

2007 No. 152

LOCAL GOVERNMENT, ENGLAND

The Torbay (Parish Electoral Arrangements) Order 2007

Made - - - - *25th January 2007*

Coming into force in accordance with article 1(2)

Torbay Borough Council, under section 9(a) of the Local Government and Rating Act 1997(b) (“the 1997 Act”), have made to the Electoral Commission(c) proposals dated November 2005 for electoral arrangements in the proposed parish of Brixham(d) in the borough(e) of Torbay:

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 Torbay (Parish Electoral Arrangements) Order 2007.
- (2) This Order comes into force—
 - (a) for the purpose of proceedings preliminary or relating to the elections of parish councillors for the parish of Brixham, to be held on the ordinary day of election of councillors in 2007, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2007.

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

(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 parish of Brixham was created by the Torbay (Parish) Order 2006 (S.I. 2006/3280).

(e) The non-metropolitan district of Torbay 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) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c.29).

“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 parish of Brixham

3. Elections of all parish councillors for the parish of Brixham shall be held simultaneously on the ordinary day of election of councillors in 2007(b).

Wards of the parish of Brixham

4.—(1) The parish of Brixham shall be divided into two wards which shall be named Berry Head-with-Furzeham and St Mary’s-with-Summercombe.

(2) Each ward shall comprise the area of the borough ward(c) bearing the same name.

(3) The number of councillors to be elected for Berry Head-with-Furzeham ward shall be seven and for St Mary’s-with-Summercombe ward shall be five.

Electoral register

5. The registration officer for the borough of Torbay 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 2007



25th January 2007

Sam Younger
Chairman of the Commission

25th January 2007

Peter Wardle
Chief Executive 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 Brixham in 2007. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

(c) See the Borough of Torbay (Electoral Changes) Order 2002 (S.I. 2002/1786).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to proposals made to the Electoral Commission for electoral arrangements for the new parish of Brixham, created within the borough of Torbay by the Torbay (Parish) Order 2006.

The new electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2007.

Article 3 provides for parish elections in the parish of Brixham in 2007, and then to continue according to the established system of parish elections every four years.

Article 4 establishes the names and areas of the wards of that parish and the numbers of councillors for each ward.

Article 5 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.