
STATUTORY INSTRUMENTS

1982 No. 1864

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Swale (Parishes) Order 1982

Made - - - - - 21st December 1982

Coming into Operation—

*for the purposes described
in article 2(1)*

1st January 1983

for all other purposes

1st April 1983

Whereas the Borough Council of Swale, under section 48(8) of the Local Government Act 1972 (a), made recommendations to the Local Government Boundary Commission for England for proposals in relation to parishes in the borough;

And whereas the said Commission, under sections 47 and 51(1) of the said Act, on 30th March 1981, made such proposals to the Secretary of State for the Environment:

Now therefore the Secretary of State for the Environment, in exercise of his powers under sections 51(2) and 67(4) and (5) of the said Act and of all other powers enabling him in that behalf, hereby makes the following order giving effect to the said proposals with modifications:—

Title and commencement

1. This order may be cited as the Swale (Parishes) Order 1982.

2.— (1) 1st January 1983 is hereby specified as the day on which this order shall come into operation for any purposes set out in regulation 4(1) (Coming into operation of order) of the Regulations as modified by paragraph (2).

For all other purposes this order shall come into operation on the appointed day.

(2) In the said regulations 4(1), item (e) shall not apply in relation to the constitution of any new parish council.

(a) 1972 c.70.

Interpretation

3. In this order—

- “the appointed day” means 1st April 1983;
- “the county” means the County of Kent;
- “the borough” means the Borough of Swale, and “the borough council” means the council of the borough;
- “new parish” means a parish constituted by this order;
- “new parish council” means a parish council established by this order;
- “new parish ward” means a parish ward formed by this order;
- “the proper officer”, in relation to any purpose, means the officer appointed for that purpose by the borough council;
- “the boundary map” means the map printed for Her Majesty’s Stationery Office by Ordnance Survey as “Map referred to in the Swale (Parishes) Order 1982”, the sheets of the said map being respectively marked with the numbers 1 to 18;
- “the Regulations” means the Local Government Area Changes Regulations 1976(a) as amended by the Local Government Area Changes (Amendment) Regulations 1978(b); and
- “Schedule 1”, “Schedule 2”, “Schedule 3” and “Schedule 4” mean Schedule 1, Schedule 2, Schedule 3 and Schedule 4 to this order.

Changes in areas

4.— (1) Six new parishes to be known by the names specified in column (1) of Schedule 1 shall be constituted, such parishes consisting of the areas specified in respect thereof in column (2) and remaining or forming part of the electoral divisions of the county, wards of the borough and petty sessional divisions specified in respect thereof in columns (5) to (7) and of the North Kent coroner’s district. The Eastern ward of the borough shall thereby include the whole of the new parish of Eastchurch.

(2) The parts of parishes described in column (1) of Schedule 2 and marked on the boundary map as specified in column (2) shall, in so far as parishes, electoral divisions of the county and wards of the borough are specified in respect thereof in columns (3) to (5), be transferred to or form part of such areas.

(3) The parts of parishes described in column (1) of Schedule 3 and marked on the boundary map as specified in column (2) shall cease to form part of any parish and in so far as electoral divisions of the county and wards of the borough are specified in respect thereof in columns (3) and (4) shall form part of such areas.

(4) The parts of the area of the former urban district of Sittingbourne and Milton which are marked on the boundary map as specified in column (1) of Schedule 4 shall form part of the parishes specified in respect thereof in column (2).

(a) S.I. 1976/246.

(b) S.I. 1978/247.

(5) In the changes effected by the preceding paragraphs the Parishes of Faversham Without, Goodnestone, Graveney, Kingsdown and Milstead shall cease to exist.

Parish councils

5.— (1) The Goodnestone and Graveney Parish Council, the Milstead and Kingsdown Parish Council, and the Parish Meetings and Parish Trustees of Faversham Without, Goodnestone, Graveney, Kingsdown and Milstead shall be dissolved.

(2) There shall be a parish council for each new parish.

