

Pl. Ret. to Room 123

**Local Government
Boundary Commission
For England
Report No. 518**

Principal Area Boundary Review

DISTRICT OF THE CITY OF CHESTER

DISTRICT OF VALE ROYAL

LOCAL GOVERNMENT

BOUNDARY COMMISSION

FOR ENGLAND

REPORT NO. **518**

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

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SECRETARY OF STATE FOR THE ENVIRONMENT

PROPOSALS FOR CHANGES IN THE BOUNDARY OF THE DISTRICT OF THE CITY OF CHESTER
WITH THE DISTRICT OF VALE ROYAL

BACKGROUND

1. On 2 January 1979 Kelsall Parish Council, in the district of the City of Chester, requested us to make proposals for a re-alignment of their boundary with the parish of Delamere, in the district of Vale Royal. Underlying the request was the fact that the village of Kelsall was split by the parish/district boundary. Progress in the matter was delayed by our need to consult the other local authorities concerned and it was not until the Spring of 1981 that we were in a position to consider their request fully.

2. After taking account of the views of all the local authorities concerned, and having regard to Department of the Environment Circular 33/78 and our own Report No 287, we decided to accede to Kelsall Parish Council's request and formally to announce the start of a review. As requests for district boundary changes normally emanate from one of the district councils concerned, Chester City Council agreed to take over the role of requesting authority. We therefore wrote to Chester City Council on 3 April 1981, asking them to prepare a detailed scheme for the boundary changes sought, in conjunction with all the other local authorities involved. It did not prove possible for the local authorities involved to agree a joint scheme. This resulted in several alternative suggestions which required close examination and it was not until the Spring of 1984 that we were able to consider the matter on the basis of full submissions from the district and parish councils concerned.

DRAFT SCHEME

3. Chester City Council submitted their scheme to us on 15 September 1982. This proved to be substantially based on the submission made to us originally by Kelsall Parish Council. The scheme provided for the unification of the village

of Kelsall within the City of Chester by transferring to it part of the parish of Delamere. Because the area in question was physically linked to Kelsall village and geographically separated from Delamere, it was maintained that its community of interest lay with Chester where the inhabitants looked for services such as shopping, commerce and transport. The scheme argued in detail that the change would reflect the pattern of community life in the area.

COMMENTS ON THE DRAFT SCHEME

4. The City of Chester scheme gave rise to a number of representations. Vale Royal District Council submitted a counter-suggestion. Their scheme involved the transfer to Vale Royal district of most of the residential part of the parish of Kelsall together with the whole of the dormant parish of Willington and parts of the parishes of Ashton, Mouldsworth and Tarvin (all of which are in the district of the City of Chester.) With the exception of Delamere, the parish councils affected by these alternative suggestions all wrote to us voicing their objections and Kelsall Parish Council additionally made the point that the counter-proposals would leave the problems of their boundary with Delamere unresolved. Delamere Parish Council however referred to a poll that they had conducted earlier in the review amongst the residents of their parish who were affected by the suggestions. They claimed that a clear majority were opposed to Chester City Council's scheme. The Magistrates of the Petty Sessional Division of Vale Royal argued that the area was closer to the Court facilities in Vale Royal district. Over 50 private individuals also wrote to us opposing the Chester City Council suggestions for the area claiming, inter alia, that they were satisfied with the services provided by Vale Royal District Council. Other points made revolved around the more sympathetic approach of Vale Royal District Council towards an essentially rural area and concern that the residue of the parish of Delamere would not be a viable unit of local government. Two residents suggested that a smaller area of land should be transferred to the City Council.

OUR INITIAL CONCLUSIONS

5. We remained satisfied that the boundary at Kelsall was unsatisfactory at present; we were unclear however what changes there would be desirable in the interests of effective and convenient local government. Neither of the two suggestions put to us so far seemed to provide the right answer.

6. Whilst the scheme produced by the City Council dealt with the boundary where it cut through the development at Kelsall village we did not consider that their solution explained how in wider terms, ie at district and county level, it would result in the more effective and convenient operation of services.

7. The counter-scheme put forward by Vale Royal District Council had the fundamental weakness that it left untouched the Kelsall boundary which had given rise to the present examination, though it did refer briefly, but not in any detail, to a possible improvement in one district service, namely refuse collection, if the district boundary were moved westwards.

