STATUTORY INSTRUMENTS

2002 No. 1670

LOCAL GOVERNMENT, ENGLAND

The Boroughs of Halton, Thurrock and Warrington (Changes to Years of Elections) Order 2002

Made - - - -	*26th June 2002*
Laid before Parliament	*3rd July 2002*
Coming into force - -	*24th July 2002*

The Secretary of State, in exercise of the powers conferred upon him by sections 87 and 105 of the Local Government Act 2000(**1**), hereby makes the following Order:

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Boroughs of Halton, Thurrock and Warrington (Changes to Years of Elections) Order 2002 and shall come into force on 24th July 2002.

(2) This Order applies in relation to England only(**2**).

(3) In this Order—

"relevant borough" means the borough of a local authority specified in paragraph (a), (b), or (c) of article 2; and

"relevant parish" means the parish of a local authority described in paragraph (d) or (e) of article 2.

Specified authorities

2. The following local authorities are specified for the purposes of this Order—

(a) the council of the borough of Halton;

(b) the council of the borough of Thurrock;

(c) the council of the borough of Warrington;

(d) the parish councils of the parishes within the borough of Halton; and

(e) the parish councils of the parishes within the borough of Warrington.

(**1**) 2000 c. 22.

(**2**) For the application of sections 87 and 105 of the Local Government Act 2000 to Wales, *see* section 106 of that Act.

Changes to years of elections

3.—(1) The ordinary elections of councillors of a relevant borough that would, but for this Order, have taken place on the ordinary day of election of councillors(**3**) in 2003 shall instead take place on the ordinary day of election of councillors in 2004.

(2) The ordinary elections of councillors of a relevant borough that would, but for this Order, have taken place on the ordinary day of election of councillors in 2004 shall instead take place on the ordinary day of election of councillors in 2005.

(3) The ordinary elections of parish councillors of a relevant parish that would, but for this Order, have taken place on the ordinary day of election of councillors in 2003 and every fourth year after 2003 shall instead take place on the ordinary day of election of councillors in 2004 and every fourth year after 2004.

Retirement of councillors

4.—(1) Any councillor of a relevant borough and any parish councillor of a relevant parish holding office immediately before the fourth day after the ordinary day of election of councillors in 2003 who would, but for this Order, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, retire instead on the fourth day after the ordinary day of election of councillors in 2004.

(2) Any councillor of a relevant borough holding office immediately before the fourth day after the ordinary day of election of councillors in 2004 who would, but for this Order, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, retire instead on the fourth day after the ordinary day of election of councillors in 2005.

(3) The term of office of councillors of a relevant borough who are elected on the ordinary day of elections in 2004 or 2005 shall be three years.

(4) Except as otherwise provided in the preceding paragraphs of this article, the term of office of councillors of a relevant borough and parish councillors of a relevant parish shall be four years.

(5) All councillors and parish councillors shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly-elected councillors and parish councillors shall come into office on the day on which their predecessors retire.

Revocations

5. Article 3(10) and (11) of the Borough of Thurrock (Electoral Changes) Order 1997(**4**), article 3(10) and (11) of the Borough of Halton (Electoral Changes) Order 1997(**5**) and article 4(10) and (11) of the Borough of Warrington (Parishes and Electoral Changes) Order 1997(**6**) are hereby revoked.

(**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 paragraphs 1 and 5 of Schedule 3 to the Greater London Authority Act 1999 (c. 29).
(**4**) S.I.1997/775.
(**5**) S.I. 1997/779.
(**6**) S.I. 1997/781.

Signed by authority of the Secretary of State

Nick Raynsford
Minister of State,
26th June 2002 Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Order)

This Order changes the years of ordinary elections of councillors in the boroughs of Halton, Thurrock and Warrington ("the boroughs") and of ordinary elections of parish councillors in parishes in the boroughs ("the parishes").

Article 2 specifies the local authorities to which this Order applies.

Article 3 provides that the ordinary elections of councillors in the boroughs, which would have taken place in 2003 or 2004 will instead take place, respectively, in 2004 and 2005. The years in which subsequent ordinary elections of councillors in the boroughs take place are not changed by this Order and will take place in 2006, 2007 and 2008 and every fourth year after each of those years. The ordinary elections of parish councillors in the parishes, which would have taken place in 2003 and every fourth year after 2003, will instead take place in 2004 and every fourth year after 2004 so that they will be held in a year in which the ordinary elections of councillors are also held.

Article 4 provides that councillors and parish councillors, who would have retired in 2003 or 2004, will instead retire, respectively, in 2004 and 2005. This means that councillors of the boroughs elected in 2000 or 2001, and parish councillors of the parishes elected in 2000, who would, but for this Order, have a three year term of office will have a four year term of office instead. Parish councillors elected in 1999, who would, but for this Order, have a four year term of office will have a five year term of office instead. Article 4 also provides that councillors of the boroughs who are elected in 2004 or 2005 will have a three year term of office. All other councillors and parish councillors will have a four year term of office.

The scheme of elections for the boroughs continues to be elections of a third of councillors in each year in which elections are held. The scheme of elections for the parishes continues to be elections of all the parish councillors of a particular parish in each year in which the elections for that parish are held.

Article 5 revokes provisions in the Borough of Thurrock (Electoral Changes) Order 1997, the Borough of Halton (Electoral Changes) Order 1997 and the Borough of Warrington (Parishes and Electoral Changes) Order 1997 which have been superseded by the provisions in this Order.