
STATUTORY INSTRUMENTS

1998 No. 2847

LOCAL GOVERNMENT, ENGLAND AND WALES

The Borough of Macclesfield (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 Macclesfield(2) 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(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 Macclesfield (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 Macclesfield;

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

(1) 1992 c. 19.

(2) The non-metropolitan district of Macclesfield 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.

Wards of Macclesfield

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

(2) The borough shall be divided into thirty-eight 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 that ward in column (3) of that Schedule.

(4) Where the 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 for the council of Macclesfield

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 all 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 of the parish of Bollington

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

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

⁽⁵⁾ See the Borough of Macclesfield (Electoral Arrangements) Order 1978 (S.I. 1978/1437).

⁽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).

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

Wards of the parish of Knutsford

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

(2) The parish shall be divided into four parish wards which shall bear the names Knutsford Bexton, Knutsford Nether, Knutsford Norbury Booths and Knutsford Over 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 Knutsford Bexton, Knutsford Nether and Knutsford Norbury Booths parish wards shall be three and the number of councillors to be elected for Knutsford Over parish ward shall be six.

Wards of the parish of Poynton with Worth

6.—(1) The existing wards of the parish of Poynton with Worth shall be abolished.

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

Parish elections

7.—(1) Elections of parish councillors for the parishes of Disley, Knutsford and Lyme Handley shall be held simultaneously on the ordinary day of election of councillors in 1999 and every fourth year after 1999.

(2) Elections of parish councillors for the parishes of Higher Hurdsfield, Kettleshulme, Pott Shrigley, Rainow and Sutton shall be held simultaneously on the ordinary day of election of councillors in 1999.

(3) Elections of parish councillors for the parishes of Ashley, Aston by Budworth, Bexton, High Legh, Little Warford, Marthall, Mere, Millington, Mobberley, Ollerton, Peover Inferior, Peover Superior, Pickmere, Plumley, Rostherne, Tabley and Toft shall be held simultaneously on the ordinary day of election of councillors in 2000 and every fourth year after 2000.

(4) Elections of parish councillors for the parishes of Eaton, Henbury, Lower Withington, Marton and Siddington shall be held simultaneously on the ordinary day of election of councillors in 2002 and every fourth year after 2002.

(5) The term of office of parish councillors elected on the ordinary day of election of councillors in 1999 for the parishes of Adlington, Alderley Edge, Chorley, Higher Hurdsfield, Kettleshulme, Mottram St Andrew, Over Alderley, Pott Shrigley, Prestbury, Rainow and Sutton 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.

(6) The term of office of parish councillors elected on the ordinary day of election of councillors in 1999 for the parishes of Bollington, Bosley, Chelford, Gawsworth, Great Warford, Nether Alderley, North Rode, Poynton with Worth and Snelson shall be five years and elections shall be held simultaneously on the ordinary day of election of councillors in 2004 and every fourth year after 2004.

(7) 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.

(8) Rule 8 of the Local Elections (Parishes and Communities) Rules 1986(7) (filling of casual vacancies) shall have effect in the case of a casual vacancy occurring before 6th May 2004 in the office of parish councillor for the parishes of Bollington, Bosley, Chelford, Gawsworth, Great Warford, Nether Alderley, North Rode, Poynton with Worth and Snelson as if references in paragraphs (1) and (4) of that rule to the day on which that councillor would regularly have retired were a reference to 6th May 2004.

