



<u>Committee and date</u> ANNUAL COUNCIL  18 June 2009  10.00 a.m.
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<u>Item</u>  <b>14</b>  Public
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<u>Paper</u>  <b>G</b>
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## FORMAL ADOPTION OF THE NAME OF SHROPSHIRE COUNCIL

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### Summary

In order to comply with current legislation a formal resolution of the Council is required to adopt the name Shropshire Council.

### Recommendations

- A. In accordance with the County Council's decision of 27 February 2009 relating to the Constitution of the Shropshire Council, it is formally agreed that the word 'County' shall be omitted from the Council's name.

### Report

1. The Shropshire ( Structural ) Change Order 2008 in addition to creating the new unitary authority also stated that "For the purposes of enactments relating to local government there shall be a new district, whose area shall be coterminous with that of Shropshire; and the name of that new district shall be Shropshire.
2. The Implementation Executive and finally the County Council on 27 February 2009 adopted the new Constitution for "Shropshire Council".
3. A legal anomaly has been identified in that by virtue of the Local Government Act 1972 Section 2 (3) each council of a county or a district should have either "county" or "district" within its name.

4. The Local Government ( Structural Changes ) Miscellaneous Amendments and Other Provision ) Order 2009 which came into force on 31 March 2009 inserted the following into the original Structural Change Order:
- “ If the council for the county of Shropshire passes a resolution that the word “ County” should be omitted from its name, its name shall be “The Shropshire Council” and subsection (3) of section 2 of the 1972 Act ( constitution of principal counties in England ) shall cease to apply so far as it prescribes the name of that council. “.
5. In this instance the formality of such a resolution is required to continue with the name Shropshire Council.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Council report and appendices dated 27 February 2009.

The legislation referred to within the body of the report.

**Human Rights Act Appraisal**

There are no human rights implications that arise from the recommendation within the report.

**Environmental Appraisal**

There are no environmental implications that arise from the recommendation within the report.

**Risk Management Appraisal**

The formal resolution is required to enable the Council to continue with the current name of Shropshire Council.

**Community / Consultations Appraisal**

No formal consultations carried out with regard to the particular recommendation.

**Cabinet Member**

**Local Member**

All

**Appendices**

None