

TO THE RURAL DISTRICT COUNCIL OF BATTLE
TO THE CHAIRMAN OF THE PARISH COUNCIL OF ASHBURNHAM
TO THE CHAIRMAN OF THE PARISH MEETING OF PENHURST
AND TO ALL OTHERS WHOM IT MAY CONCERN

WHEREAS on the application of the parish meeting of the parish of Penhurst and the parish council of the parish of Ashburnham with the consent of the parish meeting of that parish the County Council for the Administrative County of East Sussex have agreed to make an order grouping the parish of Penhurst with the parish of Ashburnham under a common parish council.

NOW THEREFORE THE COUNTY COUNCIL FOR THE ADMINISTRATIVE COUNTY OF EAST SUSSEX in pursuance of the powers conferred by Section 45 of the Local Government Act, 1933 (hereinafter referred to as "the Act of 1933") and of all other powers enabling them in that behalf DO HEREBY ORDER as follows :-

1. This Order may be cited as the County of East Sussex (Parishes of Ashburnham and Penhurst) Order, 1954, and shall come into operation on the twentieth day of May, 1955, (hereinafter referred to as "the appointed day") PROVIDED that this Order shall be deemed to have come into operation from such earlier date as may be necessary for the purpose of all proceedings preliminary or relating to the election of parish councillors in the year 1955.

2. The parish of Penhurst shall be grouped with the neighbouring parish of Ashburnham, under a common parish council, and the name of the group so formed shall be "The grouped parishes of Ashburnham and Penhurst".

3. There shall continue to be a separate parish meeting for each of the parishes of Ashburnham and Penhurst, and, so far as is not inconsistent with the provisions of this Order, such parish meetings shall be held and shall exercise their powers in accordance with the provisions of the Act of 1933.

4. There shall be a common parish council for the grouped parishes of Ashburnham and Penhurst, which shall be called "The Parish Council of Ashburnham with Penhurst" (hereinafter referred to as "the new parish council"). The new parish council shall consist of seven members, five representing the parish of Ashburnham and two representing the parish of Penhurst. The said members shall be elected at the election of parish councillors to be held in the year 1955 in accordance with the Parish Council Election Rules for the time being in force

5. The first meeting of the new parish council, which shall be the annual meeting, shall be convened by the Clerk of the Battle Rural District Council on or within fourteen days after the appointed day

6. The new parish council shall come into office on the appointed day and the parish council of the parish of Ashburnham shall thereupon cease to exist.

7. All parish property as defined in Section 305 of the Act of 1933 of either of the parishes of Ashburnham and Penhurst shall vest in the new parish council as from the date when the new parish council comes into office.

8. A casual vacancy among the parish councillors on the new parish council shall be filled by the new parish council from among the persons qualified to be elected for the parish in respect of which the casual vacancy occurs and the new parish council shall forthwith be convened for the purpose of filling the vacancy.

9. Where under any provision contained in the Act of 1933 or otherwise the consent of the parish meeting for a parish is required in respect of any act, matter or thing done, or contemplated to be done by a parish council the consent of the parish meetings of the parishes of Ashburnham and Penhurst shall be necessary in respect of such act, matter, or thing if done, contemplated to be done, by the new parish council. Provided that if such act, matter, or thing done or contemplated to be done as aforesaid shall be limited in its effect to the parish of Ashburnham or the parish of Penhurst, only, then the consent of the parish meeting of the parish not affected shall not be necessary.

10. With respect to charities or documents exclusively affecting or relating either to the parish of Ashburnham or to the parish of Penhurst, the powers relating to the appointment of trustees and to beneficiaries of a parochial charity under the Local Government Act, 1894, and to the custody of parish documents under the Act of 1933 shall vest in and be exercisable by the parish meeting of the parish exclusively concerned.

11. All powers and duties in reference to any of the Adoptive Acts (as defined in Section 305 of the Act of 1933) which are or may be exercised by a joint committee under Section 53(2) of the Local Government Act, 1894, shall be vested in the new parish council.

12. In case any of the Adoptive Acts are in force in one only of the parishes of Ashburnham and Penhurst the provisions of Section 89 of the Act of 1933 shall apply as if such parish were part of a parish within the meaning of that Section.

GIVEN under the Common Seal of the County Council of East Sussex this fourteenth day of December One thousand nine hundred and fifty-four.



(THE COMMON SEAL of THE COUNCIL OF EAST SUSSEX was affixed hereto by order of the County Council in the presence of :-

Ruth B. Buck 124

Chairman of the County Council
and of -

[Signature]

Clerk of the County Council