

2001 No. 2471

LOCAL GOVERNMENT, ENGLAND

The Borough of Pendle (Electoral Changes) Order 2001

Made - - - - - 3rd July 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 September 2000 on its review of the borough(b) of Pendle 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 Pendle (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 6 and 7 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) Articles 4 and 5 shall come into force—

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

(4) In this Order—

“borough” means the borough of Pendle;

“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 Borough of Pendle (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(d); 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) The non-metropolitan district of Pendle 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.

Wards of the borough of Pendle

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

(2) The borough shall be divided into twenty 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, parish wards, or parishes and parish wards 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 Pendle

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(b).

(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) Where the number of councillors elected in 2002 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.

Wards of the parish of Barrowford

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

(2) The parish shall be divided into four parish wards which shall bear the names Carr Hall, Central, Higherford and Newbridge; and the wards shall comprise the areas designated on sheet 3 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Central parish ward shall be four, for each of the Carr Hall and Newbridge parish wards shall be three, and for the Higherford parish ward shall be two.

(a) See the District of Pendle (Electoral Arrangements) Order 1975 (S.I. 1975/1700).

(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 Brierfield

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

(2) The parish shall be divided into three parish wards which shall bear the names East, South and West; and the wards shall comprise the areas designated on sheet 3 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 East and South parish wards shall be five and for the West parish ward shall be three.

Parish elections

6.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2000 for the parishes of Barley-With-Wheatley Booth, Blacko, Goldshaw Booth and Roughlee Booth shall be three years.

(2) The ordinary elections of parish councillors for the parishes of Higham-With-West Close Booth and Old Laund Booth 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.

(3) Elections of all parish councillors for the parishes of Barley-With-Wheatley Booth, Blacko, Foulridge, Goldshaw Booth, Higham-With-West Close Booth, Old Laund Booth and Roughlee Booth shall be held simultaneously on the ordinary day of election of councillors in 2003 and every fourth year after 2003.

(4) The term of office of any parish councillor to whom paragraph (3) of this article applies 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.

(5) 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 Higham-With-West Close Booth and Old Laund Booth as if the reference in paragraph (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 Pendle (Electoral Arrangements) Order 1975 is hereby revoked.

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

3rd July 2001

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

(a) 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)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>	<i>(3)</i> <i>Number of Councillors</i>
Barrowford		3
Blacko and Higherford		1
Boulsworth		3
Bradley		3
Brierfield		3
Clover Hill		3
Coates	The parish ward of Coates of Barnoldswick parish	3
Craven	The parish of Bracewell and Brogden and the parish ward of Craven of Barnoldswick parish	3
Earby	The parishes of Earby, Kelbrook and Sough, and Salterforth	3
Foulridge		1
Higham and Pendleside	The parishes of Barley-With-Wheatley Booth, Goldshaw Booth, Higham- With-West Close Booth, and Roughlee Booth	1
Horsfield		3
Marsden		2
Old Laund Booth	The parish of Old Laund Booth	1
Reedley		3
Southfield		3
Vivary Bridge		3
Walverden		2
Waterside		3
Whitefield		2

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>
Barrowford	1	1	1
Blacko and Higherford	1		
Boulsworth	1	1	1
Bradley	1	1	1
Brierfield	1	1	1
Clover Hill	1	1	1
Coates	1	1	1
Craven	1	1	1
Earby	1	1	1
Foulridge	1		
Higham and Pendleside	1		
Horsfield	1	1	1
Marsden		1	1
Old Laund Booth	1		
Reedley	1	1	1
Southfield	1	1	1
Vivary Bridge	1	1	1
Walverden		1	1
Waterside	1	1	1
Whitefield		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 Pendle. 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 borough and provides for the creation of twenty 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.

Article 4 and 5 make electoral changes in the parishes of Barrowfield and Brierfield.

Article 6 provides for elections of parish councillors for certain parishes in the borough.

Article 7 revokes the District of Pendle (Electoral Arrangements) Order 1975.

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 Pendle 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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