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STATUTORY INSTRUMENTS

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**1998 No. 2866**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The City of Chester (Electoral Changes) Order 1998**

*Made - - - - 13th November 1998*

*Coming into force in accordance with article 1(2)*

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992<sup>(1)</sup> has submitted to the Secretary of State a report dated March 1998 on its review of the City of Chester together with its recommendations:

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

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17<sup>(2)</sup> 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 City of Chester (Electoral Changes) Order 1998.

(2) This Order shall come into force for all purposes on 6th May 1999, except that for the purpose of all proceedings preliminary or relating to an election to be held on or after that date this Order shall come into force on the day after that on which it is made.

(3) In this Order—

“the city” means the city of Chester;

“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 of the Environment, Transport and the Regions marked “Map of the City of Chester (Electoral Changes) Order 1998”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994<sup>(3)</sup>; and

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

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(1) 1992 c. 19.

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

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

## **Wards of Chester**

2.—(1) The existing wards of the city<sup>(4)</sup> shall be abolished.

(2) The city shall be divided into thirty-one 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 no area is 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, waterway or other similar geographical feature, it shall be treated as running along the centre line of the feature.

## **Elections of the council of Chester**

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

(2) Elections of councillors for all wards of the city shall be held simultaneously on the ordinary day of election of councillors in 1999<sup>(5)</sup>.

(3) The councillors holding office for any ward in the city immediately before 10th May 1999 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 1999 for any ward of the city is two or more—

(a) the first to retire shall, subject to paragraphs (6) and (7) below, 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.

(9) Except as otherwise provided in the foregoing 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 Upton by Chester**

4.—(1) The existing wards of the parish of Upton by Chester shall be abolished.

(2) The parish shall be divided into three wards which shall bear the names Upton Grange, Upton Heath and Upton Park and the wards shall comprise the areas designated on sheet 2 by reference to the name of the ward and demarcated by orange lines.

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(4) See the City of Chester (Electoral Arrangements) Order 1978 (S.I. 1978/88).

(5) 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).

(3) The number of councillors to be elected for the Upton Grange parish ward shall be five; the number of councillors to be elected for the Upton Heath parish ward shall be seven and the number of councillors to be elected for the Upton Park parish ward shall be two.

### **Parish elections**

5.—(1) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parishes of Duddon, Foulk Stapleford, Huxley, Puddington, Saughall, Shotwick, Shotwick Park, Tarvin and Woodbank shall be three years and elections shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(2) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parishes of Aldford, Buerton, Churton Heath, Claverton, Clotton Hoofield, Dodleston, Eaton, Eccleston, Lea Newbold, Lower Kinnerton, Marlston-cum-Lache, Poulton, Pulford, Rowton and Saughton, shall be one year and elections shall be held simultaneously on the ordinary day of election of councillors in 2000 and every fourth year after 2000.

(3) Elections of councillors for the parishes of Churton-by-Aldford, Churton-by-Farndon, Farndon and Waverton shall be held simultaneously on the ordinary day of election of councillors in 2000 and every fourth year after 2000.

(4) Elections of parish councillors for the parishes of Backford, Bache, Broxton, Caldecott, Capenhurst, Caughall, Chorlton-by-Backford, Church Stocklach, Croughton, Duckington, Harthill, Horton-by-Malpas, Lea by Backford, Ledsham, Little Stanney, Mollington, Moston, Stoak, Shocklach Oviatt, Tilston, Upton by Chester and Wervin shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(5) The term of office of any parish councillor elected on the ordinary day of election of councillors in 2000 for the parishes of Aldersey, Barton, Carden, Clutton, Coddington and Stretton shall be two years and elections shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

### **Revocation**

6. The City of Chester (Electoral Arrangements) Order 1978 is hereby revoked.

Signed by authority of the Secretary of State

13th November 1998

*Hilary Armstrong*  
Minister of State,  
Department of the Environment, Transport and  
the Regions

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Article 2

### NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> Name of ward	<i>(2)</i> Area of ward	<i>(3)</i> Number of councillors
Barrow	The parishes of Barrow, Dunham-on-the-Hill, Hapsford, Horton-cum-Peel and Mouldsworth	1
Blacon Hall		3
Blacon Lodge		3
Boughton		2
Boughton Heath		2
Christleton	The parishes of Christleton, Guilden Sutton and Littleton	2
City & St Anne's		2
College		3
Curzon & Westminster		2
Dodleston	The parishes of Aldford, Buerton, Churton Heath, Claverton, Dodleston, Eaton, Eccleston, Lea Newbold, Lower Kinnerton, Marlston-cum-Lache, Poulton and Pulford	1
Elton	The parishes of Croughton, Elton, Little Stanney, Stoak, Thornton-le-Moors and Wervin	2
Farndon	The parishes of Churton by Aldford, Churton by Farndon, Crewe by Farndon, Edgerley, Farndon and Kings Marsh	1
Handbridge & St Mary's		2
Hoole All Saints		2
Hoole Groves		2
Huntington	The parish of Huntington	1
Kelsall	The parishes of Ashton and Kelsall	2
Lache Park		3
Malpas	The parishes of Agden, Bickley, Bradley, Chorlton, Chidlow, Cuddington, Edge,	2

