
STATUTORY INSTRUMENTS

2004 No. 365

The Borough of Wigan (Electoral Changes) Order 2004

Citation and commencement

- 1.—(1) This Order may be cited as the Borough of Wigan (Electoral Changes) Order 2004.
- (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 Wigan;
- “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 Wigan (Electoral Changes) Order 2004”, of which prints are available for inspection at—
- (a) the principal office of the Electoral Commission; and
 - (b) the offices of Wigan Borough Council.

Wards of the borough of Wigan

- 3.—(1) The existing wards of the borough⁽¹⁾ shall be abolished.
- (2) The borough shall be divided into twenty-five wards which shall bear the names set out in the Schedule.
- (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 Wigan

- 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⁽²⁾⁽³⁾.

(1) See the Borough of Wigan (Electoral Arrangements) Order 1979 (S.I.1979/1524).

(2) 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. 70).

(3) 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 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 (5) and (6), 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.

Maps

5. Wigan Borough Council shall make a print of the map marked “Map referred to in the Borough of Wigan (Electoral Changes) Order 2004” available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

6. The Electoral Registration Officer⁽⁴⁾ 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

7. The Borough of Wigan (Electoral Arrangements) Order 1979⁽⁵⁾ is revoked, save for articles 8 and 9(7).

Sealed with the seal of the Electoral Commission on the 12th day of February 2004

L.S.

12th February 2004

Sam Younger
Chairman of the Commission

(4) 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).

(5) S.I. 1979/1524.

12th February 2004

Jacqui Dixon
Secretary to the Commission