(3) As from 9th May 1983—

(a) the new parishes of Graveney with Goodnestone, Milstead and Kingsdown, and Queenborough shall be divided into the parish wards named in respect thereof in column (3) of Schedule 1, such wards consisting of the areas shown by the broken red lines on the boundary map; and

(b) the number of parish councillors for each new parish not divided into parish wards and for each new parish ward shall be that shown in respect of the parish or parish ward in column (4) of Schedule 1.

(4) The annual meeting of each new parish council for 1983 shall be convened by the proper officer of the borough council.

Councillors of new parishes

6.— (1) (a) Sub-paragraphs (b) and (c) shall have effect from the appointed day to 9th May 1983.

(b) Any person in office immediately before the appointed day in any office described in column (1) of the following table shall be a councillor of the new parish specified in respect thereof in column (2).

TABLE

(1)	(2)
Councillor of the Goodnestone and Graveney Parish Council	Graveney with Goodnestone
Councillor of the Milstead and Kingsdown Parish Council	Milstead and Kingsdown

(c) The Parish Council of Eastchurch, Leysdown, Queenborough or Warden shall consist of the borough councillors for the wards wholly or partly comprising the area of the parish.

(2) Parish councillors of the new parishes shall be elected on 5th May 1983. The persons elected shall come into office on 9th May 1983 and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

Parish meetings

7.— (1) The first assembly of the parish meeting for any new parish shall be convened by the proper officer of the borough council.

(2) At any such first assembly held before the annual meeting of the parish council of the parish, the parish meeting may appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the chairman.

Residuary successors

8. In relation to any authority named in column (1) of the following table, for the purposes of any provision of the Regulations which refers to the residuary successor of a dissolved authority, the new parish council specified in respect of the first-mentioned authority in column (2) is hereby specified as the residuary successor of that authority.

TABLE	
(1)	(2)
The Goodnestone and Graveney Parish Council The Parish Meeting or Parish Trustees of Faversham Without, Goodnestone or Graveney	} The Parish Council of Graveney with Goodnestone
The Milstead and Kingsdown Parish Council The Parish Meeting or Parish Trustees of Kingsdown or Milstead	

Parish books, etc

9. The public books, writings and papers of any parish named in column (1) of the following table (including any photographic copies thereof) and all documents directed by law to be kept therewith shall be deposited in the custody of the new parish council named in respect of such parish in column (2).

TABLE	
(1)	(2)
Faversham Without Milstead	Graveney with Goodnestone Milstead and Kingsdown

Expenses of new parish councils

10. In the year beginning on the appointed day the borough council shall levy rates in each new parish named in column (1) of the following table and make payments to the new parish council as if the new parish council had issued a precept to the borough council requiring the payment of a sum equal to the product of a rate of the amount in the pound, calculated on the total rateable value as set out in the valuation list on the appointed day, specified in respect of the parish in column (2).

TABLE

(1)	(2)
Eastchurch	.3p
Graveney with Goodnestone	.5p
Leysdown	.15p
Milstead and Kingsdown	.75p
Queenborough	.06p
Warden	.55p

Statutory definitions of areas

11.— (1) In any application of paragraph (1) (certain definitions of areas) of regulation 40 of the Regulations to a reference to the area of the former borough of Queenborough-in-Sheppey the following provision, namely—

“For any reference to the area of the former borough of Queenborough-in-Sheppey there shall be substituted a reference to the Parishes of Eastchurch, Leysdown, Queenborough and Warden and the remainder of the said area.”

shall have effect in place of sub-paragraph (b).

(2) In any other application of the said sub-paragraph (b) the areas to which article 4(3) applies shall be deemed to have been added to the area of the former urban district of Sittingbourne and Milton, and—

the part of such area included in the new parish of Milstead and Kingsdown;
and
the areas to which article 4(4) applies,

shall be deemed to have ceased to form part of such area.

Local Acts, orders and byelaws

12— (1) The area of the former urban district of Sittingbourne and Milton shall be a relevant area within the meaning of regulation 41 (Local Acts, orders and byelaws) of the Regulations.

(2) The areas named in any entry in column (1) of the following table are hereby specified in relation to paragraph (4) of the said regulation, and the areas described in respect of such areas in column (2) are hereby specified in relation to such areas.

