

2008 No. 424

LOCAL GOVERNMENT, ENGLAND

**The Borough of Welwyn Hatfield (Electoral Changes) Order
2008**

Made - - - - *20th February 2008*

Coming into force in accordance with article 1(2)

The Boundary Committee for England(a), under section 15(5) of the Local Government Act 1992(b) (“the 1992 Act”), have conducted a review of the borough of Welwyn Hatfield(c) and have submitted to the Electoral Commission(d) recommendations dated June 2007.

A period of not less than six weeks has expired since the receipt of those recommendations.

The Electoral Commission have decided to give effect, with modifications, to those recommendations.

Accordingly, the Electoral Commission, in exercise of the powers conferred by sections 17(e) and 26(f) of the 1992 Act, make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Borough of Welwyn Hatfield (Electoral Changes) Order 2008.

(2) This Order comes into force—

- (a) for the purpose of proceedings preliminary or relating to any election to be held on the ordinary day of election of councillors in 2008, on the day after that on which it is made;
- (b) for all other purposes, on the ordinary day of election of councillors in 2008.

(a) The Boundary Committee for England is a committee of the Electoral Commission, established by the Electoral Commission in accordance with section 14 of the Political Parties, Elections and Referendums Act 2000 (“the 2000 Act”) (c.41). The Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962) transferred to the Electoral Commission the functions of the Local Government Commission for England.

(b) 1992 c.19. This section has been amended by S.I. 2001/3962 and by section 57 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) (c.28).

(c) The non-metropolitan district of Welwyn Hatfield has the status of a borough.

(d) The Electoral Commission was established by the 2000 Act (c.41). The functions of the Secretary of State, under sections 13 to 15 and 17 of the 1992 Act (c.19), to the extent that they relate to electoral changes within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).

(e) This section has been amended by S.I. 2001/3962, by sections 22 and 57 of the 2007 Act (c.28) and also otherwise in ways not relevant to this Order.

(f) This section has been amended by S.I. 2001/3962 and by section 22 of the 2007 Act (c.28).

Interpretation

2. In this Order—

“borough” means the borough of Welwyn Hatfield;

“existing”, in relation to a ward, means the ward as it exists on the date this Order is made;

“map” means the map marked “Map referred to in the Borough of Welwyn Hatfield (Electoral Changes) Order 2008”, of which prints are available for inspection at the principal office of the Electoral Commission: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983(a); and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8(b) of the Representation of the People Act 1983.

Wards of the borough of Welwyn Hatfield

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

(2) The borough shall be divided into seventeen wards which shall be named as set out in column (1) of Schedule 1.

(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) The number of councillors to be elected for each ward shall be the number specified in respect of the ward in column (2) of Schedule 1.

(5) 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 the borough of Welwyn Hatfield

4.—(1) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2008(d).

(2) The councillors holding office for any ward of the borough immediately before the fourth day after the ordinary day of election of councillors in 2008 shall retire on that date and the newly elected councillors shall come into office on that date.

(3) The order of retirement of councillors shall be as set out in Schedule 2.

(4) Of the councillors elected in 2008 for any ward of the borough—

(a) the first to retire shall, subject to paragraphs (5) and (6), 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.

(5) 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.

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

(a) 1983 c.2, section 37 has been amended by section 18(2) of the Representation of the People Act 1985 (c.50), section 17 of the Greater London Authority Act 1999 (c.29) and section 60 of the 2007 Act (c.28).

(b) Section 8 has been amended by the Local Government (Wales) Act 1994 (c.19) and the Local Government etc. (Scotland) Act 1994 (c.39).

(c) See the District of Welwyn Hatfield (Electoral Changes) Order 1998 (S.I. 1998/2560).

(d) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by articles 3(1) and 3(10) of S.I. 1998/2560.

(7) 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.

Wards of the parish of Hatfield

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

(2) The parish shall be divided into six wards which shall be named Central, East, Newgate Street and Wildhill, South, Villages and West.

(3) Each ward shall comprise the area designated on sheets 3 and 4 by reference to the name of the ward and demarcated by orange lines.

(4) The number of councillors to be elected for each of Central, East, Villages and West wards shall be three, for South ward shall be two and for Newgate Street and Wildhill ward shall be one.

Wards of the parish of Welwyn

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

(2) The parish of Welwyn shall be divided into three wards which shall be named Digswell, Oaklands and Mardley Heath, and Welwyn Village.

(3) Each ward shall comprise the area designated on sheet 2 by reference to the name of the ward and demarcated by orange lines.

(4) The number of councillors to be elected for Welwyn Village ward shall be five, for Oaklands and Mardley Heath ward shall be four and for Digswell ward shall be two.

Parish elections

7.—(1) Elections of all parish councillors for the parishes of Hatfield and Welwyn shall be held simultaneously on the ordinary day of election of councillors in 2008 and 2011(b).

(2) The term of office of every parish councillor for these parishes elected on the ordinary day of election of councillors in 2007 shall be one year.

