

2001 No. 4065

LOCAL GOVERNMENT, ENGLAND

The District of Cherwell (Electoral Changes) Order 2001

Made - - - - - 20th December 2001

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

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992^(a), has submitted to the Secretary of State a report dated August 2001 on its review of the district of Cherwell together with its recommendations:

And whereas the Secretary of State has decided to give effect, subject to modifications, to those recommendations:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17^(b) and 26 of the Local Government Act 1992, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

- 1.—(1) This Order may be cited as the District of Cherwell (Electoral Changes) Order 2001.
- (2) This article and articles 2, 3, 7 and 8 shall come into force—
 - (a) for the purpose of proceedings preliminary or relating to any election to be held on 2nd May 2002, on the day after that on which it is made;
 - (b) for all other purposes, on 2nd May 2002.
- (3) Articles 5 and 6 shall come into force—
 - (a) for the purpose of proceedings preliminary or relating to elections of parish councillors for the parishes of Bicester and Kidlington, on 1st May 2003, on 15th October 2002;
 - (b) for all other purposes on 1st May 2003.
- (4) Article 4 shall come into force—
 - (a) for the purpose of proceedings preliminary or relating to elections of parish councillors for the parish of Banbury on 6th May 2004, on 15th October 2003;
 - (b) for all other purposes on 6th May 2004.

(a) 1992 c. 19.

(b) Section 17 is amended by section 39(4) and (5) of the Police and Magistrates' Courts Act 1994 (c. 29).

(5) In this Order—

“district” means the district of Cherwell;

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

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 District of Cherwell (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(a); and

any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

Wards of the district of Cherwell

2.—(1) The existing wards of the district(b) shall be abolished.

(2) The district shall be divided into twenty-eight wards which shall bear the names set out in column (1) of Schedule 1.

(3) The wards shall comprise the areas described in column (2) of that Schedule by reference to parishes or, where an area is not so described, the area 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 the number specified in respect of the ward in column (3) of that Schedule.

(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 the district of Cherwell

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

(2) Elections of all councillors for all wards of the district shall be held simultaneously on the ordinary day of election of councillors in 2002(c).

(3) The councillors holding office for any ward of the district 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) Where the number of councillors elected in 2002 for any ward of the district is two or more—

(a) the first to retire shall, subject to paragraphs (6) and (7), be the councillor elected by the smallest number of votes; and

(b) the second to retire shall, subject to those paragraphs, be the councillor elected by the next smallest 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.

(a) S.I. 1994/867, to which there are amendments not relevant to this Order.

(b) See the District of Cherwell (Electoral Arrangements) Order 1978 (S.I. 1978/1473), as amended by the Cherwell (Parishes) Order 1999 (S.I. 1999/3409).

(c) 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 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).

(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 Banbury

4.—(1) The existing wards of the parish of Banbury(a) shall be abolished.

(2) The parish shall be divided into six parish wards which shall bear the names set out in column (1) of Schedule 3; each parish ward shall comprise the area of the district 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 Bicester

5.—(1) The existing wards of the parish of Bicester(b) shall be abolished.

(2) The parish shall be divided into five parish wards which shall bear the names set out in column (1) of Schedule 4; each parish ward shall comprise the area of the district 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 three.

Wards of the parish of Kidlington

6.—(1) The existing wards of the parish of Kidlington(c) shall be abolished.

(2) The parish shall be divided into five parish wards which shall bear the names Dogwood, Exeter, Orchard, Roundham and St Mary's; and the wards shall comprise the areas designated on sheet 4 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the parish wards shall be three.

Parish Elections

7.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 1999 for the parish of Shipton-on-Cherwell and Thrupp shall be three years.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2000 for the parishes of Hanwell, Horley, Hornton, Merton and Stratton Audley shall be two years.

(3) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2000 for the parishes of Ambrosden and Bourton shall be three years.

(4) The ordinary elections of parish councillors for the parishes of Middleton Stoney and South Newington in 2002 shall not take place; and any such parish councillor holding office immediately before 6th May 2002 who would, but for this paragraph, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until the fourth day after the ordinary day of election of councillors in 2003.

(5) Elections of all parish councillors for the parishes of Ambrosden, Bourton, Middleton Stoney and South Newington shall be held simultaneously on the ordinary day of election of councillors in 2003 and every fourth year after 2003.

