2001 No. 2473

LOCAL GOVERNMENT, ENGLAND

The Borough of Burnley (Electoral Changes) Order 2001

Made - - - - - *3rd July 2001*

Coming into force in accordance with article 1(2), (3) and (4)

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992(**a**), has submitted to the Secretary of State a report dated September 2000 on its review of the borough(**b**) of Burnley together with its recommendations:

And whereas the Secretary of State has decided to give effect to those recommendations:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17(**c**) and 26 of the Local Government Act 1992, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Borough of Burnley (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 6 and 7 shall come into force—

(a) for the purpose of proceedings preliminary or relating to any election to be held on 2nd May 2002, on 15th October 2001;

(b) for all other purposes, on 2nd May 2002.

(3) Article 4 shall come into force—

(a) for the purpose of proceedings preliminary or relating to elections of parish councillors for the parish of Hapton to be held on 1st May 2003, on 15th October 2002;

(b) for all other purposes, on 1st May 2003.

(4) Article 5 shall come into force—

(a) for the purpose of proceedings preliminary or relating to elections of parish councillors for the parish of Ightenhill to be held on 6th May 2004, on 15th October 2003;

(b) for all other purposes, on 6th May 2004.

(**a**) 1992 c. 19.
(**b**) The non-metropolitan district of Burnley has the status of a borough.
(**c**) Section 17 is amended by section 39(4) and (5) of the Police and Magistrates' Courts Act 1994 (c. 29).

[DTLR 2157]

(5) In this Order—

"borough" means the borough of Burnley;

"existing", in relation to a ward, means the ward as it exists on the date this Order is made;

any reference to the map is a reference to the map prepared by the Department for Transport, Local Government and the Regions marked "Map of the Borough of Burnley (Electoral Changes) Order" and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(**a**); and

any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

Wards of the borough of Burnley

2.—(1) The existing wards of the borough(**b**) shall be abolished.

(2) The borough shall be divided into fifteen wards which shall bear the names set out in the Schedule.

(3) The wards shall comprise the areas designated on the map by reference to the name of the ward and demarcated by red lines; and the number of councillors to be elected for each ward shall be three.

(4) Where a boundary is shown on the map as running along a road, railway line, footway, watercourse or similar geographical feature, it shall be treated as running along the centre line of the feature.

Elections of the council of Burnley

3.—(1) Subject to the following provisions of this article, the election of councillors for wards of the borough shall be by thirds.

(2) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2002(**c**).

(3) The councillors holding office for any ward of the borough immediately before 6th May 2002 shall retire on that date and the newly-elected councillors for those wards shall come into office on that date.

(4) Of the councillors elected in 2002 in each ward of the borough—

(a) the first to retire shall, subject to paragraphs (5) and (6), be the councillor elected by the smallest number of votes; and

(b) the second to retire shall, subject to those paragraphs, be the councillor elected by the next smallest number of votes.

(5) In the case of an equality of votes between any persons elected which makes it uncertain which of them is to retire in any year, the person to retire in that year shall be determined by lot.

(6) If an election of councillors for any ward is not contested, the person to retire in each year shall be determined by lot.

(7) Where under this article any question is to be determined by lot, the lot shall be drawn at the next practicable meeting of the council after the question has arisen and the drawing shall be conducted under the direction of the person presiding at the meeting.

(8) Except as otherwise provided in the preceding paragraphs of this article, the term of office of councillors shall be four years; and all councillors shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly-elected councillors shall come into office on the day on which their predecessors retire.

Wards of the parish of Hapton

4.—(1) The existing wards of the parish of Hapton shall be abolished.

(**a**) S.I. 1994/867, to which there are amendments not relevant to this Order.

(**b**) *See* the Borough of Burnley (Electoral Arrangements) Order 1990 (S.I. 1990/1941).

(**c**) For the ordinary day of election of councillors of local government areas, see section 37 of the Representation of the People Act 1983 (c. 2), amended by section 18(2) of the Representation of the People Act 1985 (c. 50) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29).

(2) The parish shall be divided into three parish wards which shall bear the names Hapton, Printers Fold and Stonemoor Bottom; and the wards shall comprise the areas designated on sheet 2 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Hapton parish ward shall be seven and for each of the Printers Fold and Stonemoor Bottom parish wards shall be one.

Number of parish councillors

5. The number of parish councillors to be elected for the parish of Ightenhill shall be seven.

Parish Elections

6.—(1) Elections of all parish councillors for the parishes of Briercliffe and Cliviger shall be held simultaneously on the ordinary day of elections of councillors in 2002 and every fourth year after 2002.

(2) Elections of all parish councillors for the parishes of Dunnockshaw, Habergham Eaves and Hapton shall be held simultaneously on the ordinary day of elections of councillors in 2003 and every fourth year after 2003.

(3) Elections of all parish councillors for the parishes of Ightenhill and Worsthorne-with-Hurstwood shall be held simultaneously on the ordinary day of elections of councillors in 2004 and every fourth year after 2004.

(4) The term of office of any parish councillor to whom paragraphs (1) to (3) of this article apply shall be four years; and those parish councillors shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement, and the newly-elected councillors shall come into office on the day on which their predecessors retire.

Revocation

7. The Borough of Burnley (Electoral Arrangements) Order 1976(**a**) and the Borough of Burnley (Electoral Arrangements) Order 1990 are hereby revoked.

Signed by authority of the Secretary of State
for Transport, Local Government and the Regions

Alan Whitehead
Parliamentary Under-Secretary of State,
3rd July 2001 Department for Transport, Local Government and the Regions

(**a**) S. I. 1976/204.

SCHEDULE

Article 2(2)

NAMES OF WARDS

Bank Hall

Briercliffe

Brunshaw

Cliviger with Worsthorne

Coal Clough with Deerplay

Daneshouse with Stoneyholme

Gannow

Gawthorpe

Hapton with Park

Lanehead

Queensgate

Rosegrove with Lowerhouse

Rosehill with Burnley Wood

Trinity

Whittlefield with Ightenhill

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Local Government Commission for England for electoral changes in the borough of Burnley. The changes have effect in relation to the local government elections to be held on and after 2nd May 2002.

Article 2 abolishes the existing wards of the borough and provides for the creation of fifteen new wards. That article and the Schedule also make provision for the names of the new wards. Each ward is to be represented by three councillors.

Article 3 makes provision for a whole council election in 2002 and for reversion to elections by thirds in subsequent years.

Articles 4 and 5 make electoral changes in the parishes of Hapton and Ightenhill.

Article 6 provides for elections of parish councillors for parishes in the borough.

Article 7 revokes the Borough of Burnley (Electoral Arrangements) Order 1990 and the Borough of Burnley (Electoral Arrangements) Order 1976.

The areas of the new borough and parish wards are demarcated on the map described in article 1(3). Prints of the map may be inspected at all reasonable times at the offices of Burnley Borough Council and at the offices of the Secretary of State for Transport, Local Government and the Regions, 2nd Floor, Ashdown House, 123 Victoria Street, London SW1E 6DE.

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