

2001 No. 3559

LOCAL GOVERNMENT, ENGLAND

**The Borough of Tunbridge Wells (Electoral Changes)
Order 2001**

Made - - - - - 1st November 2001

Coming into force in accordance with article 1(2) and (3)

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992(a), has submitted to the Secretary of State a report dated May 2001 on its review of the borough(b) of Tunbridge Wells together with its recommendations:

And whereas the Secretary of State has decided to give effect, subject to modifications, to those recommendations:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17(c) and 26 of the Local Government Act 1992, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Borough of Tunbridge Wells (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 7 and 8 shall come into force—

- (a) for the purpose of proceedings preliminary or relating to any election to be held on 2nd May 2002, on the day after the day on which it is made;
- (b) for all other purposes, on 2nd May 2002.

(3) Articles 4, 5 and 6 of this Order shall come into force—

- (a) for the purpose of proceedings preliminary or relating to the election of parish councillors for the parishes of Goudhurst, Paddock Wood and Southborough, to be held on 1st May 2003, on 15th October 2002;
- (b) for all other purposes, on 1st May 2003.

(4) In this Order—

“borough” means the borough of Tunbridge Wells;

“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 prepared by the Department for Transport, Local Government and the Regions marked “Map of the Borough of Tunbridge Wells (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(d), and any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

(a) 1992 c. 19.

(b) The non-metropolitan district of Tunbridge Wells has the status of a borough.

(c) Section 17 is amended by section 39(4) and (5) of the Police and Magistrates' Courts Act 1994 (c. 29).

(d) S.I. 1994/867, to which there are amendments not relevant to this Order.

Wards of the borough of Tunbridge Wells

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

(2) The borough shall be divided into twenty 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, parishes and parish wards 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 Tunbridge Wells

3.—(1) Subject to the following provisions of this article, the election of councillors for wards of the borough shall be by thirds.

(2) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2002(b).

(3) The councillors holding office for any ward of the borough immediately before 6th May 2002 shall retire on that date and the newly-elected councillors for those wards shall come into office on that date.

(4) The order of retirement of councillors shall be as set out in Schedule 2.

(5) Of the councillors elected in 2002 for any ward of the borough—

(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.

(6) 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.

(7) If an election of councillors for any ward is not contested, the person to retire in each year shall be determined by lot.

(8) 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.

(9) Except as otherwise provided in the preceding paragraphs of this article, the term of office of councillors shall be four years; and all 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 shall come into office on the day on which their predecessors retire.

Wards of the parish of Goudhurst

4.—(1) The existing wards of the parish of Goudhurst shall be abolished.

(2) The parish shall be divided into three parish wards which shall bear the names Curtisden Green, Goudhurst and Kilndown; and the wards shall comprise the areas designated on sheet 3 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Goudhurst parish ward shall be eight, for the Kilndown parish ward shall be three, and for the Curtisden Green parish ward shall be one.

(a) See the Tunbridge Wells (Electoral Arrangements) Order 1976 (S.I. 1976/115) as amended by the Kent (District Boundaries) Order 1987 (S.I. 1987/305).

(b) 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 Paddock Wood

5. The parish shall be divided into two parish wards which shall bear the names Paddock Wood East and Paddock Wood West; each parish ward shall comprise the area of the borough ward bearing the same name, and the number of councillors to be elected for the Paddock Wood East parish ward shall be seven; and for the Paddock Wood West parish ward shall be six.

Wards of the parish of Southborough

6.—(1) The existing wards of the parish of Southborough shall be abolished.

(2) The parish shall be divided into three parish wards which shall bear the names Southborough and High Brooms, Southborough North and Southborough West; and the wards shall comprise the areas designated on sheet 4 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for the Southborough and High Brooms parish ward shall be five, for the Southborough North parish ward shall be seven and for the Southborough West parish ward shall be six.

Parish Elections

7.—(1) Elections of all parish councillors for the parish of Benenden shall be held simultaneously on the ordinary day of election of councillors in 2002, and every fourth year after 2002.

