
STATUTORY INSTRUMENTS

1997 No. 781

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Borough of Warrington (Parishes
and Electoral Changes) Order 1997**

Made - - - - 21st February 1997

Coming into force in accordance with article 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 Warrington⁽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 Warrington (Parishes and Electoral Changes) Order 1997.

(2) This Order shall come into force—

- (a) for the purposes of article 2 on 1st April 1997; and
- (b) for the purposes of articles 3, 4 and 8 on 1st May 1997,

except that for the purpose of all proceedings preliminary or relating to an election to be held on or after 1st May 1997 articles 2, 3 and 4 shall come into force on the day after the day on which this Order is made.

(3) For the purposes of articles 5, 6 and 7, this Order shall come into force on 6th May 1999, except that for the purpose of all proceedings preliminary or relating to an election of a parish councillor of the parishes of Great Sankey, Winwick and Burtonwood to be held on or after that date those articles shall come into force on 10th October 1998.

(4) In this Order—

“the borough” means the borough of Warrington;

(1) 1992 c. 19.

(2) The non-metropolitan district of Warrington 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).

“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, marked “Map of the Borough of Warrington (Parishes and Electoral Changes) Order 1997”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(4); and
any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

Transfers between parishes in Warrington

2.—(1) The areas marked A on sheet 5 shall be transferred from the parish of Appleton to the parish of Stretton.

(2) The areas marked B on sheet 5 shall be transferred from the parish of Stretton to the parish of Appleton.

Wards of Warrington

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

(2) The borough shall be divided into twenty-four 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 respect of the ward in column (3) of that Schedule.

(3) Each ward shall comprise the areas (being the areas of parishes or parish wards) specified in column (2) of the Schedule opposite the name of the ward or, where no area is so specified, 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 Warrington

4.—(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, subject to paragraphs (7) and (8) below, be 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) below, be the councillor elected by the smallest number of votes; and

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

(5) see The Borough of Warrington (Electoral Arrangements) Order 1989 (S.I. 1989/1976).

(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).

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

(12) Paragraphs (2) to (5) 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 deleted.

Wards of parish of Great Sankey

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

(2) The parish shall be divided into three parish wards which shall bear the names Great Sankey North, Great Sankey South and Whittle Hall and each parish ward shall comprise the area of the ward of the borough bearing the same name.

(3) The number of councillors to be elected for each ward shall be five.

Wards of parish of Winwick

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

(2) The parish shall be divided into two parish wards which shall bear the names set out in column (1) of the following Table, each parish ward shall comprise the areas specified in column (2) of that Table opposite the name of the ward and the number of councillors to be elected for each parish ward shall be the number specified in respect of the ward in column (3) of that Table—

TABLE

(1)	(2)	(3)
Houghton	That part of the parish of Winwick which lies within the borough ward of Poplars	4
St. Oswald's	That part of the parish of Winwick which lies within the borough ward of Burtonwood and Winwick	6

(7) [S.I. 1996/1863](#); article 7(2) to (5) contains provision which is superseded by article 4 of this Order.

Number of councillors for parish wards of Burtonwood

7. The number of councillors to be elected for each parish ward of the parish of Burtonwood described in column (1) of the following Table shall be the number specified in respect of the ward in column (2) of that Table—

TABLE

(1)	(2)
Callands	5
East	4
West	3
Westbrook	4

Parish elections

8.—(1) The ordinary elections of parish councillors for the parishes of Birchwood, Hatton, Stockton Heath, Stretton and Walton (“the relevant parishes”) in 1999 shall not take place; and any such 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) Elections of all parish councillors for the relevant parishes shall be held simultaneously on the ordinary day of election of councillors in 2000 and 2003 and every fourth year after 2003.

(3) The term of office of any parish councillor so elected shall be, in the case of the parish councillors elected in 2000, three years and, in any other case, four years.

(4) 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.

(5) 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 a relevant parish, 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 8th May 2000.

Signed by authority of the Secretary of State

21st February 1997

David Curry
Minister of State,
Department of the Environment

SCHEDULE 1

Article 3

NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

(1) <i>Name of ward</i>	(2) <i>Area of ward</i>	(3) <i>Number of councillors</i>
Appleton	The parish of Appleton	3
Bewsey and Whitecross		3
Birchwood East	In the parish of Birchwood, the parish wards of Gorse Covert and Oakwood	2
Birchwood West	In the parish of Birchwood, the parish wards of Chatfield and Locking Stumps	2
Burtonwood and Winwick		2
Culcheth, Glazebury and Croft	The parishes of Culcheth, Glazebury and Croft	3
Fairfield and Howley		3
Grappenhall and Thelwall	The parish of Grappenhall and Thelwall	3
Great Sankey North		2
Great Sankey South		3
Hatton, Stretton and Walton	The parishes of Hatton, Stretton and Walton	1
Hulme		2
Latchford		3
Lymm	The parish of Lymm	3
Orford		3
Penketh and Cuerdley	The parishes of Penketh and Cuerdley	3
Poplars		2
Poulton North		3
Poulton South		3
Rixton and Woolston	The parishes of Rixton and Woolston	3
Stockton Heath	The parish of Stockton Heath	2
Westbrook	The parish of Burtonwood, the parish wards of Callands and Westbrook	2
Westy		2
Whittle Hall		2

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

SCHEDULE 2

Article 4

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
Bewsey and Whitecross	1	1	1
Birchwood East	0	1	1
Birchwood West	0	1	1
Burtonwood and Winwick	1	1	0
Culcheth, Glazebury and Croft	1	1	1
Fairfield and Howley	1	1	1
Grappenhall and Thelwall	1	1	1
Great Sankey North	1	1	0
Great Sankey South	1	1	1
Hatton, Stretton and Walton	0	1	0
Hulme	1	0	1
Latchford	1	1	1
Lymm	1	1	1
Orford	1	1	1
Penketh and Cuerdley	1	1	1
Poplars	1	1	0
Poulton North	1	1	1
Poulton South	1	1	1
Rixton and Woolston	1	1	1
Stockton Heath	0	1	1
Westbrook	1	1	0
Westy	1	0	1
Whittle Hall	1	1	0

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations by the Local Government Commission for England for boundary and electoral changes in the borough of Warrington.

Article 2 makes changes to the boundaries of the parishes of Appleton and Stretton.

Article 3 abolishes all of the existing wards of the borough and provides for the creation of 24 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 4 makes provision for a whole council election in Warrington in 1997 and for elections by thirds in subsequent years. Schedule 2 provides for the order of retirement of councillors.

Articles 5, 6 and 7 make electoral changes in respect of the parishes of Great Sankey, Winwick and Burtonwood in the borough of Warrington.

Article 8 makes provision in respect of parish council elections in parishes within district council wards where no district council election is to take place in 1999 (which is otherwise an ordinary year of election for parish councils).

Prints of the map described in article 1(4) may be inspected at all reasonable times at the offices of the Warrington 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.