

2002 No. 3228

LOCAL GOVERNMENT, ENGLAND

**The Borough of Great Yarmouth (Electoral Changes)
Order 2002**

Made - - - - - 18th December 2002

Coming into force in accordance with article 1(2)

Whereas the Boundary Committee for England(**a**), acting pursuant to section 15(4) of the Local Government Act 1992(**b**), has submitted to the Electoral Commission(**c**) a report dated July 2002 on its review of the borough(**d**) of Great Yarmouth together with its recommendations:

And whereas a period of not less than six weeks has expired since the receipt of those recommendations;

And whereas the Electoral Commission have decided to give effect to those recommendations:

Now, therefore, the Electoral Commission, in exercise of the powers conferred on them by sections 17(**e**) and 26(**f**) 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 Great Yarmouth (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 6th May 2004, on 15th October 2003;
- (b) for all other purposes, on 6th May 2004.

Interpretation

2. In this Order—

“borough” means the borough of Great Yarmouth;

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

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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 (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.
 - (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 to 15 and 17 of the Local Government Act 1992, to the extent that they relate to electoral arrangements within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1 April 2002 (S.I. 2001/3962).
 - (d) The non-metropolitan district of Great Yarmouth has the status of a borough.
 - (e) This section has been amended by S.I. 2001/3962 and otherwise in ways not relevant to this Order.
 - (f) This section has been amended by S.I. 2001/3962.

any reference to the map is a reference to the map marked “Map referred to in the Borough of Great Yarmouth (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 Great Yarmouth Borough Council.

Wards of the borough of Great Yarmouth

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

(2) The borough shall be divided into seventeen wards which shall bear the names set out in column (1) of Schedule 1.

(3) The wards shall comprise the areas described in column (2) of that Schedule by reference to parishes or, where an area is not so described, the area 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 (3) of that 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.

Elections of the council of Great Yarmouth

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 2004(b)(c).

(2) The councillors holding office for any ward of the borough immediately before 10th May 2004 shall retire on that date and the newly elected councillors for those wards 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 2004 for any ward of the borough is two or more—

- (a) the first to retire shall, subject to paragraphs (6) and (7), be the councillor elected by the smallest number of votes; and
- (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 Bradwell

5.—(1) The existing wards of the parish of Bradwell shall be abolished.

(2) The parish shall be divided into two parish wards which shall bear the names Bradwell North and Bradwell South; and the parish ward of Bradwell North shall comprise the area of the district ward bearing the same name, and the parish ward of Bradwell South shall consist of the rest of the parish.

(3) The number of councillors to be elected for the parish ward of Bradwell South shall be six, and for the parish ward of Bradwell North shall be nine.

(a) See the Borough of Great Yarmouth (Electoral Arrangements) Order 1979 (S.I. 1979/710).

(b) Article 4 provides for a single election of all the councillors and for reversion to the system of elections by thirds, as established by articles 8 and 9(9) of the Borough of Great Yarmouth (Electoral Arrangements) Order 1979 (S.I. 1979/710).

(c) 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 section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29).

Wards of the parish of Caister-on-Sea

6.—(1) The existing wards of the parish of Caister-on-Sea shall be abolished.

(2) The parish shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 3; each parish ward shall comprise the area of the district ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be eight.

Wards of the parish of Hopton-on-Sea

7. The parish shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 4; each parish ward shall comprise the area of the district ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in column (3) of that Schedule.

Numbers of parish councillors

8. The number of parish councillors to be elected for the parish ward of Scratby shall be five, and for the parish of Ormesby shall be ten.

Parish Elections

9.—(1) The term of office of every parish councillor elected on the ordinary day of election of parish councillors in 2002 for the parishes of Bradwell and Hopton-on-Sea shall be two years.

(2) The ordinary elections of parish councillors in 2003 for the parishes of Caister-on-Sea and Ormesby St Margaret with Scratby shall not take place; and any such parish councillor holding office immediately before 5th May 2003 who would, but for this paragraph, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until the fourth day after the ordinary day of election of councillors in 2004.

(3) Elections of all parish councillors for the parishes of Bradwell, Hemsby, Hopton-on-Sea, Martham, Ormesby St Margaret with Scratby, Somerton and Winterton-on-Sea shall be held simultaneously on the ordinary day of election of councillors in 2004 and every fourth year after 2004.

(4) Elections of all parish councillors for the parish of Caister-on-Sea shall be held simultaneously on the ordinary day of election of councillors in 2004, 2007 and every fourth year after 2007.

(5) The term of office of all parish councillors elected in accordance with paragraph (3) above shall be four years; and they shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly elected councillors shall come into office on the day on which their predecessors retire.

