STATUTORY INSTRUMENTS

2003 No.1088

LOCAL GOVERNMENT, ENGLAND

The Borough of Hartlepool (Electoral Changes) Order 2003

Made - - - - 10th April 2003

Coming into force in accordance with article 1(2)

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 January 2003 on its review of the borough(**d**) of Hartlepool:

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 Hartlepool (Electoral Changes) Order 2003.

(2) This Order shall come into force –

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

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

Interpretation

2. In this Order –

(**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, 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 non-metropolitan district of Hartlepool 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.

"borough" means the borough of Hartlepool;

"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 Hartlepool (Electoral Changes) Order 2003", of which prints are available for inspection at –

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

(b) the offices of Hartlepool Borough Council.

Wards of the borough of Hartlepool

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

(2) The borough shall be divided into seventeen wards which shall bear the names set out in column (1) of Schedule 1.

(3) The wards shall comprise the areas described in column (2) of that Schedule by reference to parishes or, where an area is not so described, 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 the number specified in respect of the ward in column (3) of that Schedule.

(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 Hartlepool

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 10th May 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.

(3) The order of retirement of councillors shall be as set out in Schedule 2.

(4) Where the number of councillors elected in 2004 for any ward of the borough is two or more –

(a) the first to retire shall, subject to paragraphs (6) and (7), 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 Hartlepool (Electoral Arrangements) Order 1975 (S.I. 1975/2103), as amended by the Cleveland (Structural Change) Order 1995 (S.I. 1995/187) and the Hartlepool (Parishes and Parish Council Elections) Order 1999 (S.I. 1999/153).

(**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 articles 8 and 9(9) of S.I. 1975/2103, as amended by S.I. 1995/187 and S.I. 1999/153.

(**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).

Parish elections

5.—(1) Elections of all parish councillors for the parishes of Dalton Piercy(**a**), Elwick and Hart shall be held simultaneously on the ordinary day of election of councillors in 2006 and every fourth year after 2006.

(2) Elections of all parish councillors for the parish of Greatham shall be held simultaneously on the ordinary day of election of councillors in 2007 and every fourth year after 2007.

(3) The term of office of all parish councillors elected in accordance with any of the paragraphs above shall be four years; and they 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.

Maps

6. Hartlepool Borough Council shall make a print of the map marked "Map referred to in the Borough of Hartlepool (Electoral Changes) Order 2003" available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

7. The Electoral Registration Officer(**b**) 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 Hartlepool (Electoral Arrangements) Order 1975(**c**) is revoked, save for articles 8 and 9(9).

Signed by the members of the Electoral Commission

Pamela Gordon
10th April 2003 Commissioner

Glyn Mathias
10th April 2003 Commissioner

Neil McIntosh
10th April 2003 Commissioner

Karamjit Singh
10th April 2003 Commissioner

Sam Younger
10th April 2003 Commissioner

Graham Zellick
10th April 2003 Commissioner

(**a**) The parish of Dalton Piercy is the same as that referred to as "Dalton" in S.I. 1999/153.
(**b**) 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).
(**c**) S.I. 1975/2103, as amended by S.I. 1995/187 and S.I. 1999/153.

SCHEDULE 1

article 3

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

(1) *Name of Ward*	*(2)* *Area of Ward*	*(3)* *Number of Councillors*
Brus		3
Burn Valley		3
Dyke House		3
Elwick	The parishes of Brierton, Claxton(**a**), Dalton Piercy, Elwick(**b**), Hart(**c**) and Newton Bewley	1
Fens		3
Foggy Furze		3
Grange		3
Greatham		1
Hart		3
Owton		3
Park		3
Rift House		3
Rossmere		3
St Hilda		3
Seaton		3
Stranton		3
Throston		3

(**a**) The area of the parish of Claxton was altered by the Hartlepool (Parishes) Order 1991 (S.I. 1991/2587).
(**b**) The area of the parish of Elwick was altered by S.I. 1991/2587.
(**c**) The area of the parish of Hart was altered by S.I. 1991/2587.

SCHEDULE 2

article 4(3)

ORDER OF RETIREMENT OF COUNCILLORS

(1) *Name of Ward*	*(2)* *Number of councillors to retire in 2006*	*(3)* *Number of councillors to retire in 2007*	*(4)* *Number of councillors to retire in 2008*
Brus	1	1	1
Burn Valley	1	1	1
Dyke House	1	1	1
Elwick	1	0	0
Fens	1	1	1
Foggy Furze	1	1	1
Grange	1	1	1
Greatham	0	1	0
Hart	1	1	1
Owton	1	1	1
Park	1	1	1
Rift House	1	1	1
Rossmere	1	1	1
St Hilda	1	1	1
Seaton	1	1	1
Stranton	1	1	1
Throston	1	1	1

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 Hartlepool.

The changes have effect in relation to local government elections to be held on and after 6th May 2004.

Article 3 abolishes the existing wards of the borough and provides for the creation of 17 new wards. That article and Schedule 1 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.

Schedule 2 provides for the order of retirement of councillors.

Article 5 provides for elections of certain parish councils in the borough.

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 Hartlepool (Electoral Arrangements) Order 1975, with the exception of articles 8 and 9(9).

The areas of the new borough 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 Hartlepool Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.

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