

2003 No. 3090

LOCAL GOVERNMENT, ENGLAND

The Borough of Barnsley (Electoral Changes) Order 2003

Made - - - - *28th November 2003*

Coming into force in accordance with article 1(2)

Whereas the Boundary Committee for England(a), acting pursuant to section 15(4) of the Local Government Act 1992(b), has submitted to the Electoral Commission(c) recommendations dated July 2003 on its review of the borough(d) of Barnsley:

And whereas the Electoral Commission have decided to give effect to those recommendations:

And whereas a period of not less than six weeks has expired since the receipt of those recommendations:

Now, therefore, the Electoral Commission, in exercise of the powers conferred on them by sections 17(e) and 26(f) of the Local Government Act 1992, and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

- 1.—(1) This Order may be cited as the Borough of Barnsley (Electoral Changes) Order 2003.
- (2) This Order shall come into force —
 - (a) for the purpose of proceedings preliminary or relating to any election to be held on the ordinary day of election of councillors in 2004, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2004.

Interpretation

2. In this Order —

“borough” means the borough of Barnsley;

(a) The Boundary Committee for England is a committee of the Electoral Commission, established by the Electoral Commission in accordance with section 14 of the Political Parties, Elections and Referendums Act 2000 (c. 41). The Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962) transferred to the Electoral Commission the functions of the Local Government Commission for England.

(b) 1992 c.19. This section has been amended by S.I. 2001/3962.

(c) The Electoral Commission was established by the Political Parties, Elections and Referendums Act 2000 (c. 41). The functions of the Secretary of State, under sections 13 to 15 and 17 of the Local Government Act 1992, to the extent that they relate to electoral changes within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).

(d) The metropolitan district of Barnsley has the status of a borough.

(e) This section has been amended by S.I. 2001/3962 and also otherwise in ways not relevant to this Order.

(f) This section has been amended by S.I. 2001/3962.

“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 marked “Map referred to in the Borough of Barnsley (Electoral Changes) Order 2003”, of which prints are available for inspection at —

- (a) the principal office of the Electoral Commission; and
- (b) the offices of Barnsley Metropolitan Borough Council; 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 Barnsley

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

(2) The borough shall be divided into twenty-one wards which shall bear the names set out in Schedule 1.

(3) Each ward shall comprise 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 three.

(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 Barnsley

4.—(1) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2004(b)(c).

(2) The councillors holding office for any ward of the borough immediately before the fourth day after the ordinary day of election of councillors in 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.

(3) Of the councillors elected in 2004, for any ward of the borough, one shall retire in 2006, one in 2007 and one in 2008.

(4) Of the councillors elected in 2004, 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.

(5) 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.

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

(7) 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.

Wards of the parish of Penistone

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

(a) See the Borough of Barnsley (Electoral Arrangements) Order 1978 (S.I. 1978/1639).

(b) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by section 7 of the Local Government Act 1972.

(c) 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).

(2) The parish shall be divided into four parish wards which shall bear the names Cubley and Springvale, Hoylandswaine, Penistone, and Thurlstone and Millhouse; 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 parish ward of Penistone shall be six, for the parish ward of Cubley and Springvale shall be four, for the parish ward of Thurlstone and Millhouse shall be three, and for the parish ward of Hoylandswaine shall be two.

Wards of the parish of Tankersley

6. The parish of Tankersley shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 2; each parish ward shall comprise the area of the borough 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.

Maps

7. Barnsley Metropolitan Borough Council shall make a print of the map marked "Map referred to in the Borough of Barnsley (Electoral Changes) Order 2003" available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

8. The Electoral Registration Officer(a) for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Revocation

9. The Borough of Barnsley (Electoral Arrangements) Order 1978 (b) is revoked, save for articles 8 and 9(7).

Sealed with the seal of the Electoral Commission on the 28th day of November 2003.



28th November 2003

28th November 2003

Sam Younger
Chairman of the Commission

Jacqui Dixon
Secretary to the Commission

(a) As to electoral registration officers and the register of local government electors, *see* sections 8 to 13 of the Representation of the People Act 1983 (c.2).

(b) S.I. 1978/1639.

SCHEDULE 1

article 3

NAMES OF WARDS

Central	North East
Cudworth	Old Town
Darfield	Penistone East
Darton East	Penistone West
Darton West	Rockingham
Dearne North	Royston
Dearne South	St Helens
Dodworth	Stairfoot
Hoyland Milton	Wombwell
Kingstone	Worsbrough
Monk Bretton	

SCHEDULE 2

article 6

WARDS OF THE PARISH OF TANKERSLEY

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>
East	So much of the borough ward of Rockingham as comprises the parish of Tankersley	1
West	So much of the borough ward of Penistone East as comprises the parish of Tankersley	10

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Boundary Committee for England, a committee of the Electoral Commission, for electoral changes in the borough of Barnsley.

The changes have effect in relation to local government elections to be held on and after the ordinary day of election of councillors in 2004.

Article 3 abolishes the existing wards of the borough of Barnsley and provides for the creation of 21 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 4 makes provision for a whole council election in 2004 and for reversion to the established system of election by thirds in subsequent years.

Articles 5 and 6 make electoral changes in the parishes of Penistone and Tankersley.

Article 8 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 9 revokes the Borough of Barnsley (Electoral Arrangements) Order 1978, with the exception of articles 8 and 9(7).

The areas of the new borough and parish wards are demarcated on the map described in article 2. Prints of the map may be inspected at all reasonable times at the offices of Barnsley Metropolitan Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.

STATUTORY INSTRUMENTS

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LOCAL GOVERNMENT, ENGLAND

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