Revocation

8. The Borough of Macclesfield (Electoral Arrangements) Order 1978 is hereby revoked.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

13th November 1998

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

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>
Alderley Edge	The parishes of Alderley Edge and Chorley	2
Bollington Central		1
Bollington East		1
Bollington West		1
Chelford	The parishes of Chelford, Great Warford, Nether Alderley and Snelson	1
Dean Row		2
Disley & Lyme Handley	The parishes of Disley and Lyme Handley	2
Fulshaw		2
Gawsworth	The parishes of Bosley, Gawsworth and North Rode	1
Handforth		3
Henbury	The parishes of Eaton, Henbury, Lower Withington, Marton, Over Alderley and Siddington	1
High Legh	The parishes of Aston by Budworth, High Legh and Pickmere	1
Hough		2
Knutsford Bexton		1
Knutsford Nether		1
Knutsford Norbury Booths		1
Knutsford Over		2
Lacey Green		1
Macclesfield Bollinbrook		2
Macclesfield Broken Cross		2
Macclesfield Central		2
Macclesfield East		2
Macclesfield Hurdsfield		2
Macclesfield Ivy		2

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

<i>(1)</i> <i>Name of ward</i>	<i>(2)</i> <i>Area of ward</i>	<i>(3)</i> <i>Number of councillors</i>
Macclesfield Ryles		1
Macclesfield South		2
Macclesfield Tytherington		2
Macclesfield West		2
Mere	The parishes of Agden, Ashley, Little Bollington, Mere, Millington, Rostherne, Tabley Inferior, Tabley Superior and Tatton	1
Mobberley	The parish of Mobberley	1
Morley & Styal		2
Plumley	The parishes of Bexton, Little Warford, Marthall, Ollerton, Peover Inferior, Peover Superior, Plumley and Toft	1
Poynton Central		3
Poynton East		1
Poynton West		2
Prestbury	The parishes of Adlington, Mottram St Andrew and Prestbury	2
Rainow	The parishes of Higher Hurdsfield, Kettleshulme, Pott Shrigley and Rainow	1
Sutton	The parishes of Macclesfield Forest and Wildboardclough and Wincle, and the Sutton Langley, Sutton Lane Ends and Sutton Rural wards of the parish of Sutton	1

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>
Alderley Edge	1	1	0
Bollington Central	1	0	0

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<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>
Bollington East	1	0	0
Bollington West	1	0	0
Chelford	1	0	0
Dean Row	1	0	1
Disley & Lyme Handley	0	1	1
Fulshaw	1	0	1
Gawsworth	1	0	0
Handforth	1	1	1
Henbury	0	1	0
High Legh	1	0	0
Hough	1	0	1
Knutsford Bexton	0	0	1
Knutsford Nether	0	0	1
Knutsford Norbury Booths	0	0	1
Knutsford Over	0	1	1
Lacey Green	1	0	0
Macclesfield Bollinbrook	0	1	1
Macclesfield Broken Cross	0	1	1
Macclesfield Central	0	1	1
Macclesfield East	0	1	1
Macclesfield Hurdsfield	0	1	1
Macclesfield Ivy	0	1	1
Macclesfield Ryles	0	1	0
Macclesfield South	0	1	1
Macclesfield Tytherington	0	1	1
Macclesfield West	0	1	1
Mere	1	0	0
Mobberley	1	0	0
Morley & Styal	1	0	1

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

<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>
Plumley	1	0	0
Poynton Central	1	1	1
Poynton East	1	0	0
Poynton West	1	1	0
Prestbury	1	1	0
Rainow	0	1	0
Sutton	0	1	0

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, subject to one modification, to recommendations by the Local Government Commission for England for electoral changes in the borough of Macclesfield. The modification is to the name of one of the borough wards. The Commission had proposed “Macclesfield Upton”, but the Secretary of State has decided to name the ward “Macclesfield Broken Cross”.

Article 2 abolishes all of the existing wards of the borough and provides for the creation of 38 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 Macclesfield in 1999 and for elections by thirds in subsequent years. Schedule 2 provides for the order of retirement of councillors.

Articles 4 to 6 make changes to the electoral arrangements for the parishes of Bollington, Knutsford and Poynton with Worth.

Article 7 makes provision for parish elections.

Article 8 revokes the Borough of Macclesfield (Electoral Arrangements) Order 1978.

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 Macclesfield 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.