

2007 No. 483

LOCAL GOVERNMENT, ENGLAND

The Burnley (Parish Electoral Arrangements) Order 2007

Made - - - - 21st February 2007

Coming into force in accordance with article 1(2)

Burnley Borough 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 parishes of Briercliffe, Hapton and Padiham(d) in the borough(e) of Burnley:

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 Burnley (Parish Electoral Arrangements) Order 2007.
- (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 Briercliffe, Hapton and Padiham, to be held on the ordinary day of election of councillors in 2007, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2007.

Interpretation

2. In this Order—

“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 areas of the parishes of Briercliffe, Hapton and Padiham were altered by the Burnley (Parishes) Order 2004 (S.I. 2004/214).
- (e) The non-metropolitan district of Burnley has the status of a borough.
- (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);

“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.

Parish elections

3.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2006 for the parishes of Briercliffe and Padiham shall be one year.

(2) Elections of all parish councillors for those parishes shall be held simultaneously on the ordinary day of election of councillors in 2007 and 2010(c).

(3) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2007 for those parishes 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 (1) to be held on a date other than that for which paragraph (2) provides, it shall cease to have effect to that extent.

Numbers of councillors for the parishes of Briercliffe and Hapton

4.—(1) The number of councillors to be elected for the parish of Briercliffe shall be nine.

(2) The number of councillors to be elected for the parish of Hapton shall be seven.

Wards of the parish of Hapton

5. The existing wards of the parish of Hapton shall be abolished.

Wards of the parish of Padiham

6. The area that ceased to be part of the parish of Hapton and became part of the parish of Padiham in consequence of the Burnley (Parishes) Order 2004(d), and that was also Stonemoor Bottom ward of the parish of Hapton, shall become part of Green ward of the parish of Padiham.

Electoral register

7. The registration officer for the borough of Burnley 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) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c.29).

(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 parishes of Briercliffe and Padiham in 2007 and 2010. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

(d) S.I. 2004/214.

Sealed with the seal of the Electoral Commission on the 21st day of February 2007



21st February 2007

Sam Younger
Chairman of the Commission

21st February 2007

Jacqui Dixon
Secretary to the Commission

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to proposals made to the Electoral Commission for changes to the electoral arrangements for the parishes of Briercliffe, Hapton and Padiham within the borough of Burnley. The areas of these parishes were altered by the Burnley (Parishes) Order 2004.

The new electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2007.

Article 3 provides for parish elections in the parishes of Briercliffe and Padiham in 2007, 2010, and then to continue according to the established system of parish elections every four years.

Article 4 specifies the numbers of parish councillors for the altered parishes of Briercliffe and Hapton.

Article 5 abolishes the existing wards of the parish of Hapton.

Article 6 alters the area of Green ward of the parish of Padiham.

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