(6) Elections of all parish councillors for the parishes listed in Schedule 5 shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(7) Elections of all parish councillors for the parishes of Adderbury, Ardley, Arncott, Blackthorn, Bodicote, Bucknell, Caversfield, Launton, Piddington and Stoke Lyne shall be

(a) See the Cherwell (Parishes) Order 1999 (S.I. 1999/3409).

(b) See the Bicester (Division of Parish into Wards) Order 1975.

(c) See the The Kidlington (Amendment of Parish Ward Boundaries) Order 1975.

held simultaneously on the ordinary day of election of councillors in 2004 and every fourth year after 2004.

(8) The term of office of parish councillors elected in accordance with any of paragraphs 4, 5, 6 and 7 shall be four years; and they 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.

(9) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986(a) (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 5th May 2003 in the office of a parish councillor for the parishes of Middleton Stoney and South Newington as if the references in paragraphs (1) and (4) of that rule to the day on which that councillor would regularly have retired were a reference to 5th May 2003.

Revocation

8. The District of Cherwell (Electoral Arrangements) Order 1978, the Bicester (Division of Parish into Wards) Order 1975, the Kidlington (Amendment of Parish Ward Boundaries) Order 1975, the Town of Bicester (Wards) Order 2000 and the Parish of Kidlington (Wards) Order 2000 are hereby revoked.

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

20th December 2001

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

(a) S.I. 1986/2215, to which there are amendments not relevant to this Order.

SCHEDULE 1

Article 2

NAMES AND AREAS OFWARDS AND NUMBERS OF COUNCILLORS

<i>(1) Name of ward</i>	<i>(2) Area of ward</i>	<i>(3) Number of councillors</i>
Adderbury	The parishes of Adderbury and Milton	1
Ambrosden and Chesterton	The parishes of Ambrosden, Chesterton, Middleton Stoney and Wendlebury	1
Banbury Calthorpe		2
Banbury Easington		3
Banbury Grimsbury and Castle		3
Banbury Hardwick		3
Banbury Neithrop		2
Banbury Ruscote		3
Bicester East		2
Bicester North		2
Bicester South		2
Bicester Town		2
Bicester West		3
Bloxham and Bodicote	The parishes of Bloxham, Bodicote and Milcombe	2
Caversfield	The parishes of Ardley, Bucknell, Caversfield and Stoke Lyne	1
Cropredy	The parishes of Bourton, Claydon with Clattercot, Cropredy, Mollington, Prescote and Wardington	1
Deddington	The parishes of Barford St John and St Michael, and Deddington	1
Fringford	The parishes of Cottisford, Finmere, Fringford, Godington, Hardwick with Tusmore, Hethe, Mixbury, Newton Purcell with Shelswell, and Stratton Audley	1
Hook Norton	The parishes of Hook Norton, South Newington and Wigginton	1
Kidlington North		2
Kidlington South		3
Kirtlington	The parishes of Bletchingdon, Hampton Gay and Poyle, Kirtlington, Shipton-on-Cherwell and Thrupp, and Weston-on-the-Green	1
Launton	The parishes of Arncott, Blackthorn, Launton and Piddington	1

<i>(1) Name of ward</i>	<i>(2) Area of ward</i>	<i>(3) Number of councillors</i>
Otmoor	The parishes of Charlton-on-Otmoor, Fencott and Murcott, Horton-cum-Studley, Islip, Merton, Noke and Oddington	1
Sibford	The parishes of Broughton, Epwell, North Newington, Sibford Ferris, Sibford Gower, Swalcliffe and Tadmarton	1
The Astons and Heyfords	The parishes of Duns Tew, Fritwell, Lower Heyford, Middle Aston, North Aston, Somerton, Souldean, Steeple Aston and Upper Heyford	2
Wroxton	The parishes of Drayton, Hanwell, Horley, Hornton, Shenington with Alkerton, Shutford and Wroxton	1
Yarnton, Gosford and Water Eaton	The parishes of Begbroke, Gosford and Water Eaton, and Yarnton	2

SCHEDULE 2
ORDER OF RETIREMENT OF COUNCILLORS

Article 3(4)

