
STATUTORY INSTRUMENTS

2003 No. 2769

The City of Birmingham (Electoral Changes) Order 2003

Citation and commencement

- 1.—(1) This Order may be cited as the City of Birmingham (Electoral Changes) Order 2003.
- (2) This Order shall come into force —
- (a) for the purpose of proceedings preliminary or relating to any election to be held on the ordinary day of elections in 2004, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of elections in 2004.

Interpretation

2. In this Order —
- “city” means the city of Birmingham;
- “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 referred to in the City of Birmingham (Electoral Changes) Order 2003”, of which prints are available for inspection at —
- (a) the principal office of the Electoral Commission; and
 - (b) the offices of Birmingham City Council.

Wards of the city of Birmingham

- 3.—(1) The existing wards of the city⁽¹⁾ shall be abolished.
- (2) The city shall be divided into forty wards which shall bear the names set out in the Schedule.
- (3) Each ward shall comprise 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 three.
- (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 the city of Birmingham

- 4.—(1) Elections of all councillors for all wards of the city shall be held simultaneously on the ordinary day of election of councillors in 2004⁽²⁾⁽³⁾.

(1) See the City of Birmingham (Electoral Arrangements) Order 1980 (S.I.1980/594).

(2) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by section 7 of the Local Government Act 1972 (c. 70).

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

(2) The councillors holding office for any ward of the city immediately before four days after the ordinary day of elections in 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.

(3) Of the councillors elected in 2004 one shall retire in 2006, one in 2007 and one in 2008.

(4) Of the councillors elected in 2004 —

(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.

Maps

5. Birmingham City Council shall make a print of the map marked “Map referred to in the City of Birmingham (Electoral Changes) Order 2003” available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

6. The Electoral Registration Officer⁽⁴⁾ for the city 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

7. The City of Birmingham (Electoral Arrangements) Order 1980⁽⁵⁾ is revoked, save for articles 8 and 9(7).

Sealed with the seal of the Electoral Commission on the 31st day of October 2003

L.S.

31st October 2003

Sam Younger
Chairman of the Commission

31st October 2003

Jacqui Dixon
Secretary to the Commission

(4) 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).

(5) S.I. 1980/594.