(2) Elections of all parish councillors for the parishes of Brenchley, Capel, Hawkhurst, Horsmonden, Lamberhurst and Sandhurst shall be held simultaneously on the ordinary day of election of councillors in 2004, and every fourth year after 2004.

(3) The term of office of parish councillors elected in accordance with paragraphs (1) and (2) 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.

Revocation

8. The Borough of Tunbridge Wells (Electoral Arrangements) Order 1976 is hereby revoked.

Signed by authority of the Secretary of State
for Transport, Local Government and the Regions

Alan Whitehead
Parliamentary Under Secretary of State,
Department for Transport, Local Government and the Regions

1st November 2001

SCHEDULE 1

article 2

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>
Benenden and Cranbrook	The parish of Benenden and the parish ward of Cranbrook of Cranbrook parish	3
Brenchley and Horsmonden	The parishes of Brenchley and Horsmonden	2
Broadwater		2
Capel	The parish of Capel	1
Culverden		3
Frittenden and Sissinghurst	The parish of Frittenden and the parish ward of Sissinghurst of Cranbrook parish	1
Goudhurst and Lamberhurst	The parishes of Goudhurst and Lamberhurst	2
Hawkhurst and Sandhurst	The parishes of Hawkhurst and Sandhurst	3
Paddock Wood East		2
Paddock Wood West		2
Pantiles and St Mark's Park		3
Pembury	The parish of Pembury	3
Rusthall		2
St James'		2
St John's		3
Sherwood		3
Southborough and High Brooms		3
Southborough North		2
Speldhurst and Bidborough	The parishes of Speldhurst and Bidborough	3

SCHEDULE 2

article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2003</i>	<i>(3)</i> <i>Number of councillors to retire in 2004</i>	<i>(4)</i> <i>Number of councillors to retire in 2006</i>
Benenden and Cranbrook	1	1	1
Brenchley and Horsmonden	0	1	1
Broadwater	0	1	1
Capel	0	1	0
Culverden	1	1	1
Frittenden and Sissinghurst	1	0	0
Goudhurst and Lamberhurst	1	1	0
Hawkhurst and Sandhurst	1	1	1
Paddock Wood East	1	0	1
Paddock Wood West	1	0	1
Pantiles and St Mark's	1	1	1
Park	1	1	1
Pembury	1	1	1
Rusthall	1	1	0
St James'	0	1	1
St John's	1	1	1
Sherwood	1	1	1
Southborough and High Brooms	1	1	1
Southborough North	1	0	1
Speldhurst and Bidborough	1	1	1

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, subject to modifications, to recommendations by the Local Government Commission for England for electoral changes in the borough of Tunbridge Wells. The changes have effect in relation to local government elections to be held on and after 2nd May 2002.

The modifications relate to parish and borough ward boundaries. The Secretary of State has decided that the whole of Hythe Close should be transferred from the Southborough and High Brooms Ward to the Southborough North Ward, therefore moving the boundary line to run along the A26 London Road. The Secretary of State has also decided that there shall be three parish wards in the Southborough Parish.

Article 2 abolishes the existing wards of the borough and provides for the creation of 20 new wards. That article and Schedule 1 also make provision for the names and areas of, and numbers of councillors for, the new wards.

Article 3 makes provision for a whole council election in 2002 and for revision to elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

Articles 4 to 6 make electoral changes in the parishes of Goudhurst, Paddock Wood and Southborough.

Article 7 provides for elections of parish councils in the borough.

Article 8 revokes the Borough of Tunbridge Wells (Electoral Arrangements) Order 1976.

The areas of the new borough and parish wards are demarcated on the map described in article 1(3). Prints of the map may be inspected at all reasonable times at the offices of Tunbridge Wells Borough Council and at the offices of the Secretary of State for Transport, Local Government and the Regions, 2nd Floor, Ashdown House, 123 Victoria Street, London SW1E 6DE.

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