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STATUTORY INSTRUMENTS

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**1996 No. 446**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government Changes for England  
(Miscellaneous Provision) Order 1996**

<i>Made</i>	- - - -	<i>28th February 1996</i>
<i>Laid before Parliament</i>		<i>28th February 1996</i>
<i>Coming into force</i>		
<i>For the purposes of article 4</i>		<i>20th March 1996</i>
<i>For all other purposes</i>		<i>1st April 1996</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 17 and 26 of the Local Government Act 1992(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Local Government Changes for England (Miscellaneous Provision) Order 1996 and shall come into force for the purposes of article 4 on 20th March and for all other purposes on 1st April 1996.

**The High Sheriff of the East Riding**

2. The person holding the office of the High Sheriff of the county of Humberside immediately before 1st April 1996 shall become the first High Sheriff of the county of the East Riding of Yorkshire(2).

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(1) 1992 c. 19.

(2) The Humberside (Structural Change) Order 1995 (S.I.1995/600) provides that the county of Humberside shall be abolished on 1st April 1996. On and after that date, for the purposes of the shrievalty, the counties of the East Riding of Yorkshire and Kingston upon Hull are deemed to form one county known as the East Riding of Yorkshire (the Sheriffs Act 1887 (c. 55) as amended by the Local Government Changes for England (Miscellaneous Provision) Regulations 1995 (S.I. 1995/1748)).

### Amendment of the Humber Bridge Act 1959

3. In the Humber Bridge Act 1959(3), for section 6 (constitution of Humber Bridge Board) there shall be substituted—

- “6. The Board shall consist of 22 members to be appointed as follows—
- 12 members to be appointed by the District Council of Kingston upon Hull;
  - 1 member to be appointed by the County Council of Lincolnshire;
  - 4 members to be appointed by the District Council of the East Riding of Yorkshire; and
  - 5 members to be appointed by the District Council of North Lincolnshire.”

### Hull and Goole Port Health Authority

4.—(1) The Hull and Goole Port Health Authority Order 1982(4) shall be amended in accordance with the following paragraphs of this article.

(2) For article 2, substitute—

“The riparian authorities specified for the purposes of this Order are the district councils of Kingston upon Hull, the East Riding of Yorkshire, North Lincolnshire, Bassetlaw, Selby and West Lindsey.”.

(3) In article 3, for paragraph (3) substitute—

“(3) The joint board shall consist of eleven members of whom six shall be appointed by the district council of Kingston upon Hull, two each shall be appointed by the district councils of the East Riding of Yorkshire and North Lincolnshire and one shall be appointed by the district council of Selby from the members of their respective councils.”.

(4) In article 4—

(a) in paragraph (1) insert the words “Subject to paragraph (1A),” before the words “The specified riparian authorities”; and

(b) after paragraph (1) insert the following—

“(1A) The following provisions shall apply in respect of appointments to the joint board in 1996—

- (a) at a meeting to be held in March 1996 the specified riparian authorities shall appoint members to the joint board.
- (b) the members appointed at the meeting in March 1996 shall come into office on 1 April 1996 and the members of the joint board holding office immediately before 1 April 1996 shall retire on that date; and
- (c) the members of the joint board who hold office immediately before 31 May 1997 shall retire on that date, and the newly appointed members shall come into office on 1 June 1997.”.

(5) In article 5, in paragraph (1) insert the words “Subject to article 4(1A),” before the words “All members of the joint board”.

(6) In article 9, in paragraph (1) for the table substitute the following—

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“District Council of Kingston upon Hull	70%
District Council of the East Riding of Yorkshire	12.5%

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(3) 7&8 Eliz. 2. c.xlvi. Section 6 has been amended by the Local Authorities etc. (Miscellaneous Provision) (No. 2) Order 1974 (S.I. 1974/595).

(4) S.I. 1982/1854.

District Council of North Lincolnshire	12.5%
District Council of Selby	5%”.

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### **East Riding Deeds Registry**

5. Those functions in respect of the deeds register of the former East Riding Deeds Registry(5) which, apart from the abolition of the County Council of Humberside effected by the Humberside (Structural Change) Order 1995 would have fallen to be discharged by that Council shall be discharged by the East Riding of Yorkshire District Council(6); and in any enactment or instrument relating to the Deeds Registry references to a county council shall, unless the context otherwise requires, be construed as references to the East Riding of Yorkshire District Council.

### **Electoral arrangements for parishes in the district of York**

6.—(1) The following provisions shall apply to the elections of the parish councils of the parishes of Rufforth, Hessay, Upper Poppleton and Nether Poppleton in the district of York(7).

(2) Elections of all councillors of the councils of those parishes shall be held on the ordinary day of election of councillors in 1996, 1999 and every fourth year after 1999(8).

(3) The term of office of any councillor so elected shall be, in the case of the councillors elected in 1996, three years and, in any other case, four years.

(4) on the fourth day after any such elections—

- (a) the persons who were councillors immediately before those elections shall retire; and
- (b) the newly elected councillors shall come into office.

### **Amendment of the Bedfordshire (Borough of Luton) (Structural Change) Order**

7. In the Bedfordshire (Borough of Luton) (Structural Change) Order 1995(9), in article 4(5)(b) after the words “shall not appoint any” there shall be inserted the word “such”.

### **Amendment of the Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order**

8. The Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order 1995(10) shall be amended as follows—

(a) In article 2 (interpretation) after the definition of “Buckinghamshire” insert—

““map 2” and “map 3” mean the second and third respectively of the three maps prepared by the Department of the Environment, marked “Maps of the Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order 1995” and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(11)

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(5) The East Riding Deeds Registry was closed for all purposes on 1st April 1976.

