
STATUTORY INSTRUMENTS

1998 No. 2548

LOCAL GOVERNMENT, ENGLAND AND WALES

The District of South Lakeland (Electoral Changes) Order 1998

Made - - - - 16th October 1998

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 dated November 1997 on its review of the district of South Lakeland 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(2) 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 District of South Lakeland (Electoral Changes) Order 1998.

(2) This Order shall come into force for the purposes of articles 2, 3 and 6 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 the day on which it is made.

(3) For the purposes of article 4 this Order shall come into force on 2nd May 2002, except that for the purpose of all proceedings preliminary or relating to an election of a parish councillor of the parish of Kendal to be held on or after that date this Order shall come into force on 10th October 2001.

(4) For the purposes of article 5 this Order shall come into force on 4th May 2000, except that for the purposes of all proceedings preliminary or relating to an election of a parish councillor of the parish of Ulverston to be held on or after that date this Order shall come into force on 10th October 1999.

(5) For the purposes of article 7 this Order shall come into force on 1st May 2003, except that for the purpose of all proceedings preliminary or relating to an election of a parish councillor of the parish of Pennington to be held on or after that date this Order shall come into force on 10th October 2002.

(6) In this Order—

(1) 1992 c. 19.

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

“the district” means the district of South Lakeland;

“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 District of South Lakeland (Electoral Changes) Order 1998”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994(3).

Wards of South Lakeland

2.—(1) The existing wards of the district(4) shall be abolished.

(2) The district shall be divided into forty-seven 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 parishes and 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 the 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 other similar geographical feature, it shall be treated as running along the centre line of the feature.

Elections of the council of South Lakeland

3.—(1) Subject to the following provisions of this article, the election of councillors for wards of the district shall be by thirds.

(2) Elections of all councillors for wards of the district shall be held simultaneously on the ordinary day of election of councillors in 1999(5).

(3) The councillors holding office for any ward in the district 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 district is two, the first to retire shall, subject to paragraphs (6) and (7) below, be the councillor elected by the smaller 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 such 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 such 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.

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

(4) *see* The District of South Lakeland (Electoral Arrangements) Order 1978 (S.I. 1978/1665).

(5) 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 Kendal

- 4.—(1) The existing wards of the parish of Kendal shall be abolished.
- (2) The parish shall be divided into fourteen parish wards which shall bear the following names—
 - Kendal Castle
 - Kendal Far Cross
 - Kendal Fell
 - Kendal Glebelands
 - Kendal Heron Hill
 - Kendal Highgate
 - Kendal Kirkland
 - Kendal Mintsfeet
 - Kendal Nether
 - Kendal Oxenholme
 - Kendal Parks
 - Kendal Stonecross
 - Kendal Strickland
 - Kendal Underley

and each parish ward shall comprise the area of the ward of the district bearing the same name.

- (3) The number of councillors to be elected for each parish ward shall be two.

Wards of the parish of Ulverston

- 5.—(1) The existing wards of the parish of Ulverston shall be abolished.
- (2) The parish shall be divided into six parish wards which shall bear the names Ulverston Central, Ulverston East, Ulverston North, Ulverston South, Ulverston Town and Ulverston West and each parish ward shall comprise the area of the ward of the district bearing the same name.
- (3) The number of councillors to be elected for each parish ward shall be three.

Wards of the parish of Windermere

- 6.—(1) The existing wards of the parish of Windermere shall be abolished.
- (2) The parish shall be divided into four parish wards which shall bear the names Windermere Appletwhaite, Windermere Bowness North, Windermere Bowness South and Windermere Town and each parish ward shall comprise the area of the ward of the district bearing the same name.
- (3) The number of councillors to be elected for each parish ward shall be five.

Wards of the parish of Pennington

- 7.—(1) The existing wards of the parish of Pennington shall be abolished.
- (2) The parish shall be divided into two parish wards which shall bear the names set out in column (1) of Schedule 3; each parish ward shall comprise the area of the district ward specified in respect of the parish ward in column (2) of that Schedule.

Parish elections

8.—(1) The ordinary elections of parish councillors for the parishes of Broughton East, Coniston, Crook, Natland, Skelwith, Stainton and Torver 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 parishes of Egton with Newland, Lower Holker, Lowick, Mansriggs, Osmotherley and Underbarrow and Bradleyfield shall be held simultaneously on the ordinary day of election of councillors in 1999 and every fourth year after 1999.

