
STATUTORY INSTRUMENTS

1997 No. 779

LOCAL GOVERNMENT, ENGLAND AND WALES

The Borough of Halton (Electoral Changes) Order 1997

Made - - - - 21st February 1997

Coming into force in accordance with article 1(1)

Whereas the Local Government Commission for England, acting pursuant to section 15(4) of the Local Government Act 1992(1), has submitted to the Secretary of State a report on its review of the borough of Halton(2) together with its recommendations:

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

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17(3) 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 Halton (Electoral Changes) Order 1997 and shall come into force on 1st May 1997 except that, for the purpose of all proceedings preliminary or relating to an election to be held on or after that date, it shall come into force on the day after the day on which it is made.

(2) In this Order—

“the borough” means the borough of Halton;

“existing”, in relation to a ward, means the ward as it exists on the date this Order is made; and any reference to the map is a reference to the map prepared by the Department of the Environment, marked “Map of the Borough of Halton (Electoral Changes) Order 1997”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(4).

Wards of Halton

2.—(1) The existing wards of the borough(5) shall be abolished.

(1) 1992 c. 19.

(2) The non-metropolitan district of Halton has the status of a borough.

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

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

(5) See the Borough of Halton (Electoral Arrangements) Order 1986 (S.I. 1986/280), as amended by article 7(1) of S.I. 1996/1863.

(2) The borough shall be divided into twenty-one wards which shall bear the names set out in column (1) of Schedule 1, and the number of councillors to be elected for each ward shall be the number specified in column (2) of that Schedule.

(3) Each ward shall comprise the area designated on the map by reference to the name of the ward and demarcated by red lines.

(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 Halton

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 wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 1997~~(6)~~.

(3) The councillors holding office for any ward in the borough immediately before 5th May 1997 shall retire on that date and the newly elected councillors for any such ward 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 1997 for any ward of the borough is two, the first to retire shall be, subject to paragraphs (7) and (8), the councillor elected by the smaller number of votes.

(6) Where the number of councillors elected in 1997 for any ward of the borough is three—

(a) the first to retire shall, subject to paragraphs (7) and (8), 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.

(7) In the case of an equality of votes between any persons elected which makes it uncertain which of them is to retire in any such year, the person to retire in that year shall be determined by lot.

(8) If an election of councillors for any ward is not contested, the person to retire in each such year shall be determined by lot.

(9) 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.

(10) In each year in which a councillor for a ward in the borough retires in accordance with paragraphs (4) to (9) an election of a councillor for that ward shall be held on the ordinary day of election of councillors in that year; and the term of office of councillors elected at such an election shall be three years.

(11) 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 of the borough in the year of retirement and the newly elected councillors shall come into office on the day on which their predecessors retire.

(12) Paragraph (1) of article 7 of the Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996 (election of councillors in 1997 and subsequent years)~~(7)~~ shall be omitted.

(6) 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).

(7) S.I. 1996/1863.

Parish council elections

4.—(1) The ordinary elections of parish councillors for the parishes of Daresbury, Moore and Preston Brook in 1999 shall not take place; and any parish councillor holding office immediately before 10th May 1999 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 8th May 2000.

(2) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parish of Hale shall be three years.

(3) Elections of all parish councillors for the parishes of Daresbury, Moore and Preston Brook shall be held simultaneously on the ordinary day of election of councillors in 2000 and 2003 and every fourth year thereafter.

(4) Elections of all parish councillors for the parish of Hale 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 at the elections held pursuant to paragraph (3) or (4) shall be, in the case of the parish councillors elected in 2000, three years and, in any other case, four years.

(6) On the fourth day after any such election—

(a) the persons who were parish councillors immediately before those elections shall retire; and

(b) the newly elected parish councillors shall come into office.

(7) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986⁽⁸⁾ (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 8th May 2000 in the office of a parish councillor for the parish of Daresbury, Moore or Preston Brook, 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 that date.

Signed by authority of the Secretary of State

21st February 1997

David Curry
Minister of State,
Department of the Environment

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

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SCHEDULE 1

Article 2

NAMES OF WARDS AND NUMBERS OF COUNCILLORS

(1) <i>Name of ward</i>	(2) <i>Number of councillors</i>
Appleton	3
Beechwood	2
Birchfield	2
Broadheath	3
Brookvale	2
Castlefields	3
Daresbury	1
Ditton	3
Farnworth	3
Grange	3
Hale	1
Halton	3
Halton Brook	3
Heath	3
Hough Green	3
Kingsway	3
Mersey	3
Murdishaw	3
Norton	3
Palace Fields	3
Riverside	3

SCHEDULE 2

Article 3

ORDER OF RETIREMENT OF COUNCILLORS

<i>Name of ward</i>	<i>Number of councillors to retire in 1999</i>	<i>Number of councillors to retire in 2000</i>	<i>Number of councillors to retire in 2001</i>
Appleton	1	1	1
Beechwood	0	1	1
Birchfield	0	1	1

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<i>Name of ward</i>	<i>Number of councillors to retire in 1999</i>	<i>Number of councillors to retire in 2000</i>	<i>Number of councillors to retire in 2001</i>
Broadheath	1	1	1
Brookvale	0	1	1
Castlefields	1	1	1
Daresbury	0	1	0
Ditton	1	1	1
Farnworth	1	1	1
Grange	1	1	1
Hale	1	0	0
Halton	1	1	1
Halton Brook	1	1	1
Heath	1	1	1
Hough Green	1	1	1
Kingsway	1	1	1
Mersey	1	1	1
Murdishaw	1	1	1
Norton	1	1	1
Palace Fields	1	1	1
Riverside	1	1	1

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Local Government Commission for England for electoral changes in the borough of Halton. All the existing wards of the borough are abolished and twenty-one new wards are created, having the names set out, and the number of councillors given, in Schedule 1. The areas of the new wards are demarcated on the map described in article 1(2). Prints of the map may be inspected at all reasonable times at the offices of the Halton Borough Council and at the offices of the Secretary of State for the Environment which, until May 1997 are located at 2 Marsham Street, London SW1P 3EB and, thereafter, at 2nd Floor, Ashdown House, 123 Victoria Street, London SW1E 6DE.

Article 3 makes provision for a whole council election in Halton in 1997 and for reversion to elections by thirds in subsequent years.

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Article 4 makes provision regarding elections of parish councils in the Daresbury and Hale district wards of Halton.