TABLE

(1)	(2)
The area of the former urban district of Sittingbourne and Milton	The area described in column (1) other than the parts thereof to which article 4(4) applies or included in the new parish of Milstead and Kingsdown. The areas to which article 4(3) applies.
The existing parishes of Goodnestone and Graveney	The new parish of Graveney with Goodnestone
The existing parishes of Kingsdown and Milstead	The new parish of Milstead and Kingsdown.

(3) Paragraphs (1) and (2) are without prejudice to the operation of regulation 41(3) of the Regulations in respect of any parish as altered.

Property, liabilities, contracts, etc., notices and proceedings

13. In relation to any area described in column (1) of the following table, the Regulations shall have effect as if the expression "parish authority for a parish" in the Table to Schedule 6 thereof included the common parish council specified in respect thereof in column (2).

TABLE

(1)	(2)
Any part of the Parish of Faversham Without	The Goodnestone and Graveney Parish Council
Any part of the Parish of Milstead	The Milstead and Kingsdown Parish Council
The part of the Parish of Norton included in Schedule 2	The Norton and Buckland Parish Council
The part of the Parish of Sheldwich so included	The Parish Council of Sheldwich, Badlesmere and Leaveland.

SCHEDULE 1

NEW PARISHES

(1) Name of new parish	(2) Area comprised in new parish	(3) Parish ward	(4) Number of parish councillors	(5) County electoral division	(6) Borough ward	(7) Petty sessional division
<i>Parishes in the area of the former borough of Queenborough in Sheppey</i>		—	7	Sheppey	Eastern	Sittingbourne
Eastchurch		—	5	Sheppey	Eastern	Sittingbourne
Leysdown		Queenborough	7	} Sheerness	Queenborough and Halfway	Sittingbourne
Queenborough		Rushenden	4			
Warden		—	7	Sheppey	Eastern	Sittingbourne
<i>Other parishes</i>		Faversham Without	2	} Swale East	Courtenay	Faversham
Graveney with		Goodnestone	1			
Goodnestone		Graveney	4			

7

SCHEDULE 1 (Continued)

NEW PARISHES

(1) Name of new parish	(2) Area comprised in new parish	(3) Parish ward	(4) Number of parish councillors	(5) County electoral division	(6) Borough ward	(7) Petty sessional division
Milstead and Kingsdown	The areas of the Parishes of Kingsdown and Milstead other than the part of Milstead included in Schedule 2, and those parts of the Parishes of Lynsted, Rodmersham, Tonge and Tunstall and of the area of the former urban district of Sittingbourne and Milton marked D2 to D6 on sheets 11 and 15 of the boundary map	Kingsdown Milstead	1 4	} Swale West	West Downs	Sittingbourne

SCHEDULE 2

PARTS OF PARISHES TRANSFERRED TO PARISHES OTHER THAN NEW PARISHES

(1) Description	(2) Sheet of boundary map and marking of area	(3) Parish	(4) County electoral division	(5) Borough ward
Part of the Parish of Bobbing	10	A1	Borden	Borden
Part of the Parish of Bobbing	10	A2	Newington	Newington
Part of the Parish of Borden	10	A3	Bobbing	Grove
Part of the Parish of Borden	10	A4	Bredgar	West Downs
Part of the Parish of Borden	10	A5	Tunstall	Woodstock
Part of the Parish of Boughton under Blean	13 and 14	A6	Hernhill	Courtenay
Part of the Parish of Boughton under Blean	17 and 18	A7	Selling	East Downs
Part of the Parish of Dunkirk	14	A8	Hernhill	—
Part of the Parish of Eastling	16	A9	Newnham	—
Part of the Parish of Eastling	16	A10	Throwley	—
Part of the Town of Faversham	12, 13, 16 and 17	A11	Ospringe	Swale East Teynham and Lynsted
Part of the Parish of Faversham Without	13	A12	Boughton under Blean	— Boughton
Part of the Parish of Lower Halstow	6	A13	Iwade	—
Part of the Parish of Lynsted	12 and 16	A14	Norton	—
Part of the Parish of Milstead	10 and 11	A15	Tunstall	Swale Central Woodstock
Part of the Parish of Newington	10	A16	Borden	— Borden
Parts of the Parish of Newington	5	A17	Hartlip	— Hartlip and Upchurch
Part of the Parish of Newington	5 and 6	A18	Upchurch	— Hartlip and Upchurch

