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 Rochford (Electoral Changes) Order 2015

Made - - - -

Coming into force in accordance with article 1(2) – (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 May 2015 stating its recommendations for changes to the electoral arrangements for the district of Rochford. 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 Rochford (Electoral Changes) Order 2015.

(2) Except for articles 5, 6, 7 and 10, 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) Articles 5, 6 and 7 come 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.

(4) Article 10 comes into force—

(a) for the purpose of proceedings preliminary or relating to the election of councillors, on 15th October 2017;

(**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).

(b) for all other purposes, on the ordinary day of election of councillors in 2018.

Interpretation

2. In this Order—

"map" means the map marked "Map referred to in the Rochford (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 Rochford and number of councillors

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

(2) The district of Rochford is divided into 13 district wards, each listed by name in Schedule 1.

(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 Rochford

4.—(1) Elections of all councillors of each ward of the district of Rochford 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 Rochford 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 Rochford, 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—

(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 Ashingdon and number of councillors

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

(2) The parish of Ashingdon is divided into three parish wards, each listed by name in the first column of table 1 in Schedule 2.

(**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).

(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 Barling Magna and number of councillors

6.—(1) The parish of Barling Magna is divided into two parish wards, each listed by name in the first column of table 2 in Schedule 2.

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

(3) 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 Hawkwell and number of councillors

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

(2) The parish of Hawkwell is divided into two parish wards, each listed by name 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.

Wards of the parish of Hockley and number of councillors

8.—(1) The existing wards of the parish of Hockley are abolished.

(2) The parish of Hockley is divided into two parish wards, each listed by name in the first column of table 4 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 4 in Schedule 2.

Wards of the parish of Rayleigh and number of councillors

9.—(1) The existing wards of the parish of Rayleigh are abolished.

(2) The parish of Rayleigh is divided into seven parish wards, each listed by name in the first column of table 5 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 5 in Schedule 2.

Wards of the parish of Rochford and number of councillors

10.—(1) The existing wards of the parish of Rochford are abolished.

(2) The parish of Rochford is divided into two parish wards, each listed by name in the first column of table 6 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 6 in Schedule 2.

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

Name
Chairman
Date Local Government Boundary Commission for England

SCHEDULE 1

Article 3

Names of district wards

Downhall & Rawreth
Foulness & The Wakerings
Hawkwell East
Hawkwell West
Hockley
Hockley & Ashingdon
Hullbridge
Lodge
Roche North & Rural
Roche South
Sweyne Park & Grange
Trinity
Wheatley

SCHEDULE 2

Articles 5 to 10

Names of parish wards and number of councillors

Table 1

Wards of the parish of Ashingdon and number of councillors

(1) *Name of parish ward*	*(2)* *Number of councillors*
Ashingdon	7
Ashingdon Heights	1
South West	3

Table 2

Wards of the parish of Barling Magna and number of councillors

(1) *Name of parish ward*	*(2)* *Number of councillors*
Barling Magna	4
Little Wakering	5

Table 3

Wards of the parish of Hawkwell and number of councillors

(1) *Name of parish ward*	*(2)* *Number of councillors*
East	8
West	9

Table 4

Wards of the parish of Hockley and number of councillors

(1) *Name of parish ward*	*(2)* *Number of councillors*
East	5
West	10

Table 5

Wards of the parish of Rayleigh and number of councillors

(1) *Name of parish ward*	*(2)* *Number of councillors*
Grange	4
Lodge	4
Sweyne Park	3
Trinity	5
Victoria	1
Wheatley	5
Whitehouse	1

Table 6

Wards of the parish of Rochford and number of councillors

(1)	*(2)*
Name of parish ward	*Number of councillors*
North	9
South	8

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to electoral arrangements for the district of Rochford 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 Rochford and replaces them with 13 new ones. That article, the map (as defined in article 2) and Schedule 1 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 7 to 10 abolish the existing wards of the parishes of (i) Ashingdon, (ii) Hawkwell, (iii) Hockley, (iv) Rayleigh and (v) Rochford respectively and replace them with new ones. Article 6 creates parish wards in the parish of Barling Magna, which was formerly unwarded. Those articles, the map and Schedule 2 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/eastern/essex/rochford. The map is also available for inspection at all reasonable times at the offices of Rochford District Council, Council Offices, South Street, Rochford, Essex SS4 1BW 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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