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STATUTORY INSTRUMENTS

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**2001 No. 3882**

**The Borough of Cheltenham (Electoral Changes) Order 2001**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Borough of Cheltenham (Electoral Changes) Order 2001.

(2) This article and articles 2, 3 and 8 shall come into force—

- (a) for the purposes of proceedings preliminary or relating to any election to be held on 2nd May 2002, on the date after that on which it is made;
- (b) for all other purposes, on 2nd May 2002.

(3) Articles 4, 5, 6 and 7 of this Order shall come into force—

- (a) for the purposes of proceedings preliminary or relating to the election of parish councillors for the parishes of Charlton Kings, Leckhampton, Prestbury and Up Hatherley, to be held on 1st May 2003, on 15th October 2002;
- (b) for all other purposes, on 1st May 2003.

(4) In this Order—

“borough” means the borough of Cheltenham;

“existing”, in relation to a ward, means the ward as it exists on the date this Order is made; and

any reference to the map is a reference to the map prepared by the Department for Transport, Local Government and the Regions marked “Map of the Borough of Cheltenham (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994<sup>(1)</sup>.

**Wards of the borough of Cheltenham**

2.—(1) The existing wards of the borough<sup>(2)</sup> shall be abolished.

(2) The borough shall be divided into twenty wards which shall bear the names set out in Schedule 1.

(3) The wards shall comprise the areas designated on the map by reference to the name of the ward and demarcated by red lines; and the number of councillors to be elected for each ward shall be two.

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

**Elections of the council of Cheltenham**

3.—(1) Subject to the following provisions of this article, the election of councillors for wards of the borough shall be by thirds.

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<sup>(1)</sup> S.I. 1994/867, to which there are amendments not relevant to this Order.

<sup>(2)</sup> See the Borough of Cheltenham (Electoral Arrangements) Order 1979 (S.I. 1979/1525) and article 3 of the Gloucestershire Districts (Electoral Arrangements) Order 1991 (S.I. 1991/793).

(2) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2002<sup>(3)</sup>.

(3) The councillors holding office for any ward of the borough immediately before 6th May 2002 shall retire on that date and the newly-elected councillors for those wards shall come into office on that date.

(4) The order of retirement of councillors shall be as set out in Schedule 2.

(5) Of the councillors elected in 2002 for any ward of the borough the first to retire shall, subject to paragraphs (6) and (7), be the councillor elected by the smaller 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 shall be determined by lot.

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

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

(9) Except as otherwise provided in the preceding paragraphs of this article the term of office of councillors shall be four years; and all councillors shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly-elected councillors shall come into office on the day on which their predecessors retire.

#### **Wards of the parish of Charlton Kings**

4.—(1) The existing wards of the parish of Charlton Kings shall be abolished.

(2) The parish shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 3; each parish ward shall comprise the area of the borough ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in respect of the parish ward in column (3) of that Schedule.

#### **Wards of the parish of Leckhampton**

5. The parish of Leckhampton shall be divided into three parish wards which shall bear the names set out in column (1) of Schedule 4; each parish ward shall comprise the area of the borough ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in respect of the parish ward in column (3) of that Schedule.

#### **Wards of the parish of Prestbury**

6. The parish of Prestbury shall be divided into three parish wards which shall bear the names set out in column (1) of Schedule 5; each parish ward shall comprise the area of the borough ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in respect of the parish ward in column (3) of that Schedule.

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(3) For the ordinary day of election of councillors of local government areas, *see* section 37 of the Representation of the People Act 1983 (c. 2), amended by section 18(2) of the Representation of the People Act 1985 (c. 50) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29).

### **Wards of the parish of Up Hatherley**

7. The parish of Up Hatherley shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 6; each parish ward shall comprise the area of the borough ward specified in respect of the parish ward in column (2) of that Schedule; and the number of councillors to be elected for each parish ward shall be the number specified in respect of the parish ward in column (3) of that Schedule.

### **Revocations**

8. The Borough of Cheltenham (Electoral Arrangements) Order 1979 and article 3 of and the Schedule to the Gloucestershire Districts (Electoral Arrangements) Order 1991 are hereby revoked.

Signed by authority of the Secretary of State for Transport, Local Government and the Regions

*Alan Whitehead*  
Parliamentary Under Secretary of State,  
Department for Transport, Local Government  
and the Regions

30th November 2001