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STATUTORY INSTRUMENTS

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**1998 No. 2558**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The City of St Albans (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<sup>(1)</sup>, has submitted to the Secretary of State a report dated February 1998 on its review of the City of St Albans<sup>(2)</sup> together with its recommendations:

And whereas the Secretary of State has decided to give effect, with modifications, to those recommendations:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 17<sup>(3)</sup> 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 City of St Albans (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 city” means the city of St Albans;

“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 City of St Albans (Electoral Changes) Order 1998”, and deposited in accordance with regulation 27 of the Local Government Changes for England Regulations 1994<sup>(4)</sup>;

and any reference to a numbered sheet is a reference to the sheet of the map which bears that number.

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(1) 1992 c. 19.

(2) The non-metropolitan district of St Albans has the status of a City.

(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.

## **Wards of St Albans**

2.—(1) The existing wards of the city<sup>(5)</sup> shall be abolished.

(2) The city 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, 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 St Albans**

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

(2) Elections of all councillors for wards of the city 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 city 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 city 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 city 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 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 Harpenden**

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

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<sup>(5)</sup> see The City of St Albans (Electoral Arrangements) Order 1978 (S.I. 1978/1783).

<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).

(2) The parish shall be divided into four parish wards which shall bear the names Harpenden East, Harpenden North, Harpenden South and Harpenden West and each parish ward shall comprise the area of the ward of the city bearing the same name.

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

#### **Wards of the parish of London Colney**

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

(2) The parish shall be divided into four parish wards which shall bear the names London Colney East, London Colney Highfield, London Colney North West and London Colney South West and the wards shall comprise the areas designated on sheet 5 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the London Colney East, London Colney North West and London Colney South West parish wards shall be three and for London Colney Highfield shall be one.

#### **Wards of the parish of Sandridge**

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

(2) The parish shall be divided into three parish wards which shall bear the names Marshalswick East, Marshalswick West and Sandridge Village and the wards shall comprise the areas designated on sheet 4 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the Marshalswick East and Marshalswick West parish wards shall be four and for the Sandridge Village parish ward shall be six.

#### **Wards of the parish of St Stephen**

7.—(1) The existing wards of the parish of St Stephen shall be abolished.

(2) The parish shall be divided into four parish wards which shall bear the names Bricket Wood East, Bricket Wood West, Chiswell Green and Park Street and each parish ward shall comprise the area designated on sheet 5 by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each of the Chiswell Green and Park Street parish wards shall be four and for the Bricket Wood East and Bricket Wood West parish wards shall be one and three respectively.

#### **Parish Council Elections**

8.—(1) The ordinary day of election of parish councillors for the parish of Colney Heath 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 1st May 2003.

(2) Except as otherwise provided in the foregoing paragraph 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.

(3) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986<sup>(7)</sup> (filling of casual vacancies) shall have effect, in the case of a casual vacancy occurring before 2nd May 2002 in the office of a parish councillor for the parish of Colney Heath as if the references in paragraphs (1) and

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

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(4) of that rule to the day on which that councillor would regularly have retired were a reference to 1st May 2003.

**Revocation**

9. The City of St Albans (Electoral Arrangements) Order 1978 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

**SCHEDULE 1**

Article 2

**NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS**

<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>
Ashley		3
Batchwood		3
Clarence		3
Colney Heath		2
Cunningham		3
Harpenden East		3
Harpenden North		3
Harpenden South		3
Harpenden West		3
London Colney		3
Marshalswick North		3
Marshalswick South		3
Park Street		3
Redbourn	The parishes of Harpenden Rural, Redbourn and St Michael	3
St Peters		3
St Stephen		3
Sandridge		2
Sopwell		3
Verulam		3
Wheathampstead	The parish of Wheathampstead	3

**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>
Ashley	1	1	1
Batchwood	1	1	1
Clarence	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>
Colney Heath	0	1	1
Cunningham	1	1	1
Harpenden East	1	1	1
Harpenden North	1	1	1
Harpenden South	1	1	1
Harpenden West	1	1	1
London Colney	1	1	1
Marshalswick North	1	1	1
Marshalswick South	1	1	1
Park Street	1	1	1
Redbourn	1	1	1
St Peters	1	1	1
St Stephen	1	1	1
Sandridge	0	1	1
Sopwell	1	1	1
Verulam	1	1	1
Wheathampstead	1	1	1

## 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 City of St Albans.

Article 2 abolishes all of the existing wards of the City 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 St Albans in 1999 and for reversion to elections by thirds in subsequent years, and Schedule 2 provides for the order of retirement of councillors.

Articles 4 to 7 abolish the existing wards of the parishes of Harpenden, London Colney, Sandridge and St Stephen and provide for the creation of new wards and the number of councillors.

The areas of the new City 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 St Albans 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.