
STATUTORY INSTRUMENTS

2001 No. 2432

LOCAL GOVERNMENT, ENGLAND

The District of West Lancashire (Electoral Changes) Order 2001

*Made - - - - 3rd July 2001
Coming into force in accordance with article 1(2), (3)
and (4)*

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992⁽¹⁾, has submitted to the Secretary of State a report dated September 2000 on its review of the district of West Lancashire together with its recommendations:

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

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17⁽²⁾ 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 West Lancashire (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 5, 7 and 8 shall come into force—

- (a) for the purpose of proceedings preliminary or relating to any election to be held on 2nd May 2002, on 15th October 2001;
- (b) for all other purposes, on 2nd May 2002.

(3) Article 4 of this Order shall come into force—

- (a) for the purpose for proceedings preliminary or relating to the election of parish councillors for the parish of Aughton to be held on 1st May 2003, on 15th October 2002;
- (b) for all other purposes, on 1st May 2003.

(4) Article 6 of this Order shall come into force—

- (a) for the purpose of proceedings preliminary or relating to the election of parish councillors for the parish of Up Holland to be held on 6th May 2004, on 15th October 2003;
- (b) for all other purposes, on 6th May 2004.

(1) 1992 c. 19.

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

(5) In this Order—

“district” means the district of West Lancashire;

“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 West Lancashire (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994⁽³⁾; and any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

Wards of the district of West Lancashire

2.—(1) The existing wards of the district⁽⁴⁾ shall be abolished.

(2) The district shall be divided into 25 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 the 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 West Lancashire

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⁽⁵⁾.

(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) Where the number of councillors elected in 2002 for any ward of the district 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.

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

(4) See the District of West Lancashire (Electoral Arrangements) Order 1976 (S.I. 1976/248).

(5) 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 Aughton

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

(2) The parish shall be divided into five parish wards which shall bear the names Christ Church, Delph, Holt, North East and Town Green; and the wards shall comprise the areas designated on sheet 7 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the Christ Church, Delph and Town Green parish wards shall be three, for the North East parish ward shall be two, and for the Holt parish ward shall be one.

Wards of the parish of Burscough

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

(2) The parish shall be divided into seven parish wards which shall bear the names Burscough Town, Ellerbrook, New Lane, Red Cat, Richmond Park, Stanley and St John's; and the wards shall comprise the areas designated on sheet 8 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the Ellerbrook, Stanley and St John's parish wards shall be three, for the Burscough Town parish ward shall be two, and for each of the New Lane, Red Cat and Richmond Park parish wards shall be one.

Wards of the parish of Up Holland

6.—(1) The existing wards of the parish of Up Holland shall be abolished.

(2) The parish shall be divided into seven parish wards which shall bear the names Chequer Lane, Crawford, Hall Green, Newgate, Roby Mill, Tontine and Village; and the wards shall comprise the areas designated on sheet 9 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Newgate parish ward shall be three, for each of the Chequer Lane, Hall Green and Roby Mill parish wards shall be two, and for each of the Crawford, Tontine and Village parish wards shall be one.

Parish elections

7.—(1) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parish of Burscough shall be three years.

(2) Elections of all parish councillors for the parishes of Burscough, Downholland and Great Altcar 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 for the parish of Simonswood in 2002 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 parish of Simonswood 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 parishes of Halsall, Hesketh-with-Becconsall and Rufford 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 any parish councillor to whom paragraphs (2), (4) and (5) of this article apply shall be four years; all parish 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.

(7) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986⁽⁶⁾ (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 parish of Simonswood 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

8. The District of West Lancashire (Electoral Arrangements) Order 1976 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

3rd July 2001

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

SCHEDULE 1

Article 2

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1) Name of Ward</i>	<i>(2) Area of Ward</i>	<i>(3) Number of Councillors</i>
Ashurst		3
Aughton Park		2
Aughton and Downholland		3
Bickerstaffe		1
Birch Green		2
Burscough East		2
Burscough West		2
Derby		3
Digmoor		2
Halsall	The parish of Halsall	1
Hesketh-with-Becconsall	The parish of Hesketh-with-Becconsall	2
Knowsley		3
Moorside		2
Newburgh		1
North Meols	The parish of North Meols	2
Parbold	The parishes of Bispham, Dalton, Hilldale and Parbold	2
Rufford	The parish of Rufford	1
Scarisbrick		2
Scott		3
Skelmersdale North		2
Skelmersdale South		3
Tanhouse		2
Tarleton	The parish of Tarleton	3
Up Holland		3
Wrightington		2

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

SCHEDULE 2

Article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

<i>(1) Name of Ward</i>	<i>(2) Number of councillors to retire in 2003</i>	<i>(3) Number of councillors to retire in 2004</i>	<i>(4) Number of councillors to retire in 2006</i>
Ashurst	1	1	1
Aughton Park	1	0	1
Aughton and Downholland	1	1	1
Bickerstaffe	1	0	0
Birch Green	1	1	0
Burscough East	0	1	1
Burscough West	0	1	1
Derby	1	1	1
Digmoor	1	1	0
Halsall	0	1	0
Hesketh-with-Becconsall	0	1	1
Knowsley	1	1	1
Moorside	0	1	1
Newburgh	0	0	1
North Meols	1	0	1
Parbold	1	0	1
Rufford	0	1	0
Scarisbrick	1	0	1
Scott	1	1	1
Skelmersdale North	1	1	0
Skelmersdale South	1	1	1
Tanhouse	1	0	1
Tarleton	1	1	1
Up Holland	1	1	1
Wrightington	1	1	0

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, with modifications, to recommendations by the Local Government Commission for England for electoral changes in the district of West Lancashire. The changes have effect in relation to local government elections to be held on and after 2nd May 2002.

The modifications relate to ward names. The Secretary of State has decided that the wards shown in the first column of the Table below with the names proposed by the Commission should be named in accordance with the second column.

<i>Proposed Ward Name</i>	<i>Ward Name</i>
Burscough	Burscough West
Lathom	Burscough East

Article 2 abolishes the existing wards of the district and provides for the creation of 25 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 to 6 make electoral changes in the parishes of Aughton, Burscough and Up Holland.

Article 7 provides for elections of parish councillors for certain parishes in the district.

Article 8 revokes the District of West Lancashire (Electoral Arrangements) Order 1976.

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 West Lancashire 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 SW1E 6DE.