

Section 11 LOCAL GOVERNMENT ACT 1972

**DRAFT**

**SOUTH CAMBRIDGESHIRE DISTRICT (PARISHES OF HISTON AND IMPINGTON)**

**GROUPING ORDER 20[ ]**

Order grouping the parishes of Histon and Impington under a common parish council.

**WHEREAS –**

- (1) The parishes of Histon and Impington are neighbouring parishes and the Parish Meetings of both parishes have applied to the South Cambridgeshire District Council (“the District Council”) for an Order grouping parishes under a common parish council.
- (2) The parishes of Histon and Impington currently have separate parish councils but share certain resources including the Clerk and office.

**NOW THEREFORE** the District Council, in exercise of its powers under section 11 of the Local Government Act 1972 and of all other powers enabling them, in that behalf, hereby make the following order:

1. The Parishes of Histon and Impington shall be grouped under a common parish council. The group shall be named “The Histon & Impington Group” and the common parish council shall be named “Histon & Impington Parish Council”.
2. The common parish council shall consist of nineteen (19) councillors of whom [11] shall be elected to represent the parish of Histon and [8] shall be elected to represent the parish of Impington.
3. The term of office of every parish councillor elected on the day of election of 3rd May 2012 for the parishes of Histon and Impington shall be [4] years. The persons elected shall come into office on the fourth day after such ordinary day of election and shall retire on the fourth day after the ordinary day of election of councillors in [2016].
4. Elections of all parish councillors for the parishes of Histon and Impington shall be held simultaneously on the ordinary day of election of councillors on 3<sup>rd</sup> May 2012 and every fourth year after 2012.
5. The annual meeting of the common parish council in 2012 shall be held on or within 14 days after the day on which the first parish councillors take office and shall be convened by the Clerk of Histon Parish Council.

6. There shall be a separate parish meeting for each parish. Sub-paragraph 14(3) of Schedule 12 of the Act shall not apply.
7. Where under the provisions of an enactment or instrument the consent of the parish meeting for a parish is required in respect of any act done, or proposed to be done, by a parish council, the consent of the parish meeting of each parish affected by the act shall be necessary in respect of such act done or proposed to be done, by the common parish council.
8. For the purposes of the application to the parishes of all or any of the provisions of section 79 of the Charities Act 1993 and of any provision of the Local Government Act 1972 with respect to the custody of parish documents, so as to preserve the separate rights of each parish, the common parish council shall be deemed to be a separate parish council for each parish PROVIDED that the consent of the parish meeting for any parish shall be required to any act of the common parish council under the said provisions which relates only to the affairs of that parish.
9. The annual assemblies of the parish meetings of Histon and Impington shall be held before the fourth day after the ordinary election of councillors in 2012.
10. The Parish Councils of Histon and Impington shall cease to exist on such fourth day after the ordinary election of councillors in 2012.
11. All property, staff and liabilities vested in or attaching to the Parish Councils of Histon and Impington shall by virtue of this Order on such fourth day be transferred to and vest in or attach to the common parish council  
  
All contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given by, or to, the Parish Councils of Histon and Impington shall as from such fourth day be of full force and effect in favour of, or against, the common parish council.  
  
Any action or proceeding or any cause of action or proceeding, pending or existing at such fourth day by, or against, the parish Councils of Histon and Impington shall not be prejudicially affected by this Order and may be continued, prosecuted and enforced by or against the common parish council.
12. The accounts of the Parish Councils of Histon and Impington and the committees and offices thereof shall be made up to the said fourth day and shall be audited in like manner and subject to the same incidents and consequences as if this Order had not been made PROVIDED that any sum certified by a district auditor as due from any person shall be paid to the common parish council.
13. All properties in the parish of Histon shall be subject to the Council Tax precept determined by the District Council until 31<sup>st</sup> March 20[ ].

All properties in the parish of Impington shall be subject to the Council tax precept determined by the District Council until 31<sup>st</sup> March 20[ ].

14. The Interpretation Act 1978 shall apply for the interpretation of an Act of Parliament.
15. This Order may be cited as the South Cambridgeshire District (Parishes of Histon and Impington) Grouping Order 2011 and shall come into operation on the making hereof.

In pursuance etc.