(3) Elections of all parish councillors for the parishes of Blawith and Subberthwaite, Burton-in-Kendal, Cartmel Fell, Claife, Colton, Crosthwaite and Lyth, Haverthwaite, Hawkshead, Helsington, Heversham, Holme, Hugill, Levens, Meathop and Ulpha, Milnthorpe, Nether Staveley, Over Staveley, Satterthwaite, Sedgwick, Staveley-in-Cartmel, Ulverston, Upper Allithwaite and Witherslack shall be held simultaneously on the ordinary day of election of councillors in 2000 and every fourth year after 2000.

(4) Elections of all parish councillors for the parishes of Dent, Garsdale, Kendal, Lakes and Sedbergh shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(5) The ordinary elections of all parish councillors for the parishes of Pennington, Scalthwaiterigg and Skelsmergh in 2002 shall not take place; and any such parish councillor holding office immediately before 2nd May 2002 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 5th May 2003.

(6) 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.

(7) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986(6) (filling of casual vacancies) shall have effect—

- (a) in the case of a casual vacancy occurring before 8th May 2000 in the office of a parish councillor for the parishes of Broughton East, Coniston, Crook, Natland, Skelwith, Stainton and Torver 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; and
- (b) in the case of a casual vacancy occurring before 5th May 2003 in the office of a parish councillor for the parishes of Pennington, Scalthwaiterigg and Skelsmergh 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 5th May 2003.

Revocation

9. The District of South Lakeland (Electoral Arrangements) Order 1978 is hereby revoked.

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

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 AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>(1)</i> Name of new ward	<i>(2)</i> Area of ward	<i>(3)</i> Number of councillors
Arnside & Beetham	The parishes of Arnside and Beetham	2
Broughton	The parishes of Angerton, Broughton West, Dunnerdale-with-Seathwaite and Kirby Ireleth	1
Burneside	The parishes of Strickland Ketel, Strickland Roger, Underbarrow & Bradleyfield	1
Burton & Holme	The parishes of Burton-in-Kendal and Holme	1
Cartmel	The parish of Lower Allithwaite	1
Coniston	The parishes of Blawith & Subberthwaite, Coniston, Skelwith and Torver and the West parish ward of the parish of Colton	1
Crake Valley		1
Crooklands	The parishes of Hutton Roof, Lupton, Mansergh, Preston Patrick and Preston Richard	1
Grange	The parish of Grange-over-Sands	2
Hawkshead	The parishes of Claife, Hawkshead and Satterthwaite and the Central and East parish wards of the parish of Colton	1
Holker	The parish of Lower Holker	1
Kendal Castle		1
Kendal Far Cross		1
Kendal Fell		1
Kendal Glebelands		1
Kendal Heron Hill		1
Kendal Highgate		1
Kendal Kirkland		1
Kendal Mintsfeet		1

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<i>(1)</i> <i>Name of new ward</i>	<i>(2)</i> <i>Area of ward</i>	<i>(3)</i> <i>Number of councillors</i>
Kendal Nether		21
Kendal Oxenholme		1
Kendal Parks		1
Kendal Stonecross		1
Kendal Strickland		1
Kendal Underley		1
Kirkby Lonsdale	The parishes of Barbon, Casterton and Kirkby Lonsdale	1
Lakes Ambleside	The Ambleside and Troutbeck parish wards of the parish of Lakes	2
Lake Grasmere	The Grasmere, Langdales and Rydal & Loughrigg parish wards of the parish of Lakes	1
Levens	The parishes of Heversham and Levens	1
Low Furness & Swarthmoor		2
Lyth Valley	The parishes of Crosthwaite & Lyth, Meathop & Ulpha, Upper Allithwaite and Witherslack	1
Milnthorpe	The parish of Milnthorpe	1
Natland	The parishes of Helsington, Hincaster, Natland, Sedgwick and Stainton	1
Sedbergh	The parishes of Dent, Garsdale, Middleton and Sedbergh	2
Staveley-in-Cartmel	The parishes of Broughton East, Cartmel Fell, Haverthwaite and Staveley-in-Cartmel	1
Staveley-in-Westmorland	The parishes of Crook, Hugill, Kentmere, Nether Staveley and Over Staveley	1
Ulverston Central		1
Ulverston East		1
Ulverston North		1
Ulverston South		1
Ulverston Town		1

