

2008 No. 174

LOCAL GOVERNMENT, ENGLAND

The Halton (Parish Electoral Arrangements) Order 2008

Made - - - - *25th January 2008*

Coming into force in accordance with article 1(2)

Halton Borough Council, under section 12(a) of the Local Government and Rating Act 1997(b) (“the 1997 Act”), have sent to the Electoral Commission(c) proposals dated November 2006 for electoral arrangements in the proposed parishes of Halebank and Sandymoor(d) in the borough(e) of Halton:

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 Halton (Parish Electoral Arrangements) Order 2008.

(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 Halebank and Sandymoor, to be held on the ordinary day of election of councillors in 2008, on the day after that on which it is made;
- (b) for all other purposes, on the ordinary day of election of councillors in 2008.

Interpretation

2. In this Order—

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983(h); and

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- (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 parishes of Halebank and Sandymoor were created by the Halton (Parishes) Order 2007 (S.I. 2007/3003).
 - (e) The non-metropolitan district of Halton 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.
 - (h) 1983 c.2, section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the Local Government and Public Involvement in Health Act 2007 (c.28).

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8(a) of the Representation of the People Act 1983.

Elections for the parishes of Halebank and Sandymoor

3.—(1) The election of all parish councillors for the parish of Halebank shall be held on the ordinary day of election of councillors in 2008 and 2010**(b)**.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2008 for that parish shall be two years.

(3) The election of all parish councillors for the parish of Sandymoor shall be held on the ordinary day of election of councillors in 2008**(c)**.

Number of parish councillors for the parish of Halebank

4. The number of councillors to be elected for the parish of Halebank shall be five.

Number of parish councillors for the parish of Sandymoor

5. The number of councillors to be elected for the parish of Sandymoor shall be five.

Electoral register

6. The registration officer for the borough of Halton 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.

Sealed with the seal of the Electoral Commission on the 25th day of January 2008



25th January 2008

Bob Posner
Legal Counsel to the Commission

(a) Section 8 has been amended by the Local Government (Wales) Act 1994 (c.19) and the Local Government etc. (Scotland) Act 1994 (c.39).
(b) Article 3 provides for parish elections in the new parish of Halebank in 2008 and 2010. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.
(c) Article 3 also provides for the parish election in the new parish of Sandymoor in 2008.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to proposals sent to the Electoral Commission for electoral arrangements for the new parishes of Halebank and Sandymoor, created from unparished areas within the borough of Halton by the Halton (Parishes) Order 2007.

The new electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2008.

Article 3 provides for parish elections in the new parish of Halebank in 2008 and 2010, and then to continue according to the established system of parish elections every four years. That article also provides for the parish election in the new parish of Sandymoor in 2008, and then to continue according to the established system of parish elections every four years.

Article 4 establishes the number of parish councillors for the new parish of Halebank.

Article 5 establishes the number of parish councillors for the new parish of Sandymoor.

Article 6 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.