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

2022 No. ***

LOCAL GOVERNMENT , ENGLAND

The Gosport (Electoral Changes) Order 2022

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 November 2021(**c**) stating its recommendations for changes to the electoral arrangements for the borough of Gosport. 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 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, commencement, extent and application

1.—(1) This Order may be cited as the Gosport (Electoral Changes) Order 2022.

(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 come into force—

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

(**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**) The report is available for inspection at reasonable times at the principal office of the Local Government Boundary Commission for England, 1st Floor, Windsor House, 50 Victoria Street, London SW1H 0TL. It is also accessible online at https://www.lgbce.org.uk/all-reviews/south-east/hampshire/gosport.

(b) for all other purposes, on the ordinary day of election of councillors in England(**a**) in 2022.

(4) This Order extends to England and Wales but applies in relation to England only.

Interpretation

2.—(1) In this Order, "the map" means the map marked "Map referred to in the Gosport (Electoral Changes) Order 2022", held by the local Government Boundary Commission for England(**b**).

(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 borough of Gosport and number of councillors

3.—(1) The existing wards of the borough of Gosport are abolished.

(2) The borough of Gosport is divided into the 14 wards listed in the Schedule.

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

(4) The number of councillors to be elected for each ward is two.

Elections of the borough of Gosport

4.—(1) Elections of all councillors for each ward of the borough of Gosport are to be held simultaneously on the ordinary day of election of councillors in England in 2022.

(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 2022 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 for a ward in 2022—

(a) one is to retire on the fourth day after the ordinary day of election of councillors in England in 2024;

(b) one is to retire on the fourth day after the ordinary day of election of councillors in England in 2026.

(4) Of the councillors elected for a ward in 2022 the first councillor for each ward to retire is to be the councillor elected by the smaller 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 in 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) An election to replace a councillor who retires under paragraph (3) is to be held on the ordinary day of election of councillors in the year in which the retirement is due to take place; and the newly elected councillor is to come into office on the fourth day after that day.

(**a**) The ordinary day of election of councillors in England is prescribed by section 37(1) of the Representation of the People Act 1983 (c. 2), as amended by section 18(2) of the Representation of the People Act 1985 (c. 50), renumbered by paragraph 5 of Schedule 3 to the Greater London Authority Act 1999 (c. 29), and further amended by section 6(16) of the Wales Act 2017 (c. 4).

(**b**) Prints of the map are available for inspection at reasonable times at the principal office of the Local Government Boundary Commission for England, 1st Floor, Windsor House, 50 Victoria Street, London SW1H 0TL. It is also accessible online at https://www.lgbce.org.uk/all-reviews/south-east/hampshire/gosport.

(8) 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.

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

Name
Chief Executive
Local Government Boundary Commission for England

SCHEDULE

Article 3

Wards of the Borough of Gosport

Alverstoke

Anglesey

Bridgemary

Brockhurst & Privett

Elson

Forton

Grange & Alver Valley

Harbourside & Town

Hardway

Lee East

Lee West

Leesland & Newton

Peel Common

Rowner & Holbrook

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to electoral arrangements for the borough of Gosport following recommendations made by the Local Government Boundary Commission for England. The area of the borough of Gosport remains unchanged.

Article 3 abolishes the existing electoral wards of the borough of Gosport and replaces them with 14 new ones for the purpose of elections held on or after the ordinary day of election of councillors in England in 2022. It establishes the names and areas of the new electoral wards and provides that there are to be two councillors for each ward.

Article 4 makes provision for a whole borough council election in 2022. Subsequently, the council will revert to the existing system of election by halves. That article also provides for the order of retirement of councillors in 2024 and 2026 and the election of their replacements.

The area covered by each ward created by this Order is identified on a map which is available for inspection at reasonable times at the offices of the Local Government Boundary Commission for England, 1st Floor, Windsor House, 50 Victoria Street, London SW1H 0TL.

The map may also be accessed at https://www.lgbce.org.uk/all-reviews/south-east/hampshire/gosport. 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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ISBN 978-0-34-822990-5

£4.90

http://www.legislation.gov.uk/id/ukdsi/2022/9780348229905

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