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.

DRAFT STATUTORY INSTRUMENTS

2016 No.

LOCAL GOVERNMENT, ENGLAND

The Eastleigh (Electoral Changes) Order 2016

Made - - - -

Coming into force in accordance with article 1(2), (3) and (4)

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 September 2016 stating its recommendations for changes to the electoral arrangements for the district of Eastleigh. The Commission has decided to give effect to those recommendations.

A draft of the instrument has been laid before each House of Parliament, a period of forty days has expired since the day on which it was laid 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 Eastleigh (Electoral Changes) Order 2016.

(2) This article and article 2 come into force on the day after the day on which this Order is made.

(3) Articles 3 and 4 and Schedule 1 come into force—

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

(b) for all other purposes, on the ordinary day of election of councillors in England and Wales(**c**) in 2018.

(4) Articles 5 to 7 and Schedule 2 come into force—

(**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).

(**c**) The ordinary day of election of councillors is prescribed by section 37(1) of the Representation of the People Act 1983 (c. 2).

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

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

Interpretation

2.—(1) In this Order "the map" means the map marked "Map referred to in the Eastleigh (Electoral Changes) Order 2016", held by the Local Government Boundary Commission for England(**a**).

(2) 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.

Wards of the district of Eastleigh and number of councillors

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

(2) The district of Eastleigh is divided into 14 wards as listed in the first column of table 1 in Schedule 1.

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

(4) The number of councillors to be elected for each ward is the number specified in relation to that ward in the second column of table 1 in Schedule 1.

Elections of the council of the district of Eastleigh

4.—(1) Elections of all councillors of each ward of the district of Eastleigh are to be held simultaneously on the ordinary day of election of councillors in 2018.

(2) The councillors holding office for any ward abolished by article 3(1) immediately before the fourth day after the ordinary day of election of councillors in 2018 are to retire on that fourth day and the newly elected councillors are to come into office on that fourth day.

(3) Table 2 in Schedule 1 applies in relation to the retirement of the councillors for the new wards of the district in Eastleigh in 2018.

(4) The number of councillors specified in that table in relation to the respective wards are to retire on the fourth day after the ordinary day of election of councillors in the year specified in that table.

(5) Of the councillors elected for each of the wards in 2018—

(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.

(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 is to be determined by lot.

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

(8) An election to replace a councillor who retires under paragraph (4) is to be held on the ordinary day of election of councillors in the year in which the retirement took place; and the newly elected councillors are to come into office on the fourth day after that day.

(9) 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.

(**a**) Prints of the map are available for inspection at reasonable times at the principal office of the Local Government Boundary Commission for England, 14th floor, Millbank Tower, London SW1P 4QP. It is also accessible online at https://www.lgbce.org.uk/__data/assets/pdf_file/0005/27923/Lincolnshire_SO.pdf.

Wards of the parish of Fair Oak & Horton Heath and number of councillors

5.—(1) The existing wards of the parish of Fair Oak & Horton Heath are abolished.

(2) The parish of Fair Oak & Horton Heath is divided into four parish wards as listed in the first column of table 1 in Schedule 2.

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

(4) The number of councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of table 1 in Schedule 2.

Wards of the parish of Hound and number of councillors

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

(2) The parish of Hound is divided into four parish wards as listed in the first column of table 2 in Schedule 2.

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

(4) The number of councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of table 2 in Schedule 2.

Wards of the parish of West End and number of councillors

7.—(1) The existing wards of the parish of West End are abolished.

(2) The parish of Hound is divided into seven parish wards as listed in the first column of table 3 in Schedule 2.

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

(4) The number of councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of table 3 in Schedule 2.

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

Jolyon Jackson
Chief Executive
Date Local Government Boundary Commission for England

SCHEDULE 1

Articles 3 and 4

Names of district electoral wards, number of councillors and years of retirement

Table 1

Names of district electoral wards and number of councillors

(1) *Name of district ward*	*(2)* *Number of councillors*
Bishopstoke	3
Botley	2
Bursledon & Hound North	3
Chandler's Ford	3
Eastleigh Central	3
Eastleigh North	3
Eastleigh South	3

Fair Oak & Horton Heath	3
Hamble & Netley	3
Hedge End North	3
Hedge End South	3
Hiltingbury	3
West End North	2
West End South	2

Table 2

Years of retirement in district wards

Name of district ward	*Number of councillors retiring in 2019 and every fourth year thereafter*	*Number of councillors retiring in 2020 and every fourth year thereafter*	*Number of councillors retiring in 2022 and every fourth year thereafter*
Bishopstoke	1	1	1
Botley	0	1	1
Bursledon & Hound North	1	1	1
Chandler's Ford	1	1	1
Eastleigh Central	1	1	1
Eastleigh North	1	1	1
Eastleigh South	1	1	1
Fair Oak & Horton Heath	1	1	1
Hamble & Netley	1	1	1
Hedge End North	1	1	1
Hedge End South	1	1	1
Hiltingbury	1	1	1
West End North	1	0	1
West End South	1	0	1

SCHEDULE 2

Articles 5 to 7

Names of parish wards and number of councillors

Table 1

Wards of the Fair Oak & Horton Heath

(1) *Name of parish ward*	*(2)* *Number of councillors*
North	5
South	7
Stoke Heights	1
West	2

Table 2

Wards of the parish of Hound

(1) *Name of parish ward*	*(2)* *Number of councillors*
Butlocks Heath	2
Ingleside	2
Netley Abbey	6
Old Netley	2

Table 3

Wards of the parish of West End

(1) *Name of parish ward*	*(2)* *Number of councillors*
Allington	2
Chartwell	3
Hatch Grange	2
Kanes Hill	1
Moorgreen	3
St James	2
Telegraph Woods	1

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to electoral arrangements for the district of Eastleigh following recommendations made by the Local Government Boundary Commission for England. The area of the district remains unchanged. The electoral changes in articles 3 and 4 apply in respect of local government elections to be held on and after the ordinary day of election of councillors in 2018. The electoral changes in articles 5 to 7 apply in respect of local government elections to be held on and after the ordinary day of election of councillors in 2019.

Article 3 abolishes the existing electoral wards of the district of Eastleigh and replaces them with 14 new ones. That article together with the map (as defined in article 2) also establish the names of the new electoral wards and the areas and number of councillors for each.

Article 4 makes provision for a whole district council election in 2018. Subsequently, the council will revert to the existing system of election by thirds. That article also provides for the order of retirement of councillors in 2019, 2020 and 2022 and the election of their replacements.

Articles 5 to 7 abolish the existing wards of the parishes of the Fair Oak & Horton Heath, Hound and West End respectively and replace them with new ones. Those articles together with the map also establish the names, areas and number of councillors of the new parish wards.

The map shows the area of the new district electoral wards and parish wards and is available at https://www.lgbce.org.uk/current-reviews/south-east/hampshire/eastleigh It is also available for inspection at reasonable times at the offices of the Local Government Boundary Commission for England, 14th floor, Millbank Tower, London SW1P 4QP.

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

© Crown copyright 2016

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.25

UK201610241005 10/2016 19585

http://www.legislation.gov.uk/id/ukdsi/2016/9780111150665

ISBN 978-0-11-115066-5

9 780111 150665