STATUTORY INSTRUMENTS

2016 No. 65

LOCAL GOVERNMENT, ENGLAND

The Exeter (Electoral Changes) Order 2016

Made - - - - 19th January 2016
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(**1**) ("the Act") the Local Government Boundary Commission for England(**2**) ("the Commission") published a report dated September 2015 stating its recommendation for changes to the electoral arrangements for the city of Exeter. 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 Exeter (Electoral Changes) Order 2016.

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

(3) The remainder of 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(**3**) in 2016.

Interpretation

2. In this Order "the map" means the map marked "Map referred to in the Exeter (Electoral Changes) Order 2016", held by the Local Government Boundary Commission for England.

(**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 of the Representation of the People Act 1983 c.2.

Wards of the city of Exeter and number of councillors

3.—(1) The existing wards of the city of Exeter are abolished.

(2) The city of Exeter is divided into the 13 wards in the following list—

Alphington

Duryard & St James

Exwick

Heavitree

Mincinglake & Whipton

Newtown & St Leonard's

Pennsylvania

Pinhoe

Priory

St Loyes

St David's

St Thomas

Topsham

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

(4) Three councillors are to be elected for each 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 city of Exeter

4.—(1) Elections of all councillors of each ward of the city of Exeter are to be held simultaneously on the ordinary day of election of councillors in 2016.

(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 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 for a ward in 2016, one shall retire on the fourth day after the ordinary day of election of councillors in 2018, one on the fourth day after the ordinary day of election of councillors in 2019 and one on the fourth day after the ordinary day of election of councillors in 2020.

(4) Of the councillors elected in 2016, subject to paragraphs (5) and (6)—

(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 retires under paragraph (3) is to be held on the ordinary day of election of councillors in the year in which the retirement took place; and the newly elected councillors are to come into office on the fourth day after that day.