(3) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraph (1) to be held on a date other than that for which that paragraph provides, it shall cease to have effect to that extent.

Map

8. Welwyn Hatfield Borough Council shall make a print of the map available for inspection at its offices by any member of the public at any reasonable time.

Electoral register

9. The registration officer for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Revocation

10. Articles 2, 3(4), 4 and Schedule 1 and 2 of the District of Welwyn Hatfield (Electoral Changes) Order 1998(c) are revoked.

(a) See S.I. 1998/2560.

(b) Article 7 provides for parish elections in the parishes of Hatfield and Welwyn in 2008 and 2011. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

(c) S.I. 1998/2560.

Sealed with the seal of the Electoral Commission on the 20th day of February 2008



20th February 2008

Peter Wardle
Chief Executive

20th February 2008

Vera Markos
Secretary to the Commission

SCHEDULE 1

article 3

NAMES OF WARDS AND NUMBERS OF COUNCILLORS

| <i>Column (1)</i> | <i>Column (2)</i> |
|---------------------------------|------------------------------|
| <i>Name of Ward</i> | <i>Number of Councillors</i> |
| Brookmans Park and Little Heath | 3 |
| Haldens | 3 |
| Handside | 3 |
| Hatfield Central | 3 |
| Hatfield East | 3 |
| Hatfield South | 2 |
| Hatfield Villages | 3 |
| Hatfield West | 3 |
| Hollybush | 3 |
| Howlands | 3 |
| Northaw and Cuffley | 3 |
| Panshanger | 3 |
| Peartree | 3 |
| Sherrards | 3 |
| Welham Green | 2 |
| Welwyn East | 3 |
| Welwyn West | 2 |

SCHEDULE 2

article 4

ORDER OF RETIREMENT OF COUNCILLORS

| <i>Column (1)</i> | <i>Column (2)</i> | <i>Column (3)</i> | <i>Column (4)</i> |
|---------------------------------|--|--|--|
| <i>Name of Ward</i> | <i>Number of councillors to retire in 2010</i> | <i>Number of councillors to retire in 2011</i> | <i>Number of councillors to retire in 2012</i> |
| Brookmans Park and Little Heath | 1 | 1 | 1 |
| Haldens | 1 | 1 | 1 |
| Handside | 1 | 1 | 1 |
| Hatfield Central | 1 | 1 | 1 |
| Hatfield East | 1 | 1 | 1 |
| Hatfield South | 1 | 0 | 1 |
| Hatfield Villages | 1 | 1 | 1 |
| Hatfield West | 1 | 1 | 1 |
| Hollybush | 1 | 1 | 1 |
| Howlands | 1 | 1 | 1 |
| Northaw and Cuffley | 1 | 1 | 1 |
| Panshanger | 1 | 1 | 1 |
| Peartree | 1 | 1 | 1 |
| Sherrards | 1 | 1 | 1 |

| | | | |
|--------------|---|---|---|
| Welham Green | 1 | 1 | 0 |
| Welwyn East | 1 | 1 | 1 |
| Welwyn West | 0 | 1 | 1 |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to the electoral arrangements for the borough of Welwyn Hatfield following recommendations made by the Boundary Committee for England to the Electoral Commission.

The Electoral Commission accepted the Boundary Committee's recommendations with two modifications. The modifications concern the boundary between Howlands and Panshanger borough wards and the boundary between Digswell, and Oaklands and Mardley Heath parish wards in the parish of Welwyn.

The electoral changes apply in respect of local government elections to be held on and after the ordinary day of election of councillors in 2008.

Article 3 abolishes the existing wards of the borough and replaces them with 17 new ones. That article, the map and Schedule 1 also establish the names and areas of the new borough wards and the numbers of borough councillors for each ward.

Article 4 makes provision for a whole council election in 2008 and for reversion to the established system of election by thirds in subsequent years.

Schedule 2 provides for the order of retirement of councillors.

Article 5 abolishes the existing parish wards of the parish of Hatfield and replaces them with 6 new ones. That article and the map also establish the names and areas of the new parish wards and the numbers of parish councillors for each ward.

Article 6 abolishes the existing parish wards of the parish of Welwyn and replaces them with 3 new ones. That article and the map also establish the names and areas of the new parish wards and the numbers of parish councillors for each ward.

Article 7 provides for elections of parish councillors for the parishes of Hatfield and Welwyn in the borough in 2008, 2011 and every four years thereafter.

Article 9 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 10 revokes article 2, 3(4), 4 and Schedule 1 and 2 of the District of Welwyn Hatfield (Electoral Changes) Order 1998.

The map defined in article 2 shows the new borough and parish wards. It is available at www.boundarycommittee.org.uk/your-area/welwynhatfield.cfm and, at all reasonable times, at the offices of Welwyn Hatfield Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.

STATUTORY INSTRUMENTS

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2008**

£3.00

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Stationery Office and Queen's Printer of Acts of Parliament.

E1982 2/2008 181982T 19585

