2001 No. 3889

LOCAL GOVERNMENT, ENGLAND

The District of Waveney (Electoral Changes) Order 2001

Made - - - - - 4th December 2001

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

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 June 2001 on its review of the district of Waveney 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(**b**) 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 District of Waveney (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 5 and 6 shall come into force—

(a) for the purpose of proceedings preliminary or relating to any election to be held on 2nd May 2002, on the day after that on which it is made;

(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 Beccles on 1st May 2003, on 15th October 2002;

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

(4) In this Order—

"district" means the district of Waveney;

"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 District of Waveney (Electoral Changes) Order 2001", and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(**c**); and

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

(**a**) 1992 c. 19.
(**b**) Section 17 is amended by section 39(4) and (5) of the Police and Magistrates' Courts Act 1994 (c. 29).
(**c**) S.I. 1994/867, to which there are amendments not relevant to this Order.

[DTLR 2271]

Wards of the district of Waveney

2.—(1) The existing wards of the district(**a**) shall be abolished.

(2) The district shall be divided into 23 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 Waveney

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

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

(3) The councillors holding office for any ward of the district 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) The order of retirement of councillors shall be as set out in Schedule 2.

(5) Of the councillors elected in 2002—

(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.

Wards of the parish of Beccles

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

(2) The parish shall be divided into four parish wards which shall bear the names Centre, Common, Darby and Rigbourne; and the wards shall comprise the areas designated on sheet 4 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each parish ward shall be four.

(**a**) *See* the District of Waveney (Electoral Arrangements) Order 1980 (S.I. 1980/795).

(**b**) 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 Oulton

5. The parish of Oulton shall be divided into three parish wards which shall bear the names set out in column (1) of Schedule 3; each parish ward shall comprise the area of the district ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in respect of the parish ward in column (3) of that Schedule.

Parish Elections

6.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 1999 for the parishes of Ashby, Herringfleet, Reydon, Somerleyton and Wissett shall be three years.

(2) Elections of all parish councillors for the parishes of All Saints and St Nicholas South Elmham, Ashby, Barsham, Blundeston, Corton, Ellough, Flixton, Gisleham, Herringfleet, Kessingland, Lound, Mettingham, Mutford, Oulton, Redisham, Reydon, Ringsfield, Rumburgh, Shadingfield, Shipmeadow, Somerleyton, Sotterley, Southwold, St Andrew Ilketshall, St Cross South Elmham, St Mary South Elmham otherwise Homersfield, St Lawrence Ilketshall, St Michael South Elmham, St Peter South Elmham, Wangford with Henham, Weston, Willinghain St Mary and Wissett shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(3) The ordinary elections of parish councillors in 2002 for the parishes of Barnaby, Frostenden, Henstead with Hulver Street, North Cove, South Cove, Uggeshall and Wrentham shall not take place; and any such parish councillor holding office immediately before 6th May 2002 who would, but for this paragraph, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until the fourth day after the ordinary day of election of councillors in 2003.

(4) Elections of all parish councillors for the parishes of Barnaby, Frostenden, Henstead with Hulver Street, North Cove, South Cove, Uggeshall and Wrentham shall be held simultaneously on the ordinary day of election of councillors in 2003 and every fourth year after 2003.

(5) Elections of all parish councillors for the parish of Carlton Colville shall be held simultaneously on the ordinary day of election of councillors in 2004 and every fourth year after 2004.

(6) The term of office of parish councillors elected in accordance with any of paragraphs 2, 4 and 5 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.

(7) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986(**a**) (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 5th May 2003 in the office of a parish councillor for the parishes of Barnaby, Frostenden, Henstead with Hulver Street, North Cove, South Cove, Uggeshall and Wrentham as if the references in paragraphs (1) and (4) of that rule to the day on which that councillor would regularly have retired were a reference to 5th May 2003.

