
STATUTORY INSTRUMENTS

2002 No. 1786

LOCAL GOVERNMENT, ENGLAND

The Borough of Torbay (Electoral Changes) Order 2002

Made - - - - 11th July 2002

Coming into force in accordance with article 1(2)

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992(1), has submitted to the Secretary of State a report dated December 2001 on its review of the borough(2) of Torbay together with its recommendations:

And whereas the Electoral Commission(3) have decided to give effect, with one modification, to those recommendations:

And whereas a period of not less than six weeks beginning with the submission of the report has expired:

Now, therefore, the Electoral Commission, in exercise of the powers conferred on them by sections 17(4) and 26(5) 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 Torbay (Electoral Changes) Order 2002.
- (2) This Order shall come into force—
 - (a) for the purpose of proceedings preliminary or relating to any election to be held on 1st May 2003, on 15th October 2002;
 - (b) for all other purposes, on 1st May 2003.

Interpretation

2. In this Order—

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- (1) [1992 c. 19](#). This section has been amended by the Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. [2001/3962](#)).
 - (2) The non-metropolitan district of Torbay has the status of a borough.
 - (3) 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](#)).
 - (4) This section has been amended by S.I. [2001/3962](#). There are amendments to this section made otherwise than by S.I. [2001/3962](#) that are not relevant to this Order.
 - (5) This section has been amended by S.I. [2001/3962](#).

“borough” means the borough of Torbay;

“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 of the Borough of Torbay (Electoral Changes) Order 2002”, of which prints are available for inspection at—

- (a) The principal office of the Electoral Commission; and
- (b) The offices of the Torbay Borough Council.

Wards of the Borough of Torbay

3.—(1) The existing wards of the borough(6) shall be abolished.

(2) The borough shall be divided into fifteen wards which shall bear the names set out in the Schedule.

(3) The wards shall comprise the areas 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 (2) of the 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.

Maps

4. Torbay Borough Council shall make a print of the map marked “Map of the Borough of Torbay (Electoral Changes) Order 2002” available for inspection at its offices by any member of the public at any reasonable time.

Electoral Registers

5. The Electoral Registration Officer(7) 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

6. The Borough of Torbay (Electoral Arrangements) Order 1979(8) is revoked.

Signed by the members of the Electoral Commission

11th July 2002

Pamela Gordon
Commissioner

(6) See the Borough of Torbay (Electoral Arrangements) Order 1979 (S.I. 1979/1496), the Borough of Torbay (Electoral Arrangements) Order 1987 (S.I. 1987/1626), and the Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996 (S.I. 1996/1865).

(7) 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).

(8) S.I. 1979/1496. This contained a provision that established a system of election by thirds. That provision was superseded by the Borough of Torbay (Electoral Arrangements) Order 1987 (S.I. 1987/1626), which established a system of election by whole council. S.I. 1987/1626 was revoked by the Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996 (S.I. 1996/1865).

11th July 2002	<i>Glyn Mathias</i> Commissioner
11th July 2002	<i>Neil McIntosh</i> Commissioner
11th July 2002	<i>Karamjit Singh</i> Commissioner
11th July 2002	<i>Sam Younger</i> Commissioner
11th July 2002	<i>Graham Zellick</i> Commissioner

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

article 3

NAMES OF WARDS AND NUMBER OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Numbers of Councillors</i>
Berry Head-with-Furzeham	3
Blatchcombe	3
Churston-with-Galmpton	2
Clifton-with-Maidenway	2
Cockington-with-Chelston	3
Ellacombe	2
Goodrington-with-Roselands	2
Preston	3
Roundham-with-Hyde	2
St Marychurch	3
St Mary's-with-Summercombe	2
Shiphay-with-the-Willows	2
Tormohun	3
Watcombe	2
Wellswood	2

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, with one modification, to recommendations by the Local Government Commission for England for electoral changes in the borough of Torbay. The recommendations were submitted to the Secretary of State, but the functions of the Secretary of State under sections 13 to 15 and 17 of the Local Government Act 1992 so far as they relate to electoral changes were transferred with modifications to the Electoral Commission under the Local Government Commission for England (Transfer of Functions) Order 2001 (S.I.2001/3962), with effect from 1st April 2002. That Order provides that recommendations submitted to the Secretary of State before 1st April would have effect as if they had been submitted to the Electoral Commission.

The modification relates to the boundary between the St Marychurch and Tormohun district wards. The changes have effect in relation to local government elections to be held on and after 1st May 2003.

Article 3 abolishes the existing wards of the borough and provides for the creation of 15 new wards. That article and the Schedule also make provision for the names and areas of, and numbers of councillors for, the new wards.

Article 5 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 6 revokes the Borough of Torbay (Electoral Arrangements) Order 1979 (S.I. [1979/1496](#)).

The areas of the new borough 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 Torbay Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.