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STATUTORY INSTRUMENTS

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**1998 No. 2554**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Borough of Hertsmere (Electoral Changes) Order 1998**

*Made - - - - 16th October 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(1), has submitted to the Secretary of State a report dated February 1998 on its review of the borough of Hertsmere(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 Hertsmere (Electoral Changes) Order 1998.

(2) This Order shall come into force 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 borough” means the borough of Hertsmere;

“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, Transport and the Regions marked “Map of the Borough of Hertsmere (Electoral Changes) Order 1998”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(4).

**Wards of Hertsmere**

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

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(1) 1992 c. 19.

(2) The non-metropolitan district of Hertsmere 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 Hertsmere (Electoral Arrangements) Order 1976 (S.I. 1976/319).

(2) The borough shall be divided into fifteen wards which shall bear the names set out in column (1) of Schedule 1.

(3) The wards shall comprise 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 (2) 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 Hertsmere**

**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 1999<sup>(6)</sup>.

(3) The councillors holding office for any ward in the borough immediately before 10th May 1999 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 1999 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 1999 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

(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) 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 Aldenham**

**4.—**(1) The existing wards of the parish of Aldenham shall be abolished.

(2) The parish shall be divided into two parish wards which shall bear the names Aldenham East and Aldenham West and each parish ward shall comprise the area of the ward of the borough bearing the same name.

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<sup>(6)</sup> 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 each parish ward shall be six.

#### **Wards of the parish of Elstree & Borehamwood**

5.—(1) The existing wards of the parish of Elstree & Borehamwood shall be abolished.

(2) The parish shall be divided into five parish wards which shall bear the names Borehamwood Brookmeadow, Borehamwood Cowley Hill, Borehamwood Hillside, Borehamwood Kenilworth and Elstree 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 of the Borehamwood Brookmeadow, Borehamwood Cowley Hill and Borehamwood Hillside wards shall be three and for each of the Borehamwood Kenilworth and Elstree wards shall be two.

#### **Parish Council Elections**

6.—(1) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parishes of Shenley and Ridge shall be three years.

(2) Elections of all parish councillors for the parishes of Shenley and Ridge shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(3) Except as otherwise provided in the foregoing paragraphs of this article, the term of office of parish councillors shall be four years and all parish councillors shall retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly elected parish councillors shall come into office on the day on which their predecessors retire.

#### **Revocation**

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

Signed by authority of the Secretary of State

16th October 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 NUMBERS OF COUNCILLORS

<i>(1)</i> <i>Name of New Ward</i>	<i>(2)</i> <i>Number of councillors</i>
Aldenham East	2
Aldenham West	2
Borehamwood Brookmeadow	3
Borehamwood Cowley Hill	3
Borehamwood Hillside	3
Borehamwood Kenilworth	2
Bushey Heath	3
Bushey North	3
Bushey Park	2
Bushey St James	3
Elstree	2
Potters Bar Furzefield	3
Potters Bar Oakmere	3
Potters Bar Parkfield	3
Shenley	2

## SCHEDULE 2

Article 3

### ORDER OF RETIREMENT OF COUNCILLORS

<i>Name of New 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>
Aldenham East	1	0	1
Aldenham West	1	0	1
Borehamwood Brookmeadow	1	1	1
Borehamwood Cowley Hill	1	1	1
Borehamwood Hillside	1	1	1
Borehamwood Kenilworth	0	1	1
Bushey Heath	1	1	1

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<i>Name of New 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>
Bushey North	1	1	1
Bushey Park	1	1	0
Bushey St James	1	1	1
Elstree	0	1	1
Potters Bar Furzeffield	1	1	1
Potters Bar Oakmere	1	1	1
Potters Bar Parkfield	1	1	1
Shenley	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 electoral changes in the borough of Hertsmere.

Article 2 abolishes all of the existing wards of the borough and provides for the creation of 15 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 Hertsmere in 1999 and for reversion to elections by thirds in subsequent years. Schedule 2 provides for the order of retirement of councillors.

Article 4 abolishes the existing wards of the parish of Aldenham and provides for the creation of two new wards each with six councillors.

Article 5 abolishes the existing wards of the parish of Elstree & Borehamwood and provides for the creation of five new wards and the number of councillors.

The areas of the new borough 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 Hertsmere Borough 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.