<i>(1) Name of ward</i>	<i>(2) Number of councillors to retire in 2003</i>	<i>(3) Number of councillors to retire in 2004</i>	<i>(4) Number of councillors to retire in 2006</i>
Adderbury	0	1	0
Ambrosden and Chesterton	1	0	0
Banbury Calthorpe	0	1	1
Banbury Easington	1	1	1
Banbury Grimsbury and Castle	1	1	1
Banbury Hardwick	1	1	1
Banbury Neithrop	0	1	1
Banbury Ruscote	1	1	1
Bicester East	1	1	0
Bicester North	1	1	0
Bicester South	1	1	0
Bicester Town	1	1	0
Bicester West	1	1	1
Bloxham and Bodicote	0	1	1
Caversfield	0	1	0
Cropredy	1	0	0
Deddington	0	0	1

<i>(1) Name of ward</i>	<i>(2) Number of councillors to retire in 2003</i>	<i>(3) Number of councillors to retire in 2004</i>	<i>(4) Number of councillors to retire in 2006</i>
Frингford	0	0	1
Hook Norton	1	0	0
Kidlington North	1	0	1
Kidlington South	1	1	1
Kirtlington	0	0	1
Launton	0	1	0
Otmoor	0	0	1
Sibford	0	0	1
The Astons and Heyfords	1	0	1
Wroxton	0	0	1
Yarnton, Gosford and Water Eaton	1	1	0

SCHEDULE 3

Article 4

WARDS OF THE PARISH OF BANBURY

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1) Name of ward</i>	<i>(2) Area of ward</i>	<i>(3) Number of councillors</i>
Calthorpe	The district ward of Banbury Calthorpe	3
Easington	The district ward of Banbury Easington	4
Grimsbury and Castle	The district ward of Banbury Grimsbury and Castle	4
Hardwick	The district ward of Banbury Hardwick	4
Neithrop	The district ward of Banbury Neithrop	3
Ruscote	The district ward of Banbury Ruscote	4

SCHEDULE 4

Article 5

WARDS OF THE PARISH OF BICESTER

NAMES AND AREAS OF WARDS

<i>(1) Name of ward</i>	<i>(2) Area of ward</i>
East	The district ward of Bicester East
North	The district ward of Bicester North
South	The district ward of Bicester South
Town	The district ward of Bicester Town
West	The district ward of Bicester West

SCHEDULE 5

Article 7(6)

PARISHES IN WHICH ELECTIONS ARE TO BE HELD IN 2002

Barford St John and St Michael	Islip
Bletchingdon	Kirtlington
Bloxham	Merton
Broughton	Milcombe
Charlton-on-Otmoor	North Newington
Deddington	Shenington with Alkerton
Drayton	Shipton-on-Cherwell and Thrupp
Duns Tew	Shutford
Epwell	Sibford Ferris
Fencott and Murcott	Sibford Gower
Finmere	Steeple Aston
Fringford	Stratton Audley
Hanwell	Swalcliffe
Hethe	Tadmarton
Horley	Weston on the Green
Hornton	Wroxton
Horton-cum-Studley	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, subject to modifications, to recommendations by the Local Government Commission for England for electoral changes in the district of Cherwell. The changes have effect in relation to local government elections to be held on and after 2nd May 2002.

The modifications relate to names of district wards. The Secretary of State has decided that the wards shown in the first column of the Table below with the names proposed by the Commission should bear the names shown in the second column.

<i>Proposed Ward Name</i>	<i>Ward Name</i>
Calthorpe	Banbury Calthorpe
Easington	Banbury Easington
Grimsbury and Castle	Banbury Grimsbury and Castle
Hardwick	Banbury Hardwick
Neithrop	Banbury Neithrop
Ruscote	Banbury Ruscote

Article 2 abolishes the existing wards of the district and provides for the creation of twenty-eight new wards. That article and Schedule 1 also make provision for the names and areas of, and numbers of councillors for, the new wards.

Article 3 makes provision for a whole council election in 2002 and for reversion of elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

Articles 4 to 6 makes electoral changes in the parishes of Banbury, Bicester and Kidlington.

Article 7 makes changes to the parish elections for the district.

Article 8 revokes the District of Cherwell (Electoral Arrangements) Order 1978, The Bicester (Division of Parish into Wards) Order 1975, “The Kidlington (Amendment of Parish Ward Boundaries) Order 1975, the Town of Bicester (Wards) Order 2000 and the Parish of Kidlington (Wards) Order 2000.

The areas of the new district and parish wards are demarcated on the map described in article 1(5). Prints of the map may be inspected at all reasonable times at the offices of Cherwell District Council and at the offices of the Secretary of State for Transport, Local Government and the Regions, 2nd Floor, Ashdown House, 123 Victoria Street, London SW1E 6DE.

STATUTORY INSTRUMENTS

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