Revocation

7. The District of Waveney (Electoral Arrangements) Order 1980 is hereby revoked.

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 December 2001

(**a**) S.I. 1986/2215, to which there are amendments not relevant to this Order.

SCHEDULE

article 2

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

(1) *Name of ward*	*(2)* *Area of ward*	*(3)* *Number of Councillors*
Beccles North		2
Beccles South		2
Blything	The parishes of Blyford, Holton, Sotherton, Spexhall, Wangford with Henham and Westhall	1
Bungay	The parish of Bungay	2
Carlton		2
Carlton Colville	The parish of Carlton Colville	3
Gunton and Corton		2
Halesworth	The parish of Halesworth	2
Harbour		3
Kessingland	The parishes of Gisleham and Kessingland	2
Kirkley		3
Lothingland		1
Normanston		3
Oulton		2
Oulton Broad		2
Pakefield		3
Southwold and Reydon	The parishes of Reydon and Southwold	2
St Margaret's		3
The Saints	The parishes of All Saints and St Nicholas South Elmham, Flixton, Rumburgh, St Andrew Ilketshall, St Cross South Elmham, St James South Elmham, St John Ilketshall, St Lawrence Ilketshall, St Margaret Ilketshall, St Margaret South Elmham, St Mary South Elmham otherwise Homersfield, St Michael South Elmham, St Peter South Elmham and Wissett	1
Wainford	The parishes of Barsham, Ellough, Mettingham, Mutford, Redisham, Ringsfield, Shadingfield, Shipmeadow, Sotterley, Weston and Willingham St Mary	1
Whitton		3
Worlingham	The parishes of Barnby, North Cove and Worlingham	2
Wrentham	The parishes of Benacre, Brampton with Stoven, Covehithe, Frostenden, Henstead with Hulver Street, Rushmere, South Cove, Uggeshall and Wrentham	1

SCHEDULE 2

article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

(1) *Name of Ward*	*(2)* *Number of Councillors to retire in 2003*	*(3)* *Number of Councillors to retire in 2004*	*(4)* *Number of Councillors to retire in 2006*
Beccles North	1	1	0
Beccles South	1	1	0
Blything	1	0	0
Bungay	1	1	0
Carlton	1	1	0
Carlton Colville	1	1	1
Gunton and Corton	0	1	1
Halesworth	1	1	0
Harbour	1	1	1
Kessingland	0	1	1
Kirkley	1	1	1
Lothingland	0	0	1
Normanston	1	1	1
Oulton	1	0	1
Oulton Broad	0	1	1
Pakefield	1	1	1
Southwold and Reydon	0	1	1
St Margaret's	1	1	1
The Saints	0	0	1
Wainford	0	0	1
Whitton	1	1	1
Worlingham	1	0	1
Wrentham	1	0	0

SCHEDULE 3

article 5

WARDS OF THE PARISH OF OULTON
NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

(1) *Name of Ward*	*(2)* *Area of Ward*	*(3)* *Number of Councillors*
Camps Heath	So much of the district ward of Lothingland as comprises part of the parish of Oulton	1
Oulton	So much of the district ward of Oulton as comprises part of the parish of Oulton	5
Parkhill	So much of the district ward of St Margaret's as comprises part of the parish of Oulton	4

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 district of Waveney. The changes have effect in relation to local government elections to be held on and after 2nd May 2002.

Article 2 abolishes the existing wards of the district and provides for the creation of 23 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 2002 and for reversion to elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

Articles 4 and 5 make electoral changes in the parishes of Beccles and Oulton.

Article 6 provides for elections of parish councillors in the district.

Article 7 revokes the District of Waveney (Electoral Arrangements) Order 1980.

The areas of the new district 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 Waveney District 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 SWIE 6DE.

STATUTORY INSTRUMENTS

2001 No. 3889

LOCAL GOVERNMENT, ENGLAND

The District of Waveney (Electoral Changes) Order 2001

ISBN 0-11-038940-9

9 780110 389400

£2.00

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1946 12/2001 674993 19585