

2008 No. 500

LOCAL GOVERNMENT, ENGLAND

The Sevenoaks (Parish Electoral Arrangements) Order 2008

Made - - - - *25th February 2008*

Coming into force in accordance with article 1(2)

Sevenoaks District Council, under section 9(a) of the Local Government and Rating Act 1997(b) (“the 1997 Act”), have made to the Electoral Commission(c) proposals dated January 2007 for electoral arrangements in the proposed parish of Hextable(d) and the parish of Swanley(e) in the district of Sevenoaks:

The Electoral Commission have decided to give effect to those proposals:

Accordingly, the Electoral Commission, in exercise of the powers conferred by sections 14(f) and 23(g) of the 1997 Act, make the following Order:

Citation and commencement

- 1.—(1) This Order may be cited as the Sevenoaks (Parish Electoral Arrangements) Order 2008.
- (2) This Order comes into force—
 - (a) for the purpose of proceedings preliminary or relating to the elections of parish councillors for the parishes of Hextable and Swanley, to be held on the ordinary day of election of councillors in 2008, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2008.

Interpretation

2. In this Order—

“district” means the district of Sevenoaks;

“existing”, in relation to a parish ward, means the parish ward as it exists on the date this Order is made;

(a) This section has been amended by the Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962).

(b) 1997 c.29.

(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, 14 and 17(4) of the 1997 Act (c.29), to the extent that they relate to electoral arrangements within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).

(d) The parish of Hextable was created by the Sevenoaks (Parishes) Order 2008 (S.I. 2008/422).

(e) The area of the parish of Swanley was altered by S.I. 2008/422.

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

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

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983(a); and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8(b) of the Representation of the People Act 1983.

Elections for the parishes of Hextable and Swanley

3.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2007 for the parish of Swanley shall be one year.

(2) Elections of all parish councillors for the parishes of Hextable and Swanley shall be held simultaneously on the ordinary day of election of councillors in 2008 and 2011(c).

(3) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2008 for the parishes of Hextable and Swanley shall be three years.

(4) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraph (2) to be held on a date other than that for which that paragraph provides, it shall cease to have effect to that extent.

Number of parish councillors for the parish of Hextable

4. The number of councillors to be elected for the parish of Hextable shall be nine.

Wards of the parish of Swanley

5.—(1) The existing Swanley Hextable ward(d) of the parish of Swanley shall be abolished.

(2) The number of councillors(e) to be elected for Swanley White Oak ward shall be six, for Swanley Christchurch ward shall be five, for Swanley St Mary’s ward shall be four, and for Swanley Village ward shall be one.

Electoral register

6. The registration officer for the district 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.

(a) 1983 c.2, section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the Local Government and Public Involvement in Health Act 2007 (c.28).

(b) Section 8 has been amended by the Local Government (Wales) Act 1994 (c.19) and the Local Government etc. (Scotland) Act 1994 (c.39).

(c) Article 3 provides for parish elections in the altered parish of Swanley and the new parish of Hextable in 2008 and 2011. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

(d) See the District of Sevenoaks (Electoral Changes) Order 2001 (S.I. 2001/3557). S.I. 2008/422 was made in exercise of the Secretary of State’s powers to alter the area of a parish. The Secretary of State’s powers to abolish or create a parish ward were transferred to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).

(e) The Parish of Stanley (Electoral Arrangements) Order 2005 previously established the number of councillors for each ward.

Sealed with the seal of the Electoral Commission on the 25th day of February 2008



25th February 2008

Sam Younger
Chairman

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to proposals made to the Electoral Commission for electoral arrangements for the new parish of Hextable, created from part of the existing parish of Swanley within the district of Sevenoaks by the Sevenoaks (Parishes) Order 2008, and for changes to electoral arrangements for the parish of Swanley as a result of the creation of the new parish.

The new electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2008.

Article 3 provides for parish elections in the new parish of Hextable and the altered parish of Swanley in 2008, 2011, and then to continue according to the established system of parish elections every four years.

Article 4 establishes the number of parish councillors for the new parish of Hextable.

Article 5 abolishes the existing Swanley Hextable ward of the parish of Swanley and establishes the numbers of councillors for the remaining Swanley Christchurch, Swanley St Mary's, Swanley Village and Swanley White Oak wards of that parish.

Article 6 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.