

2002 No. 2876

LOCAL GOVERNMENT, ENGLAND

The Borough of Blackburn with Darwen and the City of Peterborough (Changes to Years of Elections) Order 2002

Made - - - - - *20th November 2002*

Laid before Parliament *27th November 2002*

Coming into force - - *18th December 2002*

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

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Borough of Blackburn with Darwen(b) and the City of Peterborough (Changes to Years of Elections) Order 2002 and shall come into force on 18th December 2002.

(2) In this Order—

“relevant district” means the borough of Blackburn with Darwen or the City of Peterborough; and

“relevant parish” means the parish of a local authority specified in sub-paragraph (c) or (d) of article 2.

Specified authorities

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

- (a) the council of the borough of Blackburn with Darwen;
- (b) the council of the City of Peterborough;
- (c) the parish councils of the following parishes within the borough of Blackburn with Darwen—
 - (i) Livesey;
 - (ii) North Turton;
 - (iii) Pleasington; and
 - (iv) Tockholes;
- (d) the parish councils of the following parishes within the City of Peterborough—
 - (i) Bainton;
 - (ii) Barnack;
 - (iii) Bretton;
 - (iv) Etton;
 - (v) Helpston;

(a) 2000 c. 22.

(b) The name of the district (which has the status of a borough) was changed from Blackburn to Blackburn with Darwen with effect from 2nd May 1997 by a resolution of the council passed under section 74 of the Local Government Act 1972 (c. 70) on 9th January 1997.

- (vi) Orton Longueville;
- (vii) Orton Waterville;
- (viii) Southorpe; and
- (ix) Ufford.

Changes to years of elections

3.—(1) The ordinary elections of councillors of a relevant district that would, but for this Order, have taken place on the ordinary day of election of councillors(a) 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 district 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 district 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 district 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 district 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 district 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.—(1) In the Borough of Blackburn (Parishes and Electoral Changes) Order 1997(b)—

(a) articles 4(10) and (11) and 5(1), (2), (3) and (7) shall be revoked; and

(b) in paragraph (5) of article 5, the words “(3) or” and “, in the case of the parish councillors elected in 2000, three years and, in any other case,” shall be omitted.

(2) In the City of Peterborough (Parishes and Electoral Changes) Order 1997(c)—

(a) articles 4(10) and (11) and 8(4), (7) and (10) shall be revoked; and

(b) in paragraph (8) of article 8, for “, (6) or (7)” there shall be substituted “or (6)”.

Signed by authority of the Secretary of State

20th November 2002

Christopher Leslie
Parliamentary Under-Secretary of State,
Office of the Deputy Prime Minister

(a) 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).

(b) S.I. 1997/782.

(c) S.I. 1997/777.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order changes the years of ordinary elections of councillors in the borough of Blackburn with Darwen and the City of Peterborough (“the districts”) and of ordinary elections of parish councillors in certain parishes in the districts (“the parishes”).

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

Article 3 provides that the ordinary elections of councillors in the districts, 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 districts 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.

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 districts 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 districts 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 districts 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 Blackburn (Parishes and Electoral Changes) Order 1997 and the City of Peterborough (Parishes and Electoral Changes) Order 1997.

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Peterborough (Changes to Years of Elections) Order 2002**

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