SCHEDULE 2 (Continued)

PARTS OF PARISHES TRANSFERRED TO PARISHES OTHER THAN NEW PARISHES

(1) Description	(2) Sheet of boundary map and marking of area	(3) Parish	(4) County electoral division	(5) Borough ward
Part of the Parish of Newnham	16	A19	—	Teynham and Lynsted
Part of the Parish of Norton	12	A20	—	—
Part of the Parish of Ospringe	16	A21	—	East Downs
Part of the Parish of Ospringe	16	A22	—	East Downs
Part of the Parish of Ospringe	16	A23	—	East Downs
Part of the Parish of Selling	18	A24	—	Courtenay
Part of the Parish of Selling	17	A25	—	—
Part of the Parish of Sheldwich	17	A26	—	—
Part of the Parish of Teynham	12	A27	—	—
Part of the Parish of Teynham	12	A28	—	—
Part of the Parish of Throwley	17	A29	—	—
Part of the Parish of Tonge	11	A30	—	—
Part of the Parish of Tunstall	10	A31	Swale West	Borden

SCHEDULE 3

PARTS OF PARISHES TO CEASE TO FORM PARTS OF PARISHES

(1) Description	(2) Sheet of boundary map and marking of area	(3) County electoral division	(4) Borough ward
Part of the Parish of Bapchild	11 B1	Swale North	Murston
Part of the Parish of Bobbing	10 B2	—	—
Part of the Parish of Tunstall	10 B3	—	—

11

SCHEDULE 4

PARTS OF AREA OF FORMER URBAN DISTRICT OF SITTINGBOURNE AND MILTON TO FORM PARTS OF PARISHES

(1) Sheet of boundary map and marking of area	(2) Parish
11 C1	Bapchild
6 and 7 C2	Bobbing
6 and 7 C3	Iwade
11 C4	Rodmersham
10 C5a	Tunstall
10 and 11 C5b	Tunstall

Signed by authority of
the Secretary of State
21st December 1982.

J. P. G. Rowcliffe,
An Under Secretary in the
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order effects the following operations in the Borough of Swale, namely—

- (a) the constitution of six new parishes, four (Eastchurch, Leysdown, Queenborough and Warden) in parts of the area of the former borough of Queenborough-in-Sheppey, and two others (Graveney with Goodnestone, and Milstead and Kingsdown);
- (b) transfers as between parishes; and
- (c) adjustments between parishes and a part of the borough not comprised in any parish.

These changes involve the abolition of the parishes of Faversham Without, Goodnestone, Graveney, Kingsdown and Milstead.

The maps forming part of this note show (a) the existing areas, and (b) the new parishes and the other transfers. An area will be transferred from the Parish of Upchurch to the Borough of Gillingham by the Gillingham and Swale (Areas) Order 1982 (S.I. 1982/1814). Map (b) also incorporates a grid identifying the sheets of the boundary map referred to in article 3 of the order.

Prints of the map referred to in article 3 of the order may be inspected at the offices of the borough council. Prints may be purchased from the Department of the Environment's Map Library.

The approximate area, population and rateable value of the new parishes will be—

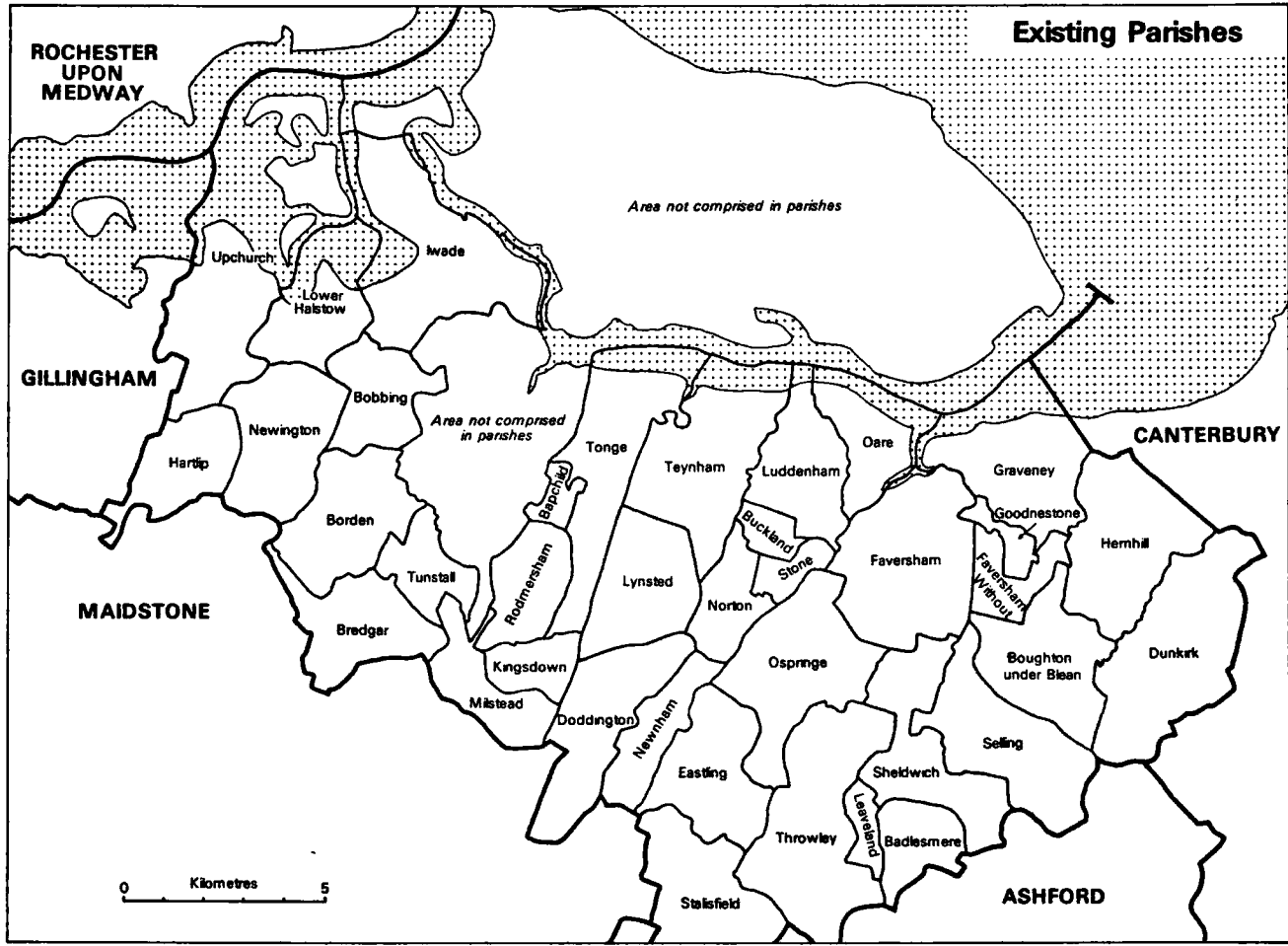
	Area-hectares	Population	Rateable value £
Eastchurch	2,330	1,160	136,450
Graveney with Goodnestone	1,590	515	29,500
Leysdown	2,990	810	275,070
Milstead and Kingsdown	780	260	24,625
Queenborough	1,260	3,600	722,110
Warden	150	1,040	73,580

The order establishes a parish council for each new parish.

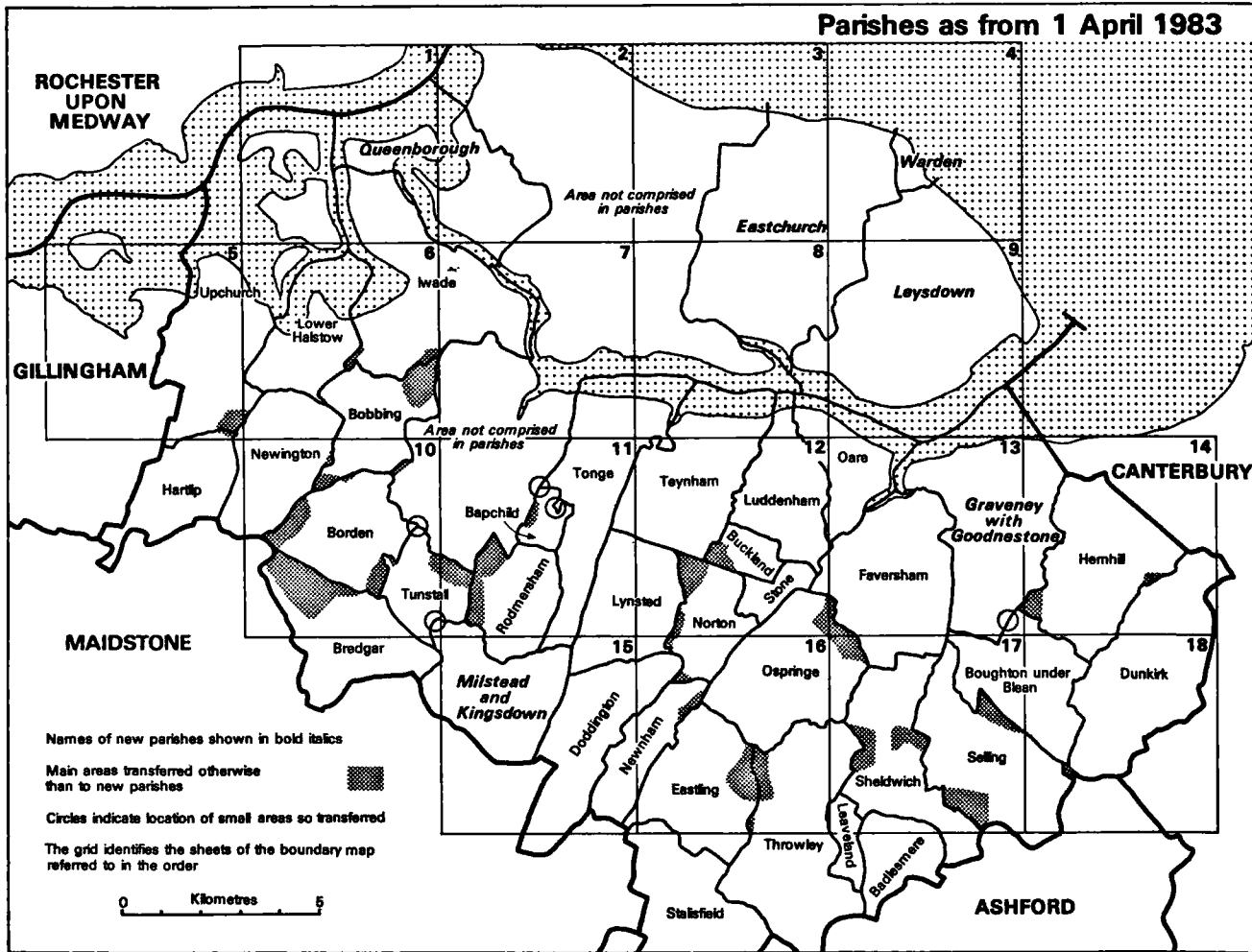
Incidental, consequential, transitional and supplementary provision in consequence of orders of the nature of the present one is contained in the Regulations defined in article 3 of the order.

The Regulations referred to will transfer property within the definition of "parish matters" in Schedule 6 therein from the borough council to the new parish councils of Eastchurch, Leysdown, Queenborough and Warden. A further transfer may be effected by a second order, when the borough council and the new parish councils have been able to consider together.

Existing Parishes



Parishes as from 1 April 1983



Names of new parishes shown in bold italics

Main areas transferred otherwise than to new parishes

Circles indicate location of small areas so transferred

The grid identifies the sheets of the boundary map referred to in the order



Based on the Ordnance Survey map

Cartographic Services DOE