillors to be elected for each ward shall be [*[number]*][the number specified in respect of the ward in column (3) of that Schedule].]

**Annual meeting of parish council**

22. The annual meeting of the new parish council in *[year in which new parish to be created]* shall be convened by the *[name of officer]* of the *[name of principal council]*. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

**[Alteration of [parish areas][ and ][the areas of parish wards]**

- 23.—(1) [The area coloured and designated by the letter “A” on the map shall cease to be part of the parish of *[name]* and *[name]* ward of that parish and shall become part of the parish of *[name]* and *[name]* ward of that parish.]
- (2) [Each area coloured and designated by a letter on the map and specified in column (1) of the Schedule shall cease to be part of the parish [and parish ward][or unparished area] specified in relation to that area in columns (2) and (3) of the Schedule and shall become part of the parish [and parish ward][or unparished area] specified in relation to that area in columns (4) and (5) of the Schedule.]
- (3) [The area that ceased to be part of the parish of *[name]* and became part of the parish of *[name]* in consequence of the *[title of Order]* shall cease to be part of *[name]* ward of the parish of *[name]*.]
- (4) [The area that ceased to be part of the parish of *[name]* and became part of the parish of *[name]* in consequence of the *[title of Order]* shall become part of *[name]* ward of the parish of *[name]*.]
- (5) [The area that ceased to be part of the parish of *[name]* and became part of the parish of *[name]* in consequence of the *[title of Order]* shall cease to be part of *[name]* ward of the parish of *[name]* and shall become part of *[name]* ward of the parish of *[name]*.]

**[Dissolution of parish council for the parish of *[name]***

24. The parish council for the parish of *[name]* shall be dissolved.]

**[Abolition of the parish of *[name]***

25. The parish of *[name]* shall be abolished.]

---

(a) See the *[title and number of S.I. that established borough, city, district or London borough ward or county electoral division]*.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

#### **[Change of parish name**

26. The parish of [*name*] shall be named [*new name*].]

#### **Electoral register**

27. The registration officer for the [borough][city][county][district][London 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.

#### **[Transfer of property, rights and liabilities(a)**

28. The land, property, rights and liabilities described in Schedules [*numbers*] shall transfer from the [*name of principal council or parish council*] to the [*name of parish council or principal council*] on the date specified in column (2) of those Schedules.]

#### **[Charter Trustees(b) of the [City][Town] of [*name*](c)**

29.—(1) Any officers appointed by the charter trustees for the proper discharge of their functions who hold office immediately before the date of dissolution of the charter trustees (“the date of dissolution”) (d) 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 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 financial 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.]

#### **Transitional provision**

30. Until the councillors elected to the council of the new parish of [*name*] at the elections to be held on the ordinary day of election of councillors in [*year*] come into office, the new parish shall be represented by those persons(e) who immediately before 1st April [*year*] are the elected councillors for the [borough][city][county][district][London borough] [wards][electoral divisions] of [*names*].

#### **Order date**

31. 1st April [*year*] is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008(f).

- 
- (a) Delete from order – note for drafter only – the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S.I. 2008/625) provide for the transfer of property, rights and liabilities but are subject to any provision made about these matters in the reorganisation order.
- (b) Delete from order – note for drafter only – to be used where new parish is to be created from all or part of a city or town with charter trustees.
- (c) Delete from order – note for drafter only – the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S.I. 2008/625) provide for charter trustees but are subject to any provision made about these matters in the reorganisation order.
- (d) By virtue of regulation 15 of the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S.I. 2008/625) the date of dissolution is the date on which the first parish councillors for the parish or parishes come into office.
- (e) Delete from order – note for drafter only – Care should be taken to obtain the consent of the relevant persons to their being appointed as interim councillors.
- (f) S.I. 2008/625.

