

Draft Order laid before Parliament under section 59(9) of the Local Democracy, Economic Development and Construction Act 2009 on 2nd November 2011; 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

2012 No. 0000

LOCAL GOVERNMENT, ENGLAND

The Swindon (Electoral Changes) Order 2012

Made - - - -

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

Under section 58(4) of the Local Democracy, Economic Development and Construction Act 2009(a) (“the 2009 Act”) the Local Government Boundary Commission for England(b) published a report dated September 2011 stating its recommendations for changes to the electoral arrangements for the district of Swindon(c).

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 Local Government Boundary Commission for England has decided to give effect to the recommendations for electoral changes and in exercise of the powers conferred by section 59(1) of the 2009 Act makes the following Order:

Citation and commencement

- 1.—(1) This Order may be cited as the Swindon (Electoral Changes) Order 2012.
- (2) This Order, with the exception of articles 5, 6, 7 and 8, comes into force—
 - (a) for the purpose of proceedings preliminary or relating to the elections of councillors for district wards, on the day after that on which it is made;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2012.
- (3) Article 5 comes into force—
 - (a) for the purpose of proceedings preliminary or relating to the elections of councillors for the parish of Blunsdon St Andrew, on 15th October 2013;
 - (b) for all other purposes, on the ordinary day of election of councillors in 2014.
- (4) Articles 6, 7 and 8 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 non-metropolitan district of Swindon has the status of a borough.

- (a) for the purpose of proceedings preliminary or relating to the elections of councillors for the parishes of Chiseldon, Haydon Wick and Stratton St Margaret, on 15th October 2014;
- (b) for all other purposes, on the ordinary day of election of councillors in 2015.

Interpretation

2. In this Order—

“map” means the map marked “Map referred to in the Swindon (Electoral Changes) Order 2012”, of which prints 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 Swindon and number of councillors

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

(2) The district is divided into twenty wards each bearing a name listed in column 1 of 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 column 2 of Schedule 1.

(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 Swindon

4.—(1) Elections of all councillors for all wards of the district are to be held simultaneously on the ordinary day of election of councillors in 2012(b).

(2) The councillors holding office for any ward of the district immediately before the fourth day after the ordinary day of election of councillors in 2012 are to retire on that date and the newly elected councillors are to come into office on that date.

(3) The order of retirement of councillors is to be as set out in Schedule 2.

(4) Where the number of councillors elected in 2012 for any ward of the district is two or more—

(a) the first to retire is, subject to paragraphs (5) and (6), to be the councillor elected by the smallest number of votes; and

(b) the second to retire is, subject to those paragraphs, 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 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) 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) 1983 c.2. Section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the Local Government and Public Involvement in Health Act 2007 (c.28).

(b) The system of election by thirds in the district of Swindon is established by paragraphs 3(1) and 3(9) of the Borough of Swindon (Electoral Changes) Order 1999 (S.I. 1999/2927).

Wards of the parish of Blunsdon St Andrew and number of councillors

- 5.—(1) The existing wards of the parish of Blunsdon St Andrew are abolished.
- (2) The parish is divided into four wards named respectively—
- (a) Abbey Meads;
 - (b) Baxter;
 - (c) Blunsdon;
 - (d) Kingsdown.
- (3) Each ward comprises the area designated on the map by reference to the name of the ward.
- (4) Twelve councillors are to be elected for Abbey Meads ward.
- (5) Three councillors are to be elected for Blunsdon ward.
- (6) One councillor is to be elected for each of the following wards:
- (a) Baxter;
 - (b) Kingsdown.

Wards of the parish of Chiseldon and number of councillors

- 6.—(1) The existing wards of the parish of Chiseldon are abolished.
- (2) The parish is divided into two wards named respectively—
- (a) Badbury;
 - (b) Chiseldon.
- (3) Each ward comprises the area designated on the map by reference to the name of the ward.
- (4) Fourteen councillors are to be elected for Chiseldon ward.
- (5) One councillor is to be elected for Badbury ward.

Wards of the parish of Haydon Wick and number of councillors

- 7.—(1) The existing wards of the parish of Haydon Wick are abolished.
- (2) The parish is divided into four wards named respectively—
- (a) Haydon End;
 - (b) Haydon Wick;
 - (c) Ray;
 - (d) Redhouse.
- (3) Each ward comprises the area designated on the map by reference to the name of the ward.
- (4) Eight councillors are to be elected for each of the following wards:
- (a) Haydon End;
 - (b) Haydon Wick.
- (5) One councillor is to be elected for each of the following wards:
- (a) Ray;
 - (b) Redhouse.

