

2008 No. 427

LOCAL GOVERNMENT, ENGLAND

**The Borough of Barrow-in-Furness (Electoral Changes) Order
2008**

Made - - - - *20th February 2008*

Coming into force in accordance with article 1(2) and 1(3)

The Boundary Committee for England(a), under section 15(5) of the Local Government Act 1992(b) (“the 1992 Act”), have conducted a review of the borough of Barrow-in-Furness(c) and have submitted to the Electoral Commission(d) recommendations dated August 2007.

A period of not less than six weeks has expired since the receipt of those recommendations.

The Electoral Commission have decided to give effect, without modification, to those recommendations.

Accordingly, the Electoral Commission, in exercise of the powers conferred by sections 17(e) and 26(f) of the 1992 Act, make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Borough of Barrow-in-Furness (Electoral Changes) Order 2008.

(2) This Order, with the exception of article 5, comes 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 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.

(3) Article 5 comes into force—

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- (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 (“the 2000 Act”) (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 and by section 57 of the Local Government and Public Involvement Heath Act 2007 (“the 2007 Act”) (c.28).
 - (c) The non-metropolitan district of Barrow-in-Furness has the status of a borough.
 - (d) The Electoral Commission was established by the 2000 Act (c.41). The functions of the Secretary of State, under sections 13 to 15 and 17 of the 1992 Act (c.19), 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).
 - (e) This section has been amended by S.I. 2001/3962, by sections 22 and 57 of the 2007 Act (c.28) and also otherwise in ways not relevant to this Order.
 - (f) This section has been amended by S.I. 2001/3962 and by section 22 of the 2007 Act (c.28).

- (a) for the purpose of proceedings preliminary or relating to the election of parish councillors for the parish of Dalton Town with Newton to be held on the ordinary day of election of councillors on 15th October 2010;
- (b) for all other purposes, on the ordinary day of election of councillors in 2011.

Interpretation

2. In this Order—

“borough” means the borough of Barrow-in-Furness;

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

“map” means the map marked “Map referred to in the Borough of Barrow-in-Furness (Electoral Changes) Order 2008”, of which prints are available for inspection at the principal office of the Electoral Commission: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“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.

Wards of the borough of Barrow-in-Furness

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

(2) The borough shall be divided into thirteen wards which shall be named as set out in column (1) of 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.

(4) The number of councillors to be elected for each ward shall be the number specified in respect of the ward in column 2 of Schedule 1.

(5) 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 Barrow-in-Furness

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 2008(d).

(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 2008 shall retire on that date and the newly elected councillors shall come into office on that date.

(3) The order of retirement of councillors shall be as set out in Schedule 2.

(4) Where the number of councillors elected in 2008 for any ward of the district is two or more—

- (a) the first to retire shall, subject to paragraphs (5) and (6), be the councillor elected by the smallest number of votes; and

(a) 1983 c.2, section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50) and section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the 2007 Act (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) See the Borough of Barrow-in-Furness (Electoral Changes) Order 1998 (S.I. 1998/2571).

(d) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by articles 3(1) and 3(9) of S.I. 1998/2571.

(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 Dalton Town with Newton

5.—(1) The existing wards of the parish of Dalton Town with Newton^(a) shall be abolished.

(2) The parish shall be divided into three wards which shall be named Anty Cross and Newton, Becksides and Dowdales.

(3) Each ward shall comprise the area designated on sheet 3 and by reference to the name of the ward and demarcated by orange lines.

(4) The number of councillors to be elected for Anty Cross and Newton shall be four, for Becksides shall be three and for Dowdales shall be three.

Map

6. Barrow-in-Furness Borough Council shall make a print of the map available for inspection at its offices by any member of the public at any reasonable time.

Electoral register

7. The registration officer 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

8. The Borough of Barrow-in-Furness (Electoral Changes) Order 1998 with the exception of articles 3(1) and 3(9) is revoked.

Sealed with the seal of the Electoral Commission on the 20th day of February 2008



20th February 2008

Peter Wardle
Chief Executive

20th February 2008

Vera Markos
Secretary to the Commission

(a) See S.I. 1998/2571.

SCHEDULE 1

article 3

NAMES OF WARDS AND NUMBERS OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>
<i>Name of Ward</i>	<i>Number of Councillors</i>
Barrow Island	1
Central	2
Dalton North	3
Dalton South	3
Hawcoat	3
Hindpool	3
Newbarns	3
Ormsgill	3
Parkside	3
Risedale	3
Roosecote	3
Walney North	3
Walney South	3

SCHEDULE 2

article 4

ORDER OF RETIREMENT OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>
<i>Name of Ward</i>	<i>Number of councillors to retire in 2010</i>	<i>Number of councillors to retire in 2011</i>	<i>Number of councillors to retire in 2012</i>
Barrow Island	0	1	0
Central	1	1	0
Dalton North	1	1	1
Dalton South	1	1	1
Hawcoat	1	1	1
Hindpool	1	1	1
Newbarns	1	1	1
Ormsgill	1	1	1
Parkside	1	1	1
Risedale	1	1	1
Roosecote	1	1	1
Walney North	1	1	1
Walney South	1	1	1

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to the electoral arrangements for the borough of Barrow-in-Furness following recommendations made by the Boundary Committee for England to the Electoral Commission.

The Electoral Commission accepted the Boundary Committee's recommendations without modification.

The electoral changes apply in respect of local government elections to be held on and after the ordinary day of election of councillors in 2008.

Article 3 abolishes the existing wards of the borough and replaces them with thirteen new ones. That article, the map and Schedule 1 also establish the names and areas of the new borough wards and the numbers of borough councillors for each ward.

Article 4 makes provision for a whole council election in 2008 and for reversion to the established system of election by thirds in subsequent years.

Schedule 2 provides for the order of retirement of councillors.

Article 5 abolishes the existing parish wards of the parish of Dalton Town with Newton and replaces them with 3 new ones. That article and the map also establish the names and areas of the new parish wards and the numbers of parish councillors for each ward.

Article 7 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 8 revokes the Borough of Barrow-in-Furness (Electoral Changes) Order 1998 with the exception of articles 3(1) and 3(9).

The map defined in article 2 shows the new borough and parish wards. It is available at www.boundarycommittee.org.uk/your-area/barrowinfurness.cfm and, at all reasonable times, at the offices of Barrow-in-Furness 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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2008**

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