Draft Order laid before Parliament under section 240(6) of the Local Government and Public Involvement in Health Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No. ****

LOCAL GOVERNMENT, ENGLAND

The East Hertfordshire and Stevenage (Boundary Change) Order 2013

Made - - - - ***

Coming into force in accordance with article 1

This Order implements, without modification, a recommendation by the Local Government Boundary Commission for England submitted to the Secretary of State for Communities and Local Government under section 8(2) and (6A) of the Local Government and Public Involvement in Health Act 2007(**1**) that there should be a change to the boundary between the district of East Hertfordshire and the borough of Stevenage(**2**).

A draft of this Order was laid before and approved by a resolution of each House of Parliament in accordance with section 240(6) of the Local Government and Public Involvement in Health Act 2007.

The Secretary of State for Communities and Local Government makes this Order, in the exercise of the powers conferred by sections 10, 11, 12, 13 and 15 of the Local Government and Public Involvement in Health Act 2007(**3**):

Citation and commencement

1.—(1) This Order may be cited as the East Hertfordshire and Stevenage (Boundary Change) Order 2013.

(2) This Order comes into force for the purposes of articles 8 and 9 on the day after the day on which it is made.

(3) For all other purposes, this Order comes into force on 1st April 2013.

(**1**) 2007 c. 28; section 8(2) was amended by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), section 67(1), Schedule 4, paragraphs 11, 16(1) and 16(3).
(**2**) The non-metropolitan district of Stevenage has the status of a borough.
(**3**) Section 10 was amended by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), section 67(1), Schedule 4, paragraphs 11 and 18.

Interpretation

2. In this Order—

"East Hertfordshire" means the district of East Hertfordshire;

"electoral division" means an electoral division of the county of Hertfordshire;

"map" means the map prepared by the Department for Communities and Local Government, marked "Map of the East Hertfordshire and Stevenage Boundary Change 2013" and deposited in the offices of the Secretary of State for Communities and Local Government and the offices of the transferor authority and transferee authority;

"registration officer" means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983(**4**);

"Stevenage" means the borough of Stevenage;

"transfer date" means 1st April 2013;

"transferee authority" means Stevenage Borough Council;

"transferor authority" means East Hertfordshire District Council; and

"transferred area" means the area shaded on the map.

Transfers between East Hertfordshire and Stevenage

3. The transferred area is to be transferred from—

(a) East Hertfordshire and the Walkern parish to Stevenage;

(b) the Walkern ward to the Manor ward; and

(c) the Hertford Rural electoral division to the Chells electoral division.

Town and country planning

4.—(1) In this article "provision" means a provision of a development plan (within the meaning of section 38 of the Planning and Compulsory Purchase Act 2004(**5**)).

(2) Any provision relating to the transferred area continues to apply to that area, notwithstanding the transfer.

Continuity of matters

5.—(1) Anything which, at the transfer date, is in the process of being done by or in relation to the transferor authority in the exercise of or in connection with any of its functions in or relating to the transferred area may be continued by or in relation to the transferee authority.

(2) Anything done by or in relation to the transferor authority in the exercise of or in connection with any functions in or relating to the transferred area must, so far as is required for continuing its effect on and after the transfer date, have effect as if done by or in relation to the transferee authority.

(3) Paragraph (2) applies in particular to—

(a) any decision, determination, declaration, designation, agreement or instrument made by the transferor authority;

(b) any regulations or byelaws made by the transferor authority;

(**4**) 1983 c. 2.
(**5**) 2004 c. 5; section 38 was amended by the Planning Act 2008 (c. 29), section 108(1) and (7); the Local Democracy, Economic Development and Construction Act 2009 (c. 20), section 82(1); and the Localism Act 2011 (c. 20), sections 109, 116, 237 and Schedules 8, 9 and 25.