*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 Gateshead and Northumberland (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 borough(**2**) of Gateshead and the county of Northumberland.

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 Gateshead and Northumberland (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 metropolitan district of Gateshead 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—

"map" means the map prepared by the Department for Communities and Local Government, marked "Map of the Northumberland and Gateshead 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;

"Gateshead" means the borough of Gateshead;

"Northumberland" means the county and district(**4**) of Northumberland;

"registration officer" means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983(**5**);

"transfer date" means 1st April 2013;

"transferee authority" means the authority to whom land is transferred in accordance with article 3(1) and (2);

"transferor authority" means the authority from whom land is transferred in accordance with article 3(1) and (2);

"transferred area A" means the areas hatched and marked "A" on the map;

"transferred area B" means the areas hatched and marked "B" on the map; and

"Tyne and Wear" means the metropolitan county of Tyne and Wear.

### Transfers between Northumberland and Gateshead

**3.**—(1) Transferred area A shall be transferred from—

(a) Gateshead and Tyne and Wear to Northumberland and the parish of Hedley; and

(b) the Chopwell & Rowlands Gill ward to the South Tynedale electoral division.

(2) Transferred area B shall be transferred from—

(a) Northumberland and the parish of Hedley to Gateshead and Tyne and Wear; and

(b) the South Tynedale electoral division to the Chopwell & Rowlands Gill ward.

### 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(**6**)).

(2) Any provision relating to transferred area A or transferred area B 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 a transferor authority in the exercise of or in connection with any of its functions in or relating to the relevant transferred area may be continued by or in relation to the transferee authority.

(**4**) The district of Northumberland, with the same area as the county of Northumberland, was created by article 3(2) of the Northumberland (Structural Change) Order 2008 (S.I. 2008/494).
(**5**) 1983 c. 2.
(**6**) 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.