
STATUTORY INSTRUMENTS

1998 No. 2843

LOCAL GOVERNMENT, ENGLAND AND WALES

The Borough of Congleton (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(1), has submitted to the Secretary of State a report dated March 1998 on its review of the borough of Congleton(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 Congleton (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 borough” means the borough of Congleton;

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

Wards of Congleton

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

(1) 1992 c. 19.

(2) The non-metropolitan district of Congleton 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 Congleton (Electoral Arrangements) Order 1975 (S.I. 1975/2087).

(2) The borough shall be divided into twenty 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 parish wards, 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 that 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 similar geographical feature, it shall be treated as running along the centre of the feature.

Elections of the council of Congleton

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~~(6)~~.

(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 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 in the parish of Alsager

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

(2) The parish shall be divided into three parish wards which shall bear the names Alsager Central, Alsager East and Alsager West 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 Alsager East parish ward shall be six, and the number of councillors to be elected for each of the Alsager Central and Alsager West parish wards shall be four.

(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).

Wards of the parish of Congleton

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

(2) The parish shall be divided into six parish wards which shall bear the names Buglawton, Congleton Central, Congleton North, Congleton North West, Congleton South and Congleton West 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 Congleton West and Congleton South parish wards shall be four, and the number of councillors to be elected for each of the Buglawton, Congleton Central, Congleton North and Congleton North West parish wards shall be three.

Wards in the parish of Middlewich

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

(2) The parish shall be divided into two parish wards which shall bear the names Middlewich Cledford and Middlewich Kinderton 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 parish ward shall be six.

Numbers of councillors

7. The number of councillors to be elected for each of the three parish wards of the parish of Odd Rode shall be five.

Wards in the parish of Sandbach

8.—(1) The existing wards in the parish of Sandbach shall be abolished.

(2) The parish shall be divided into three parish wards which shall bear the names Sandbach East, Sandbach North and Sandbach West 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 parish ward shall be six.

Parish elections

9.—(1) Elections of parish councillors for the parishes of Bradwall, Brereton and Moston shall be held simultaneously on the ordinary day of election of councillors in 1999.

(2) Elections of parish councillors for the parishes of Betchton, Church Lawton, Hassall and Holmes Chapel shall be held simultaneously on the ordinary day of election of councillors in 2000 and every fourth year after 2000.

(3) The term of office of any parish councillor elected on the ordinary day of election of councillors in 1999 for the parishes of Arclid, Bradwall, Brereton, Cranage, Goostrey, Hulme Walfield, Moston, Newbold Astbury cum Moreton, Smallwood, Somerford, Somerford Booths, Swettenham and Twemlow 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.

(4) 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

10. The Borough of Congleton (Electoral Arrangements) Order 1975 is hereby revoked.

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

Signed by authority of the Secretary of State

13th November 1998

Hilary Armstrong
Minister of State,
Department of the Environment, Transport 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> |
|-----------------------------------|--|--|
| Alsager Central | | 2 |
| Alsager East | | 3 |
| Alsager West | | 2 |
| Astbury | The parishes of Hulme Walfield, Newbold Astbury cum Moreton, Smallwood, Somerford and Somerford Booths | 1 |
| Brereton | The parishes of Arclid, Bradwall, Brereton and Moston | 1 |
| Buglawton | The parish ward of Buglawton in the parish of Congleton | 2 |
| Congleton Central | | 2 |
| Congleton North | | 2 |
| Congleton North West | | 2 |
| Congleton South | | 3 |
| Congleton West | | 3 |
| Dane Valley | The parishes of Cranage, Goostrey, Swettenham and Twemlow | 2 |
| Holmes Chapel | The parish of Holmes Chapel | 3 |
| Lawton | The parishes of Betchton, Church Lawton and Hassall | 2 |
| Middlewich Cledford | | 3 |
| Middlewich Kinderton | | 3 |
| Odd Rode | The parish of Odd Rode | 3 |
| Sandbach East | | 3 |
| Sandbach North | | 3 |
| Sandbach West | | 3 |

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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> |
|----------------------|--|--|--|
| Alsager Central | 1 | 0 | 1 |
| Alsager East | 1 | 1 | 1 |
| Alsager West | 1 | 0 | 1 |
| Astbury | 0 | 1 | 0 |
| Brereton | 0 | 1 | 0 |
| Buglawton | 1 | 0 | 1 |
| Congleton Central | 1 | 0 | 1 |
| Congleton North | 0 | 1 | 1 |
| Congleton North West | 0 | 1 | 1 |
| Congleton South | 1 | 1 | 1 |
| Congleton West | 1 | 1 | 1 |
| Dane Valley | 1 | 1 | 0 |
| Holmes Chapel | 1 | 1 | 1 |
| Lawton | 1 | 1 | 0 |
| Middlewich Cledford | 1 | 1 | 1 |
| Middlewich Kinderton | 1 | 1 | 1 |
| Odd Rode | 1 | 1 | 1 |
| Sandbach East | 1 | 1 | 1 |
| Sandbach North | 1 | 1 | 1 |
| Sandbach West | 1 | 1 | 1 |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendation by the Local Government Commission for England for electoral changes in the borough of Congleton.

Article 2 abolishes all of the existing wards of the borough and provides for the creation of 20 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 Congleton in 1999 and for 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 Alsager and provides for the creation of three new wards and the number of councillors for each.

Article 5 abolishes the existing wards of the parish of Congleton and provides for the creation of six new wards and the number of councillors for each.

Article 6 abolishes the existing wards of the parish of Middlewich and provides for the creation of two new parish wards each with six councillors.

Article 7 makes provision for the number of councillors for the wards of the parish of Odd Rode.

Article 8 abolishes the existing wards of the parish of Sandbach and provides for the creation of three new parish wards each with six councillors.

Article 9 makes provision for parish elections.

Article 10 revokes the Borough of Congleton (Electoral Arrangements) Order 1975.

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 the Congleton 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.