

2009 No. 442

LOCAL GOVERNMENT

**The Angus Council Area and Dundee City Council Area
(Fithiebank) Boundaries Amendment Order 2009**

Made - - - - - *16th December 2009*

Laid before the Scottish Parliament *17th December 2009*

Coming into force - - - *1st April 2010*

The Scottish Ministers make this Order in exercise of the powers conferred by section 17(2) of the Local Government (Scotland) Act 1973(a) and all other powers enabling them to do so.

This Order gives effect without modification to proposals made to the Scottish Ministers by the Local Government Boundary Commission for Scotland on 22nd October 2009.

Citation and commencement

1. This Order may be cited as the Angus Council Area and Dundee City Council Area (Fithiebank) Boundaries Amendment Order 2009 and comes into force on 1st April 2010.

Interpretation

2. In this Order—

(a) “the 1977 Regulations” means the Local Government Area Changes (Scotland) Regulations 1977(b); and

“the transfer area” is that part of the area of Angus Council described in the Schedule and shown delineated and hatched on the boundary map recorded by the Local Government Boundary Commission for Scotland on the DVD-ROM—

(i) entitled “The Angus Council Area and Dundee City Council Area (Fithiebank) Boundaries Amendment 2009 Map”; and

(ii) certified and deposited with the local authorities affected and elsewhere in accordance with regulation 3 of the 1977 Regulations; and

(b) references to administrative boundaries in the Schedule are references to the boundaries existing immediately before the commencement of this Order.

(a) 1973 c.65. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(b) S.I. 1977/8.

Application of the 1977 Regulations

3. The provisions of the 1977 Regulations shall apply in relation to the area change effected by this Order except insofar as they can have no application in relation to that change.

Area change

4. The transfer area is transferred to the area of Dundee City Council.

Consequential changes of electoral arrangements

5. The transfer area shall—

- (a) cease to form part of electoral ward 4 (Monifieth and Sidlaw) of the area of Angus Council~~(a)~~; and
- (b) form part of electoral ward 6 (North East) of the area of Dundee City Council~~(b)~~.

St Andrew's House,
Edinburgh
16th December 2009

BRUCE CRAWFORD
Authorised to sign by the Scottish Ministers

(a) The electoral wards of Angus Council were constituted by S.S.I. 2006/393.
(b) The electoral wards of Dundee City Council were constituted by S.S.I. 2006/375.

SCHEDULE

Article 2

The transfer area is the area situated at the administrative boundary between Angus Council and Dundee City Council from the point just to the west of the Fithiebank estate at grid reference NO450338, where the administrative boundary intersects the centre of the Fithie Burn, then following the centre of the burn in a northeasterly direction until it meets the edge of the estate at the rear curtilage of 37 Fithie Bank, and then following the northeast edge of the Fithiebank development in a southeasterly direction until it rejoins the administrative boundary in the centre of Kellas Road at grid reference NO452338, whereupon it follows the administrative boundary generally southwestwardly until returning to the point of commencement at the intersection of the administrative boundary and the centre of the Fithie Burn.

EXPLANATORY NOTE

(This note is not part of the Order)

The Local Government Boundary Commission for Scotland conducted a review of a local government boundary, which was undertaken in compliance with the Ministerial Direction made under section 15(3) of the Local Government (Scotland) Act 1973 (“the 1973 Act”), and the Scottish Ministers received its report on 22nd October 2009. The report made proposals for the transfer of a certain area between Angus Council and Dundee City Council, and also made proposals for changes in electoral arrangements consequential to that change in local government areas. This Order gives effect to the proposals in that report, as submitted to the Scottish Ministers.

This Order transfers the area of land described in the Schedule from Angus Council to Dundee City Council on 1st April 2010 (article 4) and makes consequential changes to electoral arrangements (article 5).

The boundary map delineating the boundaries amended by this Order is stored on DVD-ROM and certified copies are issued by the Local Government Boundary Commission in accordance with regulation 3 of the Local Government Area Changes (Scotland) Regulations 1977. The copies are sealed and signed by the Commission in accordance with paragraph 10 of Schedule 4 of the 1973 Act. Copies of the DVD-ROM are available for inspection by the public from the local authorities concerned.

The following map gives a general guide to the area affected by this Order.

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