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STATUTORY INSTRUMENTS

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**2001 No. 1445**

**LOCAL GOVERNMENT, ENGLAND**

**The Borough of Newcastle-under-Lyme (Electoral Changes) Order 2001**

*Made - - - - 10th April 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<sup>(1)</sup>, has submitted to the Secretary of State a report dated October 2000 on its review of the borough<sup>(2)</sup> of Newcastle-under-Lyme together with its recommendations:

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

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17<sup>(3)</sup> 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 Newcastle-under-Lyme (Electoral Changes) Order 2001.

(2) This article and articles 2, 3 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 10th October 2001;
- (b) for all other purposes, on 2nd May 2002.

(3) Articles 4 and 5 of this Order shall come into force—

- (a) for the purpose of proceedings preliminary or relating to the election of parish councillors for the parishes of Audley Rural and Kidsgrove respectively, to be held on 1st May 2003, on 10th October 2002;
- (b) for all other purposes, on 1st May 2003.

(4) In this Order—

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(1) 1992 c. 19.

(2) The non-metropolitan district of Newcastle-under-Lyme has the status of a borough.

(3) Section 17 is amended by section 39(4) and (5) of the Police and Magistrates Courts Act 1994 (c. 29).

“borough” means the borough of Newcastle-under-Lyme;

“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 of the Environment, Transport and the Regions marked “Map of the Borough of Newcastle-under-Lyme (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(4); 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 Newcastle-under-Lyme**

2.—(1) The existing wards of the borough(5) shall be abolished.

(2) The borough shall be divided into twenty four 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 Newcastle-under-Lyme**

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(6).

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

(5) Of the councillors elected in 2002 for any ward of the borough—

(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.

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

(5) See the Borough of Newcastle-under-Lyme (Electoral Arrangements) Order 1978 (S.I. 1978/1792).

(6) 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).

(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 Audley Rural**

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

(2) The parish shall be divided into three parish wards which shall bear the names Audley, Bignall End and Halmerend; 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 Audley parish ward shall be four, for the Bignall End parish ward shall be six and for the Halmerend parish ward shall be five.

#### **Wards of the parish of Kidsgrove**

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

(2) The parish shall be divided into five parish wards which shall bear the names Butt Lane, Kidsgrove, Newchapel, Ravenscliffe and Talke; and each parish ward shall comprise the area of the borough ward bearing the same name.

(3) The number of councillors to be elected for each of the Butt Lane and Kidsgrove parish wards shall be six and for each of the Newchapel, Ravenscliffe and Talke parish wards shall be four.

#### **Revocation**

6. The Borough of Newcastle-under-Lyme (Electoral Arrangements) Order 1978 is hereby revoked.

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

*Beverley Hughes*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

10th April 2001

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

article 2

### NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>	<i>(3)</i> <i>Number of Councillors</i>
Audley and Bignall End		3
Bradwell		3
Butt Lane		3
Chesterton		3
Clayton		2
Cross Heath		3
Halmerend		2
Holditch		2
Keele	The parish of Keele	2
Kidsgrove		3
Knutton and Silverdale		2
Loggerheads and Whitmore	The parishes of Chapel and Hill  Chorlton, Loggerheads, Maer and Whitmore	3
Madeley	The parish of Madeley	2
May Bank		3
Newchapel		2
Porthill		2
Ravenscliffe		2
Seabridge		3
Silverdale and Parksite		2
Talke		2
Thistleberry		3
Town		2
Westlands		3
Wolstanton		3

## SCHEDULE 2

article 3(4)

**ORDER OF RETIREMENT OF COUNCILLORS**

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2003</i>	<i>(3)</i> <i>Number of councillors to retire in 2004</i>	<i>(4)</i> <i>Number of councillors to retire in 2006</i>
Audley and Bignall End	1	1	1
Bradwell	1	1	1
Butt Lane	1	1	1
Chesterton	1	1	1
Clayton	0	1	1
Cross Heath	1	1	1
Halmerend	1	1	0
Holditch	0	1	1
Keele	1	0	1
Kidsgrove	1	1	1
Knutton and Silverdale	1	0	1
Loggerheads and Whitmore	1	1	1
Madeley	1	0	1
May Bank	1	1	1
Newchapel	1	1	0
Porthill	0	1	1
Ravenscliffe	1	1	0
Seabridge	1	1	1
Silverdale and Parksite	1	0	1
Talke	1	1	0
Thistleberry	1	1	1
Town	0	1	1
Westlands	1	1	1
Wolstanton	1	1	1

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order gives effect, subject to modifications, to recommendations by the Local Government Commission for England for electoral changes in the borough of Newcastle-under-Lyme. The changes have effect in relation to local government elections to be held on or after 2nd May 2002.

The modifications; the Secretary of State has decided that the whole of the former colliery site should be in the borough ward of Silverdale and Parksite; and that the borough ward for which the Commission proposed the name “Silverdale and Knutton” shall bear the name “Knutton and Silverdale”.

Article 2 abolishes the existing wards of the borough and provides for the creation of 24 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 Audley Rural and Kidsgrove.

Article 6 revokes the Borough of Newcastle-under-Lyme (Electoral Arrangements) Order 1978.

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 the Newcastle-under-Lyme Borough Council and at the offices of the Secretary of State for the Environment, Transport and the Regions, 2nd Floor, Ashdown House, 123 Victoria Street, London SW1E 6DE.