STATUTORY INSTRUMENTS

2015 No. 1859

LOCAL GOVERNMENT, ENGLAND

The Colchester (Electoral Changes) Order 2015

Made - - - - 3rd November 2015

Coming into force in accordance with article 1(2)

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 March 2015 stating its recommendations for changes to the electoral arrangements for the district of Colchester. 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 Colchester (Electoral Changes) Order 2015.

(2) 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.

Interpretation

2. In this Order—

"map" means the map marked "Map referred to in the Colchester (Electoral Changes) Order 2015", prints of which are available for inspection at the principal office of 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 (c.20).

"ordinary day of election of councillors" has the meaning given by section 37 of the Representation of the People Act 1983(**3**).

Wards of the district of Colchester and number of councillors

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

(2) The district of Colchester is divided into 17 district wards, each listed by name in the Schedule.

(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 Colchester

4.—(1) Elections of all councillors of each ward of the district of Colchester 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 Colchester 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 Colchester, 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 for any ward of the district of Colchester—

(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 Myland and number of councillors

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

(2) The parish of Myland is divided into two parish wards named respectively—

(a) Myland;

(b) Myland East.

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

(4) 13 councillors are to be elected for Myland parish ward.

(**3**) 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).