STATUTORY INSTRUMENTS

2017 No. 1154

LOCAL GOVERNMENT, ENGLAND

The South Lakeland (Electoral Changes) Order 2017

Made - - - - 27th November 2017

Coming into force in accordance with article 1

Under section 58(4) of the Local Democracy, Economic Development and Construction Act 2009(**1**) ("the Act") the Local Government Boundary Commission for England(**2**) ("the Commission") published a report dated October 2016 stating its recommendations for changes to the electoral arrangements for South Lakeland. The Commission has decided to give effect to the 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 South Lakeland (Electoral Changes) Order 2017.

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

(3) Articles 3 to 5 and Schedules 1 to 3 of this Order 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 this Order is made;

(b) for all other purposes, on the ordinary day of election of councillors(**3**) in 2018.

(4) Article 6 and Schedule 4 of this Order 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 in 2019.

(**1**) 2009 c. 20.

(**2**) 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.

(**3**) The ordinary day of election of councillors 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).

Interpretation

2.—(1) In this Order, "the map" means the map marked "Map referred to in the South Lakeland (Electoral Changes) Order 2017", held by the Local Government Boundary Commission for England(**4**).

(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 South Lakeland and number of councillors

3.—(1) The existing wards of South Lakeland are abolished.

(2) The district of South Lakeland is divided into 18 wards as listed in the first column of the table in Schedule 1.

(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 the number specified by the entry in the second column of the table in Schedule 1 which relates to that ward.

Elections of South Lakeland District Council

4.—(1) Elections of all councillors for each ward of South Lakeland 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) Of the councillors elected for a ward in 2018, each is to retire in accordance with the provision made in the table in Schedule 2.

(4) Of the councillors elected 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.

(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 is to retire 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 any newly elected councillor is to come into office on the fourth day after that day.

(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.

Wards of the parish of Kendal

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

(2) The parish of Kendal is divided into the ten parish wards listed in the first column of table 1 in Schedule 3.

(**4**) 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/current-reviews/north-west/cumbria/south-lakeland

(3) Each parish ward comprises the area identified 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 the table 1 in Schedule 3.

Wards of the parish of Windermere

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

(2) The parish of Windermere is divided into the four parish wards listed in the first column of table 1 in Schedule 4.

(3) Each parish ward comprises the area identified 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 4.

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

27th November 2017

L.S.

Jolyon Jackson
Chief Executive
Local Government Boundary Commission for England