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<i>(1)</i> <i>Name of new ward</i>	<i>(2)</i> <i>Area of ward</i>	<i>(3)</i> <i>Number of councillors</i>
Ulverston West		1
Whinfell	The parishes of Docker, Fawcett Forest, Firbank, Grayrigg, Killington, Lambrigg, Longsleddale, New Hutton, Old Hutton & Holmescales, Scalthwaiterigg, Skelsmergh, Whinfell and Whitwell & Selside	1
Windermere Applethwaite		1
Windermere Bowness North		1
Windermere Bowness South		1
Windermere Town		1

SCHEDULE 2

Article 3(4)

ORDER OF RETIREMENT OF COUNCILLORS

<i>(1)</i> <i>Name of new ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2000</i>	<i>(3)</i> <i>Number of councillors to retire in 2002</i>	<i>(4)</i> <i>Number of councillors to retire in 2003</i>
Arnside & Beetham	1	0	1
Broughton	0	0	1
Burneside	0	0	1
Burton & Holme	1	0	0
Cartmel	0	0	1
Coniston	1	0	0
Crake Valley	0	0	1
Crooklands	0	0	1
Grange	1	0	1
Hawkshead	1	0	0
Holker	0	0	1
Kendal Castle	0	1	0
Kendal Far Cross	0	1	0
Kendal Fell	0	1	0
Kendal Glebelands	0	1	0

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<i>(1)</i> <i>Name of new ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2000</i>	<i>(3)</i> <i>Number of councillors to retire in 2002</i>	<i>(4)</i> <i>Number of councillors to retire in 2003</i>
Kendal Heron Hill	0	1	0
Kendal Highgate	0	1	0
Kendal Kirkland	0	1	0
Kendal Mintsfeet	0	1	0
Kendal Nether	0	1	0
Kendal Oxenholme	0	1	0
Kendal Parks	0	1	0
Kendal Stonecross	0	1	0
Kendal Strickland	0	1	0
Kendal Underley	0	1	0
Kirkby Lonsdale	0	0	1
Lakes Ambleside	0	1	1
Lakes Grasmere	0	1	0
Levens	1	0	0
Low Furness & Swarthmoor	1	0	1
Lyth Valley	1	0	0
Milnthorpe	1	0	0
Natland	1	0	0
Sedbergh	0	1	1
Staveley-in-Cartmel	1	0	0
Staveley-in- Westmorland	1	0	0
Ulverston Central	1	0	0
Ulverston East	1	0	0
Ulverston North	1	0	0
Ulverston South	1	0	0
Ulverston Town	1	0	0
Ulverston West	1	0	0
Whinfell	0	0	1
Windermere Applethwaite	0	0	1
Windermere Bowness North	0	0	1

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<i>(1)</i> <i>Name of new ward</i>	<i>(2)</i> <i>Number of councillors to retire in 2000</i>	<i>(3)</i> <i>Number of councillors to retire in 2002</i>	<i>(4)</i> <i>Number of councillors to retire in 2003</i>
Windermere Bowness South	0	0	1
Windermere Town	0	0	1

SCHEDULE 3

Article 7(2)

WARDS OF THE PARISH OF PENNINGTON NAMES AND AREAS

<i>(1)</i> <i>Name of ward</i>	<i>(2)</i> <i>Description of area</i>
Pennington	That part of the parish of Pennington in the district ward of Crake Valley
Swarthmoor	That part of the parish of Pennington in the district ward of Low Furness & Swarthmoor

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 District of South Lakeland.

Article 2 abolishes all of the existing wards of the District and provides for the creation of 47 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 South Lakeland 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 Kendal and provides for the creation of fourteen new wards each with two councillors.

Article 5 abolishes the existing wards of the parish of Ulverston and provides for the creation of six new wards each with three councillors.

Article 6 abolishes the existing wards of the parish of Windermere and provides for the creation of four new wards each with five councillors.

Article 7 with Schedule 3 abolish the existing wards of the parish of Pennington and provides for the creation of two new wards.

Article 8 makes provision for parish elections.

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The areas of the new district 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 South Lakeland City 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.