



# Charlwood and Horley Act 1974

## 1974 CHAPTER 11

An Act to transfer parts of the new parishes of Charlwood and Horley to the new county of Surrey, and for connected purposes. [8th February 1974]

### Annotations:

#### Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

### 1 Transfer of parts of new parishes of Charlwood and Horley to Surrey.

- (1) So much of the new parishes of Charlwood and Horley as lies north of the boundary referred to in subsection (2) below is hereby transferred from the new county of West Sussex to the new county of Surrey.
- (2) The said boundary (being a boundary starting at a point on the western boundary of the new parish of Charlwood north-east of Oaklands Park, then running in an easterly direction to Russ Hill and Westfield Place, from Westfield Place in an easterly and then a northerly direction to Horley Road and then on or near the general line of Horley Road to the Longbridge roundabout and finally running south-east and east on or near the line of the proposed link road from the M23 motorway to its junction with the eastern boundary of the new parish of Horley) shall be that shown by a line coloured red on the map deposited in connection with the Bill for this Act with the Clerks of the existing Surrey and West Sussex county councils and in the Office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons.
- (3) The part of the new parish of Charlwood transferred by this section to the new county of Surrey, less the excepted area of Charlwood, shall be a parish by the name of Charlwood and shall form part of the district of Mole Valley in that county.
- (4) The part of the new parish of Horley transferred by this section to the new county of Surrey, together with the excepted area of Charlwood, shall be a parish by the name of Horley and shall form part of the district of Reigate and Banstead in that county.

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- (5) In this section the “excepted area of Charlwood” means that part of the new Parish of Charlwood which lies north-east of the boundary referred to in subsection (2) above and south-west of the existing parish boundary along the Gatwick stream.
- (6) The parts of the new parishes of Charlwood and Horley not transferred by this section to the new county of Surrey shall not form part of any parish.
- (7) There shall be separate parish councils for the parishes of Charlwood and Horley established by this section.
- (8) The new parish of Salfords and Sidlow in the new county of Surrey is hereby transferred from the district of Mole Valley to the district of Reigate and Banstead.
- (9) The following councillors, that is to say—
- (a) the councillors elected to the council of the new county of West Sussex for the electoral division of Charlwood and Horley;
  - (b) the councillors elected to the council of the district of Crawley for district wards Nos. 10 and 11; and
  - (c) the councillors elected to the council of the district of Mole Valley for district ward No. 18;
- shall be deemed to have retired on the passing of this Act and no election shall be held under the <sup>M1</sup>Local Government Act 1972 to fill the vacancies in their offices.
- (10) The councillor elected to the council of the new county of Surrey for the electoral division of Dorking Rural shall continue in office until the fourth day after the election of county councillors for that county held in pursuance of an order under section 2(2) below and shall then retire.
- (11) The parish councillors elected for the new parish of Charlwood shall continue in office as members of the council of the parish of Charlwood established by this section and shall so continue until the fourth day after the election of parish councillors for the latter parish which is held in pursuance of any such order and shall then retire.
- (12) The parish councillors elected for the new parish of Horley shall, subject to any such order, continue in office as members of the council of the parish of Horley established by this section, but the parish councillors elected for Ward No. 3 of the former parish shall only so continue until the fourth day after the election of parish councillors for the latter parish which is held in pursuance of any such order and shall then retire.
- (13) Nothing in this section affects the council of the new parish of Salfords and Sidlow.

**Annotations:**

**Marginal Citations**

M1 1972 c. 70.

**2 Supplementary.**

- (1) Subject to the provisions of this section, the Local Government Act 1972 and orders of general application made under Part XII of that Act shall have effect as if the provisions of this Act were contained in that Act.

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- (2) Without prejudice to subsection (1) above and paragraph 3 of Schedule 3 to that Act (division of principal areas into electoral areas), the Secretary of State may, after carrying out (either before or after the passing of this Act) such consultations as he thinks appropriate, by order made by statutory instrument make provision—
- (a) creating or altering electoral areas within the local government areas affected by section 1 above and giving names to any new or altered electoral area;
  - (b) specifying the number of councillors to be returned for each new or altered electoral area;
  - (c) providing for the first elections after the passing of this Act of councillors for the new or altered electoral areas; and
  - (d) assigning existing councillors to any new or altered electoral area,
- and make such incidental, consequential, transitional or supplementary provision as may appear to the Secretary of State to be necessary or proper, including provision amending or revoking any provision of an order made under the said paragraph 3.
- (3) Paragraph 12(7) of Schedule 3 to the <sup>M2</sup>Local Government Act 1972 (suspension of parish council elections in 1974 and 1975) shall not prevent an order under subsection (2) above from providing for the holding in 1974 of elections of parish councillors for the parish of Charlwood created by section 1 above or any new or altered ward of the parish of Horley so created.
- (4) An order under subsection (2) above shall be treated as having been made under paragraph 3 of the said Schedule 3 and may be varied or revoked accordingly.
- (5) The councillors elected for any electoral area at elections held in pursuance of any such order shall be deemed to have been elected for that area in pursuance of ordinary elections in 1973.
- (6) Section 42(4) of the said Act of 1972 (combined elections of district and parish councillors) shall apply to elections held in pursuance of any such order as it applies to ordinary elections.
- (7) Any resolution passed before 1st July 1974 under section 7(4) of the said Act of 1972 (option for whole council elections or elections by thirds) by the council of a district altered by this Act shall be of no effect; and that subsection and subsection (6) of that section (power of Secretary of State to make order for whole council elections if option not exercised before 1st April 1974) shall, in their application to any such council, have effect as if for references to 1st April 1974 there were substituted references to 1st January 1975.
- (8) Paragraphs 1 and 2 of Schedule 9 to the said Act of 1972 (initial review of district electoral arrangements) shall, in their application to any district altered by this Act, have effect as if the reference in paragraph 1 to the first election of councillors were a reference to the election of councillors for that district held in pursuance of an order under subsection (2) above and paragraphs 3 and 4 of that Schedule (initial review of county electoral arrangements) shall have effect accordingly.

**Annotations:**

**Marginal Citations**

M2 1972 c. 70.

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### 3 Short title.

This Act may be cited as the Charlwood and Horley Act 1974.

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**Changes and effects yet to be applied to :**

- s. 2(3) repealed by [2004 c. 14 Sch. 1 Pt. 10](#) Group 1