8. We did not believe we would be justified, on the basis of the information we then had, in moving forward to draft proposals. Certainly we could not at that time, with any confidence, adopt either of the two submissions as a basis for such proposals. On the other hand we did not feel we would be justified at that stage in proposing formally to make no proposals affecting the Kelsall boundary. We therefore determined to explore the whole matter further before reaching any conclusion. To this end we wrote on 4 April 1984 seeking further information from the local authorities and others concerned about the above schemes and also about whether a possible alternative approach - an amalgam of elements from the two submissions and adjustments that on the face of it appeared to have certain logic - would improve the administration of the services with which the local authorities

and others were concerned. The possible changes we had in mind involved the transfer of part of the parish of Delamere and the bulk of Willington into the parish of Kelsall, but placing the enlarged Kelsall parish so formed in the district of Vale Royal, subject to some minor technical adjustments to the western boundary of the existing parish. We also invited any further alternative suggestions which would deal with the Kelsall boundary and produce an improvement in effective and convenient local government.

9. We received a number of responses to our consultation letter.

Cheshire County Council had no comment to make as our suggestions had no implications for county services. Chester City Council and Kelsall Parish Council vigorously opposed the suggestion that the parish of Kelsall should be transferred to Vale Royal and claimed there was a strong community of interest between Chester and Kelsall and its loss would adversely affect the district. They suggested an alternative boundary change which would transfer a smaller area than they ^{had} originally proposed of Delamere to Kelsall (which would remain in Chester City) and urged that if this was not acceptable we should make no proposals.

10. Vale Royal District Council were broadly in favour of the underlying basis of our suggestions but put forward an alternative line for the new district boundary using the route of the proposed Kelsall by-pass and the existing ecclesiastical boundary. Delamere Parish Council wanted their boundaries to remain intact and called for an enquiry so that they could put their case. Mouldsworth Parish Council, Tarvin Parish Council, the North West Water Authority and the Petty Sessional Courts of both Chester, and Vale Royal had no suggestions to make. Both Chester Health Authority and Crewe Health Authority commented that the residents of Kelsall would continue to look towards Chester for the provision of health services and that our ideas would complicate the boundary arrangements between local authorities and health services. Two private individuals wrote to us expressing support for our suggestions whilst a third private individual endorsed the views of Delamere Parish Council.

OUR DRAFT PROPOSALS

11. We considered the submissions made in response to our consultative letter, together with the other comments made to us. We noted Delamere Parish Council's preference for the status quo but we were in no doubt that the continued division of Kelsall village between two parishes and two districts would not be in the interests of effective and convenient local government.

12. In considering which district an enlarged Kelsall parish should be in, we did not consider that arguments relating to the differing current policies of the two district councils were relevant. We also noted that local opinion on both sides of the existing boundary remained divided on the matter. Both Delamere and Kelsall Parish Councils were anxious that there should be a local meeting to enable residents to express their views. However, we set out in Report No 443, published in 1983, our attitude to local meetings - and this has not changed. We regard local meetings as a means of gathering information that we need and cannot obtain in any other way rather than as an automatic recognition of a high level of public interest. Although we recognised that, in the present instance, a meeting might help to focus local opinion we did not think it would elicit any fresh information.

13. We did not find that the information and arguments before us regarding the operation of local government services or the wishes of the local residents pointed clearly to either Chester City or Vale Royal as the more appropriate district in which to locate the parish of Kelsall. What we found most persuasive, in reaching a conclusion was the evidence that geography and most aspects of community life linked the people and the village of Kelsall more naturally with Chester than with Vale Royal. This was confirmed by letters from the Chester and Crewe Area Health Authorities which suggested that Kelsall residents would normally look to facilities in the Chester area.

14. We therefore concluded on the basis of the material before us that it would be in the interests of effective and convenient local government for the parish of Kelsall to remain within the City of Chester and for it to include the smaller part of the village then within the parish of Delamere. We formulated draft proposals accordingly, based on the alternative suggestion by the City Council that the district boundary should follow Yeld Lane and Waste Lane.

