2001 No. 3361

LOCAL GOVERNMENT, ENGLAND

The Borough of North East Lincolnshire (Electoral Changes) Order 2001

Made - - - - - 4th October 2001

Coming into force in accordance with article 1(2)

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 May 2001 on its review of the borough of North East Lincolnshire(**b**) 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 North East Lincolnshire (Electoral Changes) Order 2001.

(2) This Order shall come into force—

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

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

(3) In this Order—

"borough" means the borough of North East Lincolnshire;

"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 prepared by the Department for Transport, Local Government and the Regions marked "Map of the Borough of North East Lincolnshire (Electoral Changes) Order 2001", and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(**d**).

Wards of the borough of North East Lincolnshire

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

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

(**a**) 1992 c. 19.
(**b**) The non-metropolitan district of North East Lincolnshire 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).
(**d**) S.I. 1994/867, to which there are amendments not relevant to this Order.
(**e**) *See* article 7(4) of the Humberside (Structural Changes) Order 1995 (S.I. 1995/600).

[DTLR 2231]

(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 North East Lincolnshire

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 2003(**a**).

(3) The councillors holding office for any ward of the borough immediately before 5th May 2003 shall retire on that date and the newly-elected councillors for those wards shall come into office on that date.

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

(5) Where the number of councillors elected in 2003 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.

(6) 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.

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

(8) 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.

(9) 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.

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

Alan Whitehead
Parliamentary Under Secretary of State,
Department for Transport, Local
Government and the Regions

4th October 2001

(**a**) 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).

SCHEDULE 1

Article 2

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

(1) *Name of ward*	*(2)* *Area of ward*	*(3)* *Number of Councillors*
Croft Baker		3
East Marsh		3
Freshney		3
Haverstoe		3
Heneage		3
Humberston and New Waltham	The parishes of Humberston and New Waltham	3
Immingham	The parishes of Habrough, Immingham and Stallingborough	3
Park		3
Scartho		3
Sidney Sussex		3
South		3
Waltham	The parishes of Ashby cum Fenby, Brigsley and Waltham	2
West Marsh		2
Wolds	The parishes of Aylesby, Barnoldby le Beck, Beelsby, Bradley, East Ravendale, Hatcliffe, Hawerby cum Beesby, Healing, Irby, Laceby, West Ravendale and Wold Newton	2
Yarborough		3

SCHEDULE 2

Article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

(1) *Name of ward*	*(2)* *Number of Councillors to retire in 2004*	*(3)* *Number of Councillors to retire in 2006*	*(4)* *Number of Councillors to retire in 2007*
Croft Baker	1	1	1
East Marsh	1	1	1
Freshney	1	1	1
Haverstoe	1	1	1
Heneage	1	1	1
Humberston and New Waltham	1	1	1
Immingham	1	1	1
Park	1	1	1
Scartho	1	1	1
Sidney Sussex	1	1	1
South	1	1	1
Waltham		1	1
West Marsh		1	1
Wolds		1	1
Yarborough	1	1	1

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 North East Lincolnshire. The changes have effect in relation to local government elections to be held on and after 1st May 2003.

Article 2 abolishes the existing wards of the borough and provides for the creation of 15 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 3 makes provision for a whole council election in 2003 and for the implementation of elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

The areas of the new borough 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 North East Lincolnshire 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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