(6) In the case of those parish councillors elected in accordance with paragraph (4) above, the term of office for those elected in 2004 shall be three years, and the term of office for those elected in 2007 and every fourth year after 2007 shall be four years; and they shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly elected councillors shall come into office on the day on which their predecessors retire.

(7) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986(a) (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 10th May 2004 in the parishes of Caister-on-Sea and Ormesby St Margaret with Scratby as if the references in paragraphs (1) and (4) of that rule to the day on which that councillor would regularly have retired were a reference to 10th May 2004.

Maps

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

(a) S.I. 1986/2215, to which there are amendments not relevant to this Order.

Electoral Registers

11. The Electoral Registration Officer(**a**) 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

12. The Borough of Great Yarmouth (Electoral Arrangements) Order 1979(**b**) is revoked, save for articles 8 and 9(9).

Signed by the members of the Electoral Commission

12th December 2002

Pamela Gordon
Commissioner

12th December 2002

Glyn Mathias
Commissioner

12th December 2002

Neil McIntosh
Commissioner

18th December 2002

Karamjit Singh
Commissioner

12th December 2002

Sam Younger
Commissioner

12th December 2002

Graham Zellick
Commissioner

(a) As to electoral registration officers and the register of local government electors, *see* sections 8 to 13 of the Representation of the People Act 1982 (c. 2).
(b) S.I. 1979/710.

SCHEDULE 1

Article 3

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> Name of Ward	<i>(2)</i> Area of Ward	<i>(3)</i> Number of councillors
Bradwell North		3
Bradwell South and Hopton		3
Caister North		2
Caister South		2
Central and Northgate		3
Claydon		3
East Flegg	The parishes of Hemsby, Somerton and Winterton-on-Sea	2
Fleggburgh	The parishes of Filby, Fleggburgh, Mautby and Stokesby with Herringby	1
Gorleston		2
Lothingland	The parishes of Belton with Browston, Burgh Castle, and Fritton and St Olaves	2
Magdalen		3
Nelson		3
Ormesby	The parishes of Ormesby St Margaret with Scratby and Ormesby St Michael	2
St Andrews		2
Southtown and Cobholm		2
West Flegg	The parishes of Ashby with Oby, Martham, Repps and Bastwick, Rollesby and Thurne	2
Yarmouth North		2

SCHEDULE 2

Article 4(3)

ORDER OF RETIREMENT OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2006</i>	<i>(3)</i> <i>Number of councillors to retire in 2007</i>	<i>(4)</i> <i>Number of councillors to retire in 2008</i>
Bradwell North	1	1	1
Bradwell South and Hopton	1	1	1
Caister North	1	1	0
Caister South	1	1	0
Central and Northgate	1	1	1
Claydon	1	1	1
East Flegg	1	0	1
Fleggburgh	0	1	0
Gorleston	1	0	1
Lothingland	1	1	0
Magdalen	1	1	1
Nelson	1	1	1
Ormesby	0	1	1
St Andrews	0	1	1
Southtown and Cobholm	1	0	1
West Flegg	0	1	1
Yarmouth North	1	0	1

SCHEDULE 3

Article 6

WARDS OF THE PARISH OF CAISTER-ON-SEA
NAMES AND AREAS OF WARDS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>
North	The borough ward of Caister North
South	So much of the borough ward of Caister South as comprises the parish of Caister-on-Sea

SCHEDULE 4

Article 7

WARDS OF THE PARISH OF HOPTON-ON-SEA
NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>	<i>(3)</i> <i>Number of councillors</i>
North	So much of the borough ward of Gorleston as comprises the parish of Hopton-on-Sea	1
South	So much of the borough ward of Bradwell South and Hopton as comprises the parish of Hopton-on-Sea	10

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Boundary Committee for England, a committee of the Electoral Commission, for electoral changes in the borough of Great Yarmouth. The changes have effect in relation to local government elections to be held on and after 6th May 2004.

Article 3 abolishes the existing wards of the borough and provides for the creation of 17 new wards.

Article 4 makes provision for a whole council election in 2004 and for reversion to elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

Articles 5 to 8 makes electoral changes in the parishes of Bradwell, Caister-on-Sea, Hopton-on-Sea and Ormesby St Margaret with Scratby.

Article 9 provides for the election of parish councillors in the borough.

Article 11 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 12 revokes the Borough of Great Yarmouth (Electoral Arrangements) Order 1979 (S.I. 1979/710), with the exception of articles 8 and 9(9).

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

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**The Borough of Great Yarmouth (Electoral Changes)
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£2.00

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1788 1/2003 121788 19585

ISBN 0-11-044427-2



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