15. Our draft proposals were published on 6 September 1985 in a letter to the Councils of the two districts. Copies were sent to Cheshire County Council, the parish councils involved, the Members of Parliament for the constituencies concerned, the Cheshire Association of Local Councils, the Chester and Crewe Area Health Authorities, the North West Water Authority, The Clerks to the Justices for the Chester and Vale Royal Petty Sessional Divisions, the Clerk to the Cheshire Magistrates Courts Committee and the Clerk to the Cheshire Police Authority. Copies were also sent to the headquarters of the main political parties, editors of local newspapers circulating in the area, local radio and television stations serving the area, and the local government press. The two district councils were asked to place copies of the draft proposals on deposit for inspection at their main offices, and to display copies of a notice inserted in local newspapers at places where public notices were customarily displayed. Comments were invited by 1 November 1985.

RESPONSE TO OUR DRAFT PROPOSALS

16. In response to our draft proposals we received comments from Cheshire County Council, Chester City Council, Vale Royal District Council, Delamere Parish Council, Kelsall Parish Council, Chester Health Authority, the Chairman of the Gowy Branch of the Eddisbury Liberal Association, the Tarvin and District Branch of the Social Democratic Party, the Clerk to the Justices of Vale Royal Magistrates Court and 54 private individuals.

17. Cheshire County Council merely confirmed their view expressed earlier that our draft proposals would have little impact on County services. Chester City Council and Chester Health Authority, together with the Gowy Branch of Eddisbury Liberal Association and the Tarvin and District Social Democratic Party, supported our draft proposals which they saw as uniting the Kelsall community and, at the same time, recognising the close community ties of the area with Chester. The point was also made that our draft proposals represented change and upheaval for the smaller number of people. Kelsall Parish Council were unanimous in wishing to see a united village; they remained divided in their opinion as to which district should administer it. Two parish councillors had however written individually expressing support for our draft proposals which they saw as being in harmony with the geographical position of Kelsall and the westwards looking interests of the community. Eight private individuals had also written in general terms expressing support for our draft proposals.

18. There was considerable opposition to our draft proposals. Vale Royal District Council argued that the whole of the parish of Kelsall should be transferred to their area. Delamere Parish Council expressed a preference for retaining their existing boundaries, but failing that put forward an alternative realignment, based on the Kelsall by-pass (which was shortly to open). This would have involved the transfer of a reduced area to Kelsall parish which would have united the main village of Kelsall within Chester but also transferred the northern part of existing the/parish of Kelsall to Delamere. Opposition was also expressed in letters from Vale Royal Magistrates' Court and 44 private individuals, one of whom forwarded a petition containing 112 signatures. A further petition was received after the closing date for comments had passed - this contained 162 signatures (113 from people on the Chester side of the boundary) of people expressing a wish to live in Vale Royal. The objections were based on, among other factors, a belief that Vale Royal District Council would be more alive to the requirements of a rural

community (it being claimed that Chester City Council was preoccupied with its urban area), that children would have to attend different schools, and that a transfer to Chester would result in higher rates and lower standard of services.

OUR FINAL PROPOSALS

19. We re-assessed our draft proposals in the light of all the representations we received. We were attracted to some extent to the suggestions put forward by Delamere Parish Council that the new by-pass should be used as a boundary. We rejected this, however, as it would leave in Delamere, to the north of the by-pass, properties which appeared to be linked to Kelsall; furthermore, we felt that Yeld Lane, which extends north of the by-pass, made a good eastern boundary for Kelsall along its entire length. However, we noted that Delamere Parish Council had highlighted the close ties of the Willington community with their parish and that a number of residents affected by our draft proposals had written to us expressing a strong wish to remain in the district of Vale Royal. We decided therefore, in the light of these representations, to modify our final proposals along the lines suggested by Delamere Parish Council so as to retain the Willington community (as distinct from Willington parish) within Vale Royal.

20. We noted that there was a considerable measure of support for uniting the village of Kelsall within one district but that local opinion remained divided as to whether this should be Chester or Vale Royal. We gave very careful consideration to the objections to the changes we had in mind. On balance, however, nothing in these objections seemed to us to outweigh the case that flowed from the facts of the situation, namely, that continuous development now straddles the boundary between the districts of Chester and Vale Royal at Kelsall and that Kelsall needs to be united in one district. We also noted the relative proximity of Chester to Kelsall; the easier accessibility by public transport from Chester and the fact that Kelsall lies near the top of the westward slope of the Cheshire ridge, facing down into the Chester area. In our view the area as a whole has a closer community of interest with Chester sufficient to make its transfer desirable in the interests of effective and convenient local government.

21. The objections to our draft proposals included a number of criticisms

which are examined in the following paragraphs; not all of them bear directly on the merits of the matter in terms of effective and convenient local government.

