Draft Order laid before Parliament under section 59(9) of the Local Democracy, Economic Development and Construction Act 2009; draft to lie for forty days pursuant to section 6(1) of the Statutory Instruments Act 1946, during which period either House of Parliament may resolve that the Order be not made.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2015 No.

LOCAL GOVERNMENT, ENGLAND

The Cherwell (Electoral Changes) Order 2015

Made - - - -

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

Under section 58(4) of the Local Democracy, Economic Development and Construction Act 2009(**a**) ("the Act") the Local Government Boundary Commission for England(**b**) ("the Commission") published a report dated May 2015 stating its recommendations for changes to the electoral arrangements for the district of Cherwell. The Commission has decided to give effect to the recommendations.

A draft of the instrument has been laid before Parliament and a period of forty days has expired and neither House has resolved that the instrument be not made.

The Commission makes the following Order in exercise of the power conferred by section 59(1) of the Act:

Citation and commencement

1.—(1) This Order may be cited as the Cherwell (Electoral Changes) Order 2015.

(2) Except for article 6, this Order comes into force—

(a) for the purpose of proceedings preliminary or relating to the election of councillors, on the day after it is made;

(b) for all other purposes, on the ordinary day of election of councillors in 2016.

(3) Article 6 comes into force—

(a) for the purpose of proceedings preliminary or relating to the election of councillors, on 15th October 2018;

(b) for all other purposes, on the ordinary day of election of councillors in 2019.

(**a**) 2009 c.20.

(**b**) The Local Government Boundary Commission for England was established on 1st April 2010 by section 55(1) of the Local Democracy, Economic Development and Construction Act 2009 (c.20).

Interpretation

2. In this Order—

"map" means the map marked "Map referred to in the Cherwell (Electoral Changes) Order 2015", prints of which are available for inspection at the principal office of the Local Government Boundary Commission for England;

"ordinary day of election of councillors" has the meaning given by section 37 of the Representation of the People Act 1983(**a**).

Wards of the district of Cherwell and number of councillors

3.—(1) The existing wards of the district of Cherwell are abolished.

(2) The district of Cherwell is divided into 16 district wards, each listed by name in the Schedule.

(3) Each district ward comprises the area designated on the map by reference to the name of the district ward.

(4) Three councillors are to be elected for each district ward.

(5) Where a boundary is shown on the map as running along a road, railway line, footway, watercourse or similar geographical feature, it is to be treated as running along the centre line of the feature.

Elections of the council of the district of Cherwell

4.—(1) Elections of all councillors of each ward of the district of Cherwell are to be held simultaneously on the ordinary day of election of councillors in 2016.

(2) The councillors holding office for any ward of the district of Cherwell immediately before the fourth day after the ordinary day of election of councillors in 2016 are to retire on that fourth day and the newly elected councillors are to come into office on that fourth day.

(3) Of the councillors elected on the ordinary day of election of councillors in 2016 for any ward of the district of Cherwell, one is to retire in 2018 and one in 2019.

(4) Subject to paragraphs (5) and (6), of the councillors elected on the ordinary day of election of councillors in 2016 for any ward of the district of Cherwell—

(a) the first to retire is to be the councillor elected by the smallest number of votes; and

(b) the second to retire is to 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 that year is to be determined by lot.

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

(7) Where under this article any question is to be determined by lot, the lot is to be drawn at the next practicable meeting of the council after the question has arisen and the drawing is to be conducted under the direction of the person presiding at the meeting.

Wards of the parish of Banbury and number of councillors

5.—(1) The existing wards of the parish of Banbury are abolished.

(2) The parish of Banbury is divided into 12 parish wards named respectively—

(i) Calthorpe North;

(ii) Calthorpe South;

(**a**) 1983 c.2; section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), paragraph 5 of Schedule 3 to the Greater London Authority Act 1999 (c.29) and section 60(1) of the Local Government and Public Involvement in Health Act 2007 (c.28).

(iii) Easington North;

(iv) Easington South;

(v) Grimsbury;

(vi) Hardwick East;

(vii) Hardwick West;

(viii) Neithrop North;

(ix) Neithrop South;

(x) Park Road;

(xi) Ruscote;

(xii) Town Centre.

(3) Each parish ward comprises the area designated on the map by reference to the name of the parish ward.

(4) One councillor is to be elected for each of Calthorpe North, Easington North, Hardwick East, Neithrop North, Neithrop South, Park Road and Town Centre parish wards.

(5) Two councillors are to be elected for each of Calthorpe South and Easington South parish wards.

(6) Three councillors are to be elected for Grimsbury parish ward.

(7) Four councillors are to be elected for each of Hardwick West and Ruscote parish wards.

Wards of the parish of Bicester and number of councillors

6.—(1) The existing wards of the parish of Bicester are abolished.

(2) The parish of Bicester is divided into four parish wards named respectively—

(i) East;

(ii) North;

(iii) South;

(iv) West.

(3) Each parish ward comprises the area designated on the map by reference to the name of the parish ward.

(4) Four councillors are to be elected for each of East, North and West parish wards.

(5) Three councillors are to be elected for South parish ward.

Sealed with the seal of the Local Government Boundary Commission for England

Name
Chairman
Date Local Government Boundary Commission for England

SCHEDULE

Article 3

Names of district wards

Adderbury, Bloxham & Bodicote
Banbury Calthorpe & Easington
Banbury Cross & Neithrop
Banbury Grimsbury & Hightown
Banbury Hardwick
Banbury Ruscote
Bicester East
Bicester North & Caversfield
Bicester South & Ambrosden
Bicester West
Cropredy, Sibfords & Wroxton
Deddington
Fringford & Heyfords
Kidlington East
Kidlington West
Launton & Otmoor

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to electoral arrangements for the district of Cherwell following recommendations made by the Local Government Boundary Commission for England. The area of the district remains unchanged. The electoral changes apply in respect of local government elections to be held on and after the ordinary day of election of councillors in 2016.

Article 3 abolishes the existing wards of the district of Cherwell and replaces them with 16 new ones. That article, the map (as defined in article 2) and the Schedule also establish the names, areas and number of councillors of the new district wards.

Article 4 makes provision for a whole district council election in 2016. (Thereafter, the council will revert to the existing system of election by thirds.) That article also provides for the order of retirement of councillors at elections to be held in 2018 and 2019.

Articles 5 and 6 abolish the existing wards of the parishes of (i) Banbury and (ii) Bicester and replace them with new ones. Those articles and the map also establish the names, areas and number of councillors of the new parish wards.

The map defined in article 2 shows the new district and parish wards. It is available at www.lgbce.org.uk/current-reviews/south-east/oxfordshire/cherwell-fer. The map is also available for inspection at all reasonable times at the offices of Cherwell District Council, Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA and at the offices of the Local Government Boundary Commission for England at 14th Floor, Millbank Tower, Millbank, London SW1P 4QP.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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