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<i>(1)</i> <i>Name of ward</i>	<i>(2)</i> <i>Area of ward</i>	<i>(3)</i> <i>Number of councillors</i>
	Hampton, Larkton, Macefen, Malpas, Newton by Malpas, Oldcastle, Overton, Stockton, Threapwood, Tushingham cum Grindley, Wigland and Wychough	
Mickle Trafford	The parishes of Bridge Trafford, Hoole Village, Mickle Trafford, Picton and Wimbolds Trafford	1
Mollington	The parishes of Backford, Capenhurst, Caughall, Chorlton-by-Backford, Lea-by-Backford, Ledsham, Mollington and Moston	1
Newton Brook		2
Newton St Michaels		2
Saughall	The parishes of Puddington, Saughall, Shotwick, Shotwick Park and Woodbank	2
Tarvin	The parishes of Bruen Stapleford, Burton, Clotton Hoofield, Cotton Edmunds, Duddon, Foulk Stapleford, Hockenhull, Huxley, Iddinshall, Prior's Heys, Tarvin and Willington	2
Tattenhall	The parishes of Beeston, Burwardsley, Chowley, Golborne David, Golborne Bellow, Handley, Hatton, Newton-by-Tattenhall, Tattenhall, Tilstone Fearnall, Saighton and Tiverton	2
Tilston	The parishes of Aldersey, Barton, Broxton, Caldecott, Carden, Church Shocklach, Clutton, Coddington, Duckington, Grafton, Harthill, Horton-by-Malpas, Shocklach Oviatt, Stretton and Tilston	1
Upton Grange		3
Upton Westlea		2
Vicars Cross		3

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<i>(1)</i> <i>Name of ward</i>	<i>(2)</i> <i>Area of ward</i>	<i>(3)</i> <i>Number of councillors</i>
Waverton	The parishes of Cotton Abbots, Rowton and Waverton	1

## SCHEDULE 2

Article 3(4)

### ORDER OF RETIREMENT OF COUNCILLORS

<i>Name of ward</i>	<i>Number of councillors to retire in 2000</i>	<i>Number of councillors to retire in 2002</i>	<i>Number of councillors to retire in 2003</i>
Barrow			1
Blacon Hall	1	1	1
Blacon Lodge	1	1	1
Boughton	0	1	1
Boughton Heath	1	0	1
Christleton	0	1	1
City & St Anne's	1	1	0
College	1	1	1
Curzon & Westminster	0	1	1
Dodleston	1	0	0
Elton	0	1	1
Farndon	1	0	0
Handbridge & St Mary's	1	1	0
Hoole All Saints	0	1	1
Hoole Groves	1	0	1
Huntington	0	0	1
Kelsall	0	1	1
Lache Park	1	1	1
Malpas	1	0	1
Mickle Trafford	0	0	1
Mollington	0	1	0
Newton Brook	1	0	1
Newton St Michaels	1	1	0
Saughall	1	1	0

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<i>Name of ward</i>	<i>Number of councillors to retire in 2000</i>	<i>Number of councillors to retire in 2002</i>	<i>Number of councillors to retire in 2003</i>
Tarvin	1	1	0
Tattenhall	1	0	1
Tilston	0	1	0
Upton Grange	1	1	1
Upton Westlea	1	1	0
Vicars Cross	1	1	1
Waverton	1	0	0

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order gives effect, with modifications, to recommendations by the Local Government Commission for England for electoral changes in the city of Chester.

The modifications are

- the renaming of the proposed Park, Plas Newton and Sealwards as Lache Park, Newton St Michaels and College, respectively;
- an alteration of the boundary between the proposed Park (now Lache Park) and Curzon & Westminster wards.

Article 2 abolishes all of the existing wards of the city and provides for the creation of 31 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 Chester in 1999 and for elections by thirds in subsequent years. Schedule 2 provides for the order of retirement of councillors.

Article 4 makes changes to the electoral arrangements in the parish of Upton by Chester and provides for the number of councillors.

Article 5 makes provision for parish elections.

Article 6 revokes the City of Chester (Electoral Arrangements) Order 1978.

The areas of the new city and parish wards are demarcated on the map described in article 1(3). Prints of the map may be inspected at all reasonable times at the offices of Chester City Council and at the offices of the Secretary of State for the Environment, Transport and the Regions which are located at 2nd Floor, Ashdown House, 123 Victoria Street, London, SW1E 6DE.