22. A major concern of many of the objectors is that the area to be transferred is rural and that, if it were included within the City of Chester, it would be administered by a council with little knowledge or experience of the needs of a rural area. However, the area to the north west of Kelsall is rural, as are some of the other parishes within the district boundaries of the City of Chester. The City of Chester, therefore, clearly has experience of providing services to rural communities, and it seems to us that many of the fears expressed on this score must be groundless.

23. Another anxiety is that children currently attending secondary schools in Vale Royal would be transferred to Chester City Schools. However, we understand from Cheshire County Council that a change in the district boundary will not affect their education zones and children in both Kelsall and Delamere will continue to attend schools in Vale Royal. The secondary schools will also continue to draw their pupils from primary schools on both sides of the district boundary. Other points made in the representations are not of direct relevance to our consideration - for example, those relating to standards of service, rate levels and postal addresses.

24. Renewed calls have been made for us to hold a local meeting. However, we remain of the view that, as explained in paragraph 12 above, such a meeting would not elicit any fresh information.

25. We have accordingly decided to confirm our draft proposals, as amended in paragraph 19 above, as our final proposals. Details of our final proposals are set out in Schedules 1, 2 and 3 of this report. Schedule 1 specifies the proposed changes in local authority areas and Schedules 2 and 3 specify the consequential adjustments to the existing electoral arrangements. The proposed boundaries are shown on large scale maps which are being sent separately to your Department.

PUBLICATION

26. Separate letters are being sent with copies of the report to Chester City Council and Vale Royal District Council asking them to place copies of this report on deposit at their main offices, and to put notices to this effect on public notice boards and in the local press. The text of the notice will explain that the Commission have fulfilled their statutory role in the matter, and that it now falls to you to make an Order implementing the proposals, if you think fit, after the expiry of six weeks from the date they are submitted to you. Copies of this report, which includes a small scale map, are also being sent to those who received the consultation letter and to those who made comments.

LS

SIGNED: G J ELLERTON (Chairman)

 J G POWELL (Deputy Chairman)

 JOAN ACKNER

 G E CHERRY

 K J L NEWELL

 G R PRENTICE

 BRIAN SCHOLES

S T GARRISH
Secretary

9 October 1986

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LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND
PRINCIPAL AREAS REVIEW - FINAL PROPOSALS
CITY OF CHESTER/VALE ROYAL DISTRICT

NOTE: Where a boundary is described as following a road, river, canal or similar feature, it should be understood to follow the centre line of that feature unless otherwise stated.

SCHEDULE 1

Description of an area proposed to be transferred from Delamere CP in Vale Royal District to Kelsall CP in the City of Chester.

That area bounded by a line commencing at a point where the existing Vale Royal District boundary crosses the northern perimeter of the unnamed road leading to Yeld Lane; then northeastwards along that northern perimeter to a point opposite the eastern perimeter of Yeld Lane; then due south to and southwards along that eastern perimeter to the eastern perimeter of Waste Lane; then southwards along that eastern perimeter to a point opposite the northeastern corner of OS Parcel 1400 as shown on 1970 Microfilm (A) SJ 5367; then in a straight line to and northwestwards and southwards along the northern and western perimeter of that parcel to the northeastern corner of OS Parcel 0700 as shown on 1970 Microfilm (A) SJ 5368; then westwards and southwards along the northern and western perimeters of that parcel to and southwards along the western perimeter of OS Parcel 0687 as shown on 1970 Microfilm (A) SJ 5367 to the northern corner of OS Parcel 0374; then generally southwards along the western perimeter of that parcel to the southern curtilage of Gwynfa; then westwards and northwards along the southern and western curtilages of that property to and southwestwards along the southeastern perimeter of Quarry Lane to the northeastern perimeter of Willington Lane; then northwestwards along that northeastern perimeter to a point opposite the northern curtilage of The Croft; then in a straight line to and southwestwards along that northern curtilage to the existing Vale Royal District boundary; then generally northwards along that boundary to the point of commencement.

SCHEDULE 2

Revised District electoral arrangements consequent upon the proposals in Schedule 1.

It is proposed that the District Wards, as defined in the City of Chester (Electoral Arrangements) Order 1978 and the Vale Royal District (Electoral Arrangements) Order 1976, shall be altered as described below.