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

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

[day e.g. 31st] [month] [year]

[Signature]  
[Title of signatory]

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

## SCHEDULE[ 1]

article [number]

### WARDS OF THE PARISH OF [NAME]

#### NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Name of Ward</i>	<i>Area of Ward</i>	<i>Number of Councillors</i>
[name]	The [borough][city][county][district][London borough] [ward][electoral division] of [name]	[number]
[name]	So much of the [borough][city][county][district][London borough] [ward][electoral division] of [name] as comprises the parish of [name]	[number]
[name]	The [borough][city][county][district][London borough] [ward][electoral division] of [name]	[number]
[name]	So much of the [borough][city][county][district][London borough] [ward][electoral division] of [name] as comprises the parish of [name]	[number]

## SCHEDULE[ 2]

article [number]

### ALTERATION OF AREAS OF PARISHES AND PARISH WARDS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>	<i>Column (5)</i>
<i>Area</i>	<i>Parish from which omitted</i>	<i>Parish ward from which omitted</i>	<i>Parish to which added</i>	<i>Parish ward to which added</i>
“A”	[name]	[name]	[name]	[name]
“B”(a)	[name]	Not applicable	[name]	[name]
“C”(b)	Not applicable	Not applicable	[name]	[name]
“D”(c)	[name]	[name]	Not applicable	Not applicable
“E”(d)	[name]	[name]	[name]	Not applicable

- 
- (a) This area was transferred from the unwarded parish of [name] to the parish of [name] by [title and number of Order].
- (b) This area was transferred from an unparished area to the parish of [name] by [title and number of Order].
- (c) This area was transferred from the parish of [name] to an unparished area by [title and number of Order].
- (d) This area was transferred from the parish of [name] to the unwarded parish of [name] by [title and number of Order].

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

**SCHEDULE[ 3]**

article [number]

**LAND AND PROPERTY TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
[description]	[date]

**SCHEDULE[ 4]**

article [number]

**HISTORICAL AND CEREMONIAL PROPERTY TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Historic and ceremonial property to be transferred</i>	<i>Date</i>
[description]	[date]

**SCHEDULE[ 5]**

article [number]

**[OTHER MATTERS] TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>
<i>[Other matters] to be transferred</i>	<i>Date</i>
[description]	[date]

**SCHEDULE[ 6]**

article [number]

**FUNDS AND BALANCES TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Funds and balances to be transferred</i>	<i>Date</i>
[description]	[date]

**NOTE: THIS MODEL ORDER IS FOR GUIDANCE ONLY. LOCAL AUTHORITIES SHOULD SEEK THEIR OWN LEGAL ADVICE WHEN DRAWING UP REORGANISATION ORDERS AND SHOULD NOT RELY ON THIS MODEL. LOCAL AUTHORITIES HAVE NO POWERS TO ALTER THE BOUNDARIES OF PRINCIPAL AREAS OR OF WARDS OR DIVISIONS OF THOSE AREAS AND THIS MODEL CANNOT BE USED FOR THAT PURPOSE.**

SCHEDULE[ 7]

article [number]

**MAINTENANCE [OR OTHER] RESPONSIBILITIES TO BE TRANSFERRED**

<i>Column (1)</i>	<i>Column (2)</i>
<i>Maintenance responsibilities to be transferred</i>	<i>Date</i>
[description]	[date]

**EXPLANATORY NOTE**

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

This Order gives effect to recommendations made by [name of principal council] for [the new parish of [name], created][the alteration of the area of the parish of [name]][the abolition of the parish of [name]][the creation of a council for the parish of [name]][the dissolution of the council for the parish of][the parish of [name] to be grouped under a common parish council with the parishes of [names]][the parish of [name] to be separated from the group of parishes under a common parish council][the common parish council for the parishes of [names] to be dissolved] within the [borough][city][county][district][London borough] of [name of principal area].

The parish of [name] will be [created][altered][abolished] with effect from 1 April [year]. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in [year].

Article [insert article number] provides for parish elections in the parish of [name] in [year], and then to continue according to the established system of parish elections every four years.

Article [insert article number] specifies the numbers of parish councillors for the new parish of [name].

Article [insert article number] and the map establish the names and areas of the wards of the new parish of [name] and the numbers of councillors for each ward.

Article [insert article number] obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of [name]. It is available, at all reasonable times, at the offices of [name of principal council].