(6) The Humberside (Structural Change) Order 1995 provides that the Humberside County Council shall be abolished on 1st April 1996, and that the East Riding District Council shall be constituted on that date. The Law of Property Act 1969 (c. 59) makes provision in respect of the disposal of registers of closed registries and the preservation of documents forming part of those registers.

(7) See the North Yorkshire (District of York) (Structural and Boundary Changes) Order 1995 (S.I. 1995/610).

(8) For the ordinary day of election of councillors of local government areas, see section 37 of the Representation of the People Act 1983 (c. 2), amended by section 18(2) of the Representation of the People Act 1985.

(9) S.I. 1995/1776.

(10) S.I. 1995/1769.

(11) S.I. 1994/867.

- (b) In schedule 1 (wards of Milton Keynes), for the descriptions in column (2) of the areas of the wards named in column (1) which are specified below, substitute the following descriptions—
- (i) for the ward of Emerson Valley, the description “that part of the Shenley Brook End Parish marked “2” on map 3”;
  - (ii) for the ward of Furzton, the description “that part of the Shenley Brook End Parish marked “3” on map 3”;
  - (iii) for the ward of Newport Pagnell North the description “that north part of the Newport Pagnell Parish as marked on map 2”;
  - (iv) for the wards of Newport Pagnell South the description “that south part of the Newport Pagnell Parish as marked on map 2”.

#### **Amendment of the Avon (Structural Change) Order**

**9.** In the Avon (Structural Change) Order 1995(**12**), in Schedule 2 (electoral areas and councillors in South Gloucestershire), for the descriptions in column (2) of the areas of the wards named in column (1) which are specified below, substitute the following descriptions—

- (a) for the ward of Patchway, the description “the district wards of Patchway Callicroft and Patchway Coniston and the parish ward of Patchway Stoke Lodge in the parish of Patchway”.
- (b) for the ward of Stoke Gifford (North), the description “the parish ward of Stoke Gifford North in the parish of Stoke Gifford”.
- (c) for the ward of Stoke Gifford (South), the description “the parish ward of Stoke Gifford South in the parish of Stoke Gifford”.
- (d) for the ward of Yate (North West), the description “the parish ward of Yate (North West)”.

#### **Humberside County Council: functions in respect of specified schools**

**10.**—(1) The functions of the Council of the County of Humberside referred to in paragraph (2) below, which, apart from the abolition of that Council effected by the Humberside (Structural Change) Order 1995, would after 1 April 1996 have fallen to be discharged by that Council, shall on and after that date be discharged by the Kingston-upon-Hull City Council.

(2) The functions referred to in paragraph (1) above are functions of the Council of the County of Humberside in respect of the following schools—

- The Sir Henry Cooper School;
- The Thomas More RC Primary School;
- The Sydney Smith School;
- The Holy Name RC School; and
- The William Geen Comprehensive School;

including any functions of the local education authority under the articles of government for any of those schools.

#### **Avon County Council: functions in respect of specified schools**

**11.**—(1) The functions of the Council of the County of Avon (“the County Council”) referred to in paragraph (2) below which, apart from the abolition of that Council effected by the Avon (Structural

Change) Order 1995 (“the Order”), would after 1 April 1996 have fallen to be discharged by that Council, shall on and after that date be discharged by Bristol City Council.

(2) The functions referred to in paragraph (1) above are the functions of the County Council in respect of the following schools—

Croydon Hall School;  
Kingsdon Manor School;  
Notton House School; and  
Woodstock special school;

including any functions of the local education authority under the articles of government for any of those schools.

(3) The functions of the County Council in respect of Filton Park special school, including any functions of the local education authority under the school’s articles of government, which, apart from the abolition of that Council effected by the Order, would after 1 April 1996 have fallen to be discharged by that Council, shall on and after that date be discharged by the South Gloucestershire District Council.

(4) The functions of the County Council in respect of Periton Mead School, including any functions of the local education authority under the school’s articles of government, which, apart from the abolition of that Council effected by the Order, would after 1 April 1996 have fallen to be discharged by that Council, shall on and after that date be discharged by the North Somerset District Council.

Signed by authority of the Secretary of State

28th February 1996

*David Curry*  
Minister of State,  
Department of the Environment

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## EXPLANATORY NOTE

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

This Order makes incidental, consequential, transitional and supplementary provision for the purposes or in consequence of orders made under section 17 of the Local Government Act 1992.

Article 2 makes provision for the shrievalty of the county of the East Riding of Yorkshire in consequence of the reorganisation of the area which comprises the county of Humberside before 1 April 1996 and the abolition of that county on that date (“the Humberside reorganisation”).

Article 3 makes provision as to the constitution of the Humber Bridge Board consequential upon the Humberside reorganisation.

Article 4 makes provision as to the Hull and Goole Port Health Authority consequential upon the Humberside reorganisation.

Article 5 makes provision for the functions in respect of the former East Riding Deeds Registry undertaken by the Humberside County Council to be transferred to the East Riding of Yorkshire District Council consequential upon the Humberside reorganisation.

Article 6 makes provision as to the electoral arrangements for the parishes of Rufforth, Hessay, Upper Poppleton and Nether Poppleton in the district of York consequential upon the reorganisation of that area.

Article 7 makes a drafting amendment to the Bedfordshire (Borough of Luton) (Structural Change) Order 1995.

Article 8 amends the descriptions of areas of certain wards which are named in Schedule 1 to the Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order 1995.

Article 9 amends the descriptions of areas of certain wards which are named in Schedule 2 to the Avon (Structural Change) Order 1995.

Articles 10 and 11 provide for the exercise on and after 1st April 1996 of functions in respect of specified schools in consequence of the abolition of the Avon and Humberside County Councils on that date.