Wards of the parish of Stratton St Margaret and number of councillors

- 8.—(1) The existing wards of the parish of Stratton St Margaret are abolished.
- (2) The parish is divided into five wards named respectively—
- (a) Coleview;
 - (b) Lower Coleview and Nythe;

- (c) Merton;
 - (d) St Margaret;
 - (e) St Philip.
- (3) Each ward comprises the area designated on the map by reference to the name of the ward.
- (4) Seven councillors are to be elected for each of the following wards:
- (a) St Margaret;
 - (b) St Philip.
- (5) Five councillors are to be elected for Lower Coleview and Nythe ward.
- (6) Three councillors are to be elected for Coleview ward.
- (7) One councillor is to be elected for Merton ward.

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

Chairman
Local Government Boundary Commission for England

SCHEDULE 1

Article 3

Names of district wards and numbers of councillors

<i>1</i>	<i>2</i>
<i>Name of District Ward</i>	<i>Number of Councillors</i>
Blunsdon and Highworth	3
Central	3
Chiseldon and Lawn	2
Covingham and Dorcan	3
Eastcott	3
Gorse Hill and Pinehurst	3
Haydon Wick	3
Liden, Eldene and Park South	3
Lydiard and Freshbrook	3
Mannington and Western	3
Old Town	3
Penhill and Upper Stratton	3
Priory Vale	3
Ridgeway	1
Rodbourne Cheney	3
Shaw	3
St Andrews	3
St Margaret and South Marston	3
Walcot and Park North	3
Wroughton and Wichelstowe	3

SCHEDULE 2

Article 4

Order of retirement of councillors

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Name of District Ward</i>	<i>Number of councillors to retire in 2014</i>	<i>Number of councillors to retire in 2015</i>	<i>Number of councillors to retire in 2016</i>
Blunsdon and Highworth	1	1	1
Central	1	1	1
Chiseldon and Lawn	1	1	0
Covingham and Dorcan	1	1	1
Eastcott	1	1	1
Gorse Hill and Pinehurst	1	1	1
Haydon Wick	1	1	1
Liden, Eldene and Park South	1	1	1
Lydiard and Freshbrook	1	1	1
Mannington and Western	1	1	1
Old Town	1	1	1
Penhill and Upper Stratton	1	1	1
Priory Vale	1	1	1
Ridgeway	0	0	1
Rodbourne Cheney	1	1	1
Shaw	1	1	1
St Andrews	1	1	1
St Margaret and South Marston	1	1	1
Walcot and Park North	1	1	1
Wroughton and Wichelstowe	1	1	1

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to the electoral arrangements for the district of Swindon 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 or after the ordinary day of election of councillors in 2012.

Article 3 abolishes the existing wards of the district and replaces them with 20 new ones. That article, the map and Schedule 1 also establish the names and areas of the new wards and the number of councillors for each ward.

Article 4 makes provision for a whole council election in 2012 and for reversion to the established system of election by thirds in subsequent years. That article and Schedule 2 provide for the order of retirement of councillors and detail the number of councillors for each ward that should be elected for 2014, 2015 and 2016. Under the council's current cycle of elections, there are no elections scheduled for 2013.

Article 5 abolishes the existing wards of the parish of Blunsdon St Andrew and replaces them with 4 new ones. That article and the map also establish the names and areas of the new wards and the number of councillors for each ward.

Article 6 abolishes the existing wards of the parish of Chiseldon and replaces them with 2 new ones. That article and the map also establish the names and areas of the new wards and the number of councillors for each ward.

Article 7 abolishes the existing wards of the parish of Haydon Wick and replaces them with 4 new ones. That article and the map also establish the names and areas of the new wards and the number of councillors for each ward.

Article 8 abolishes the existing wards of the parish of Stratton St Margaret and replaces them with 5 new ones. That article and the map also establish the names and areas of the new wards and the number of councillors for each ward.

The map defined in article 2 shows the new district wards and parish wards. It is available at www.lgbce.org.uk/all-reviews/south-west/wiltshire/swindon-electoral-review; it is also available, at all reasonable times, at the offices of the council of the district of Swindon and at the principal office of the Local Government Boundary Commission for England at Layden House, 76 – 86 Turnmill Street, London EC1M 5LG.

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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