

**2001 No. 3586**

**LOCAL GOVERNMENT, ENGLAND**

**The Borough of Maidstone (Electoral Changes) Order 2001**

*Made - - - - - 1st November 2001*

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

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 May 2001 on its review of the borough(b) of Maidstone 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(c) 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 Borough of Maidstone (Electoral Changes) Order 2001.

(2) This article and articles 2, 3, 6 and 7 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 the day on which it is made;
- (b) for all other purposes, on 2nd May 2002.

(3) Articles 4 and 5 shall come into force—

- (a) for the purpose of proceeding preliminary or relating to the election of parish councillors for the parishes of Boughton Monchelsea and Boxley to be held on 6th May 2004, on 15th October 2003;
- (b) for all other purposes, on 6th May 2004.

(4) In this Order—

“borough” means the borough of Maidstone;

“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 Borough of Maidstone (Electoral Changes) Order 2001”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(d); and

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

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(a) 1992 c.19.

(b) The non-metropolitan district of Maidstone has the status of a borough.

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

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

## **Wards of the borough of Maidstone**

2.—(1) The existing wards of the borough(a) shall be abolished.

(2) The borough shall be divided into twenty-six 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 Maidstone**

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

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

(3) The councillors holding office for any ward of the borough 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) Of the councillors elected in 2002—

(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.

(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 Boughton Monchelsea**

4.—(1) The existing wards of the parish of Boughton Monchelsea shall be abolished.

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

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(a) See the Borough of Maidstone (Electoral Arrangements) Order 1976 (S.I. 1976/1762) as amended by the Kent (District Boundaries) Order 1987 (S.I. 1987/305) and the Maidstone (Parishes) Order 1999 (S.I. 1999/155).

(b) 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) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c.29).

## **Wards of the parish of Boxley**

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

(2) The parish shall be divided into four parish wards which shall bear the names Boxley North, Boxley South, Boxley South East and Boxley Woodlands; 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 Boxley South East and Boxley Woodlands parish wards shall be one, for the Boxley North parish ward shall be six, and for the Boxley South parish ward shall be seven.

## **Parish Elections**

6.—(1) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2000 for the parish of Detling shall be three years.

(2) The ordinary elections of parish councillors for the parishes of Sutton Valence and Thurnham in 2002 shall not take place; and any such parish councillor holding office immediately before 2nd 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.

(3) Elections of all parish councillors for the parishes of East Sutton shall be held simultaneously on the ordinary day of election for councillors in 2002, and every fourth year after 2002.

(4) The ordinary elections of parish councillors for the parish of Hollingbourne in 2003 shall not take place; and any such parish councillor holding office immediately before 3rd May 2003 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 2004.

(5) Elections of all parish councillors for the parishes of Detling, Sutton Valence and Thurnham shall be held simultaneously on the ordinary day of election for councillors in 2003, and every fourth year after 2003.

(6) Elections of all parish councillors for the parishes of Barming, Boughton Malherbe, Boughton Monchelsea, Boxley, Bredhurst, Chart Sutton, Coxheath, East Farleigh, Headcorn, Hollingbourne, Hunton, Linton, Marden, Stockbury, Teston, Ulcombe and West Farleigh shall be held simultaneously on the ordinary day of election for councillors in 2004, and every fourth year after 2004.

(7) The term of office of parish councillors elected in accordance with any of paragraphs (3), (5) and (6) above shall be four years; and they shall retire on the fourth day after the ordinary day of election of councillors in the years of retirement and the newly-elected councillors shall come into office on the day on which their predecessors retire.

(8) 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 3rd May 2003 in the office of a parish councillor for the parishes of Sutton Valence and Thurnham 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 3rd May 2003.

(9) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986 (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 8th May 2004 in the office of a parish councillor for the parish of Hollingbourne to the day on which that councillor would regularly have retired were a reference to 8th May 2004.

## **Revocation**

7. The Borough of Maidstone (Electoral Arrangements Order) 1976 is hereby revoked.

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

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

1st November 2001

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

SCHEDULE 1

article 2

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>	<i>(3)</i> <i>Number of Councillors</i>
Allington		3
Barming	The parishes of Barming and Teston	1
Bearsted	The parish of Bearsted	3
Boughton Monchelsea and Chart Sutton		1
Boxley		3
Bridge		2
Coxheath and Hunton	The parishes of Coxheath, East Farleigh, Hunton, Linton and West Farleigh	3
Detling and Thurnham		1
Downswood and Otham	The parishes of Downswood and Otham	1
East		3
Fant		3
Harrietsham and Lenham	The parishes of Harrietsham and Lenham	2
Headcorn	The parishes of Boughton Malherbe, East Sutton, Headcorn and Ulcombe	2
Heath		2
High Street		3
Leeds	The parishes of Leeds, and Broomfield and Kingswood	1
Loose	The parish of Loose	1
Marden and Yalding	The parishes of Collier Street, Marden, Nettlestead and Yalding	3
North		3
North Downs	The parishes of Bicknor, Frinsted, Hollingbourne, Hucking, Otterden, Stockbury, Wichling and Wormshill	1
Park Wood		2
Shepway North		3
Shepway South		2
South		3
Staplehurst	The parish of Staplehurst	2
Sutton Valence and Langley	The parishes of Langley and Sutton Valence	1

SCHEDULE 2

article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2003</i>	<i>(3)</i> <i>Number of councillors to retire in 2004</i>	<i>(4)</i> <i>Number of councillors to retire in 2006</i>
Allington	1	1	1
Barming	0	1	0
Bearsted	1	1	1
Boughton	0	1	0
Monchelsea and Chart Sutton			
Boxley	1	1	1
Bridge	0	1	1
Coxheath and Hunton	1	1	1
Detling and Thurnham	1	0	0
Downswood and Otham	1	0	0
East	1	1	1
Fant	1	1	1
Harrietsham and Lenham	1	0	1
Headcorn	0	1	1
Heath	0	1	1
High Street	1	1	1
Leeds	1	0	0
Loose	1	0	0
Marden and Yalding	1	1	1
North	1	1	1
North Downs	0	1	0
Park Wood	0	1	1
Shepway North	1	1	1
Shepway South	0	1	1
South	1	1	1
Staplehurst	1	0	1
Sutton Valence and Langley	1	0	0

SCHEDULE 3

article 4

WARDS OF THE PARISH OF BOUGHTON MONCHELSEA  
NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> <i>Name of Ward</i>	<i>(2)</i> <i>Area of Ward</i>	<i>(3)</i> <i>Number of Councillors</i>
Boughton Monchelsea North	So much of the borough ward of Park Wood as comprises the parish of Boughton Monchelsea	4
Boughton Monchelsea South	So much of the borough ward of Boughton Monchelsea and Chart Sutton as comprises the parish of Boughton Monchelsea	11

## 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 borough of Maidstone. 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 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>
Langley and Sutton Valence Marden	Sutton Valence and Langley Marden and Yalding

Article 2 abolishes the existing wards of the borough and provides for the creation of 26 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 to elections by thirds in subsequent years. Schedule 2 regulates the order of retirement of councillors.

Article 4 and 5 make electoral changes in the parishes of Boughton Monchelsea and Boxley.

Article 6 provides for election of parish councils in the borough.

Article 7 revokes the Borough of Maidstone (Electoral Changes) Order 1976.

The areas of the new district 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 Maidstone Borough 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.

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**The Borough of Maidstone (Electoral Changes) Order 2001**

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