STATUTORY INSTRUMENTS

2004 No. 361

LOCAL GOVERNMENT, ENGLAND

The Borough of Gateshead (Electoral Changes) Order 2004

Made - - - - 12th February 2004

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

Whereas the Boundary Committee for England(**a**), acting pursuant to section 15(4) of the Local Government Act 1992(**b**), has submitted to the Electoral Commission(**c**) recommendations dated October 2003 on its review of the borough(**d**) of Gateshead:

And whereas the Electoral Commission have decided to give effect to those recommendations:

And whereas a period of not less than six weeks has expired since the receipt of those recommendations:

Now, therefore, the Electoral Commission, in exercise of the powers conferred on them by sections 17(**e**) and 26(**f**) of the Local Government Act 1992, and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Borough of Gateshead (Electoral Changes) Order 2004.

(2) This Order, with the exception of article 5, shall come into force—

(a) for the purpose of proceedings preliminary or relating to any election to be held on the ordinary day of election of councillors in 2004, on the day after that on which it is made;

(b) for all other purposes, on the ordinary day of election of councillors in 2004.

(3) Article 5 shall come into force—

(a) for the purpose of proceedings preliminary or relating to the election of a parish councillor for the parish of Birtley to be held on the ordinary day of elections in 2007, on 15th October 2006;

(b) for all other purposes, on the ordinary day of elections in 2007.

(**a**) The Boundary Committee for England is a committee of the Electoral Commission, established by the Electoral Commission in accordance with section 14 of the Political Parties, Elections and Referendums Act 2000 (c.41). The Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962) transferred to the Electoral Commission the functions of the Local Government Commission for England.

(**b**) 1992 c.19. This section has been amended by S.I. 2001/3962.

(**c**) The Electoral Commission was established by the Political Parties, Elections and Referendums Act 2000 (c.41). The functions of the Secretary of State, under sections 13 to 15 and 17 of the Local Government Act 1992 (c.19), to the extent that they relate to electoral changes within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).

(**d**) The metropolitan district of Gateshead has the status of a borough.

(**e**) This section has been amended by S.I. 2001/3962 and also otherwise in ways not relevant to this Order.

(**f**) This section has been amended by S.I. 2001/3962.

Interpretation

2. In this Order—

"borough" means the borough of Gateshead;

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

any reference to the map is a reference to the map marked "Map referred to in the Borough of Gateshead (Electoral Changes) Order 2004", of which prints are available for inspection at—

(a) the principal office of the Electoral Commission; and

(b) the offices of Gateshead Borough Council.

Wards of the borough of Gateshead

3.—(1) The existing wards of the borough(**a**) shall be abolished.

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

(3) Each ward shall comprise the area 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 the borough of Gateshead

4.—(1) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2004(**b**)(**c**).

(2) The councillors holding office for any ward of the borough immediately before the fourth day after the ordinary day of election of councillors in 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.

(3) Of the councillors elected in 2004 for any ward of the borough one shall retire in 2006, one in 2007 and one in 2008.

(4) Of the councillors elected in 2004 for any 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.

(**a**) *See* the Borough of Gateshead (Electoral Arrangements) Order 1980 (S.I. 1980/1069).

(**b**) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by section 7 of the Local Government Act 1972 (c.70).

(**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).

Wards of the parish of Birtley

5.—(1) The existing wards of the parish of Birtley shall be abolished.

(2) The parish shall be divided into three parish wards which shall bear the names Birtley Central, Birtley North and Birtley South; and the wards shall comprise the areas designated on sheet 3 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Birtley South parish ward shall be six, for the Birtley North parish ward shall be five, and for the Birtley Central parish ward shall be four.

Maps

6. Gateshead Borough Council shall make a print of the map marked "Map referred to in the Borough of Gateshead (Electoral Changes) Order 2004" available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

7. The Electoral Registration Officer(**a**) for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Revocation

8. The Borough of Gateshead (Electoral Arrangements) Order 1980(**b**) is revoked, save for articles 8 and 9(7).

Sealed with the seal of the Electoral Commission on the 12th day of February 2004

L.S.

Sam Younger
Chairman of the Commission

12th February 2004

Jacqui Dixon
Secretary to the Commission

12th February 2004

(**a**) As to electoral registration officers and the register of local government electors, *see* sections 8 to 13 of the Representation of the People Act 1983 (c.2).
(**b**) S.I. 1980/1069.

SCHEDULE

article 3

NAMES OF WARDS

Birtley	Dunston Hill and Whickham East	Saltwell
Blaydon	Felling	Wardley and Leam Lane
Bridges	High Fell	Whickham North
Chopwell and Rowlands Gill	Lamesley	Whickham South and Sunniside
Chowdene	Lobley Hill and Bensham	Windy Nook and Whitehills
Crawcrook and Greenside	Low Fell	Winlaton and High Spen
Deckham	Pelaw and Heworth	
Dunston and Teams	Ryton, Crookhill and Stella	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Boundary Committee for England, a committee of the Electoral Commission, for electoral changes in the borough of Gateshead.

The changes have effect in relation to local government elections to be held on and after the ordinary day of election of councillors in 2004.

Article 3 abolishes the existing wards of the borough and provides for the creation of 22 new wards. That article and the Schedule also make provision for the names and areas of, and numbers of councillors for, the new wards.

Article 4 makes provision for a whole council election in 2004 and for reversion to the established system of election by thirds in subsequent years.

Article 5 makes electoral changes in the parish of Birtley.

Article 7 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 8 revokes the Borough of Gateshead (Electoral Arrangements) Order 1980, with the exception of articles 8 and 9(7).

The areas of the new borough and parish wards are demarcated on the map described in article 2. Prints of the map may be inspected at all reasonable times at the offices of Gateshead Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.

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