The area as described in Schedule 1 shall be transferred from the Mara Ward of the Vale Royal District to the Barrow Ward of the City of Chester.

SCHEDULE 3

Revised County electoral arrangements consequent upon the proposals described in Schedule 1.

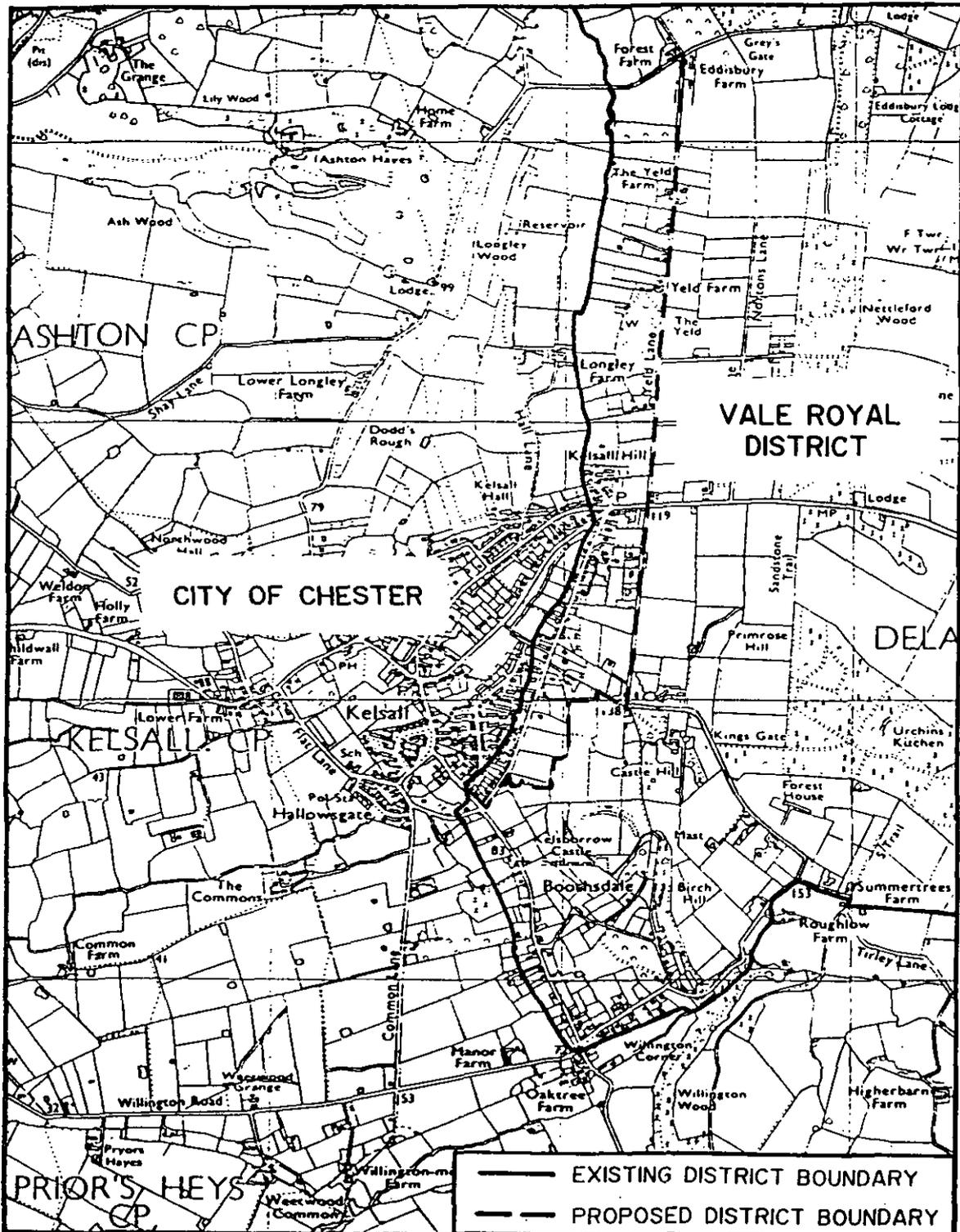
It is proposed that the County Electoral Divisions as defined in the County of Cheshire (Electoral Arrangements) Order 1980, shall be altered as described below.

The area, as described in Schedule 1, shall be transferred from the Eddisbury ED to the Gowry ED.

PRINