
EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by the Local Government Commission for England in respect of the county of East Sussex (“East Sussex”).

Article 3 provides for the constitution of a new district of Brighton and Hove (“Brighton and Hove”) comprising the areas of the existing districts of Brighton and Hove and establishes a new district council for that area.

Article 4 effects the structural change by providing for the transfer, on 1st April 1997, of the functions of the East Sussex County Council in relation to the districts of Brighton and Hove to the council of Brighton and Hove.

Article 5 provides for the districts of Brighton and Hove to cease to form part of East Sussex on 1st April 1997 and for a new county of Brighton and Hove to be constituted on that date (but without a county council).

Articles 6 and 7 make provision in respect of the Sussex police authority.

Article 8 makes provision for the purposes of subordinate legislation to be made under the Fire Services Act 1947 in respect of fire services in Brighton and Hove.

Article 9 makes provision in relation to the East Sussex structure plan and to enable the local plan prepared by the new council of Brighton and Hove under the Town and Country Planning Act 1990 to contain minerals and waste policies.

Article 10 provides for the abolition of the districts of Brighton and Hove and for the winding up of the councils for those districts.

Article 11 makes provision in respect of electoral areas for Brighton and Hove.

Article 12 provides for whole council elections to the new council of Brighton and Hove in 1996, 1999 and every four years after that year.

Article 13 makes provision in respect of returning officers and election expenses for the first elections in 1996.

Article 14 provides for the retirement, on 1st April 1997, of existing county councillors elected for county divisions included in Brighton and Hove and for casual vacancies in the office of a councillor who, by virtue of the Order, would retire before the day they would regularly have retired.

Article 16 provides that the new council of Brighton and Hove established by the Order shall be a “shadow authority” for the purposes of the Local Government changes for England Regulations.

Articles 17 to 19 make provision with respect to preparations for implementation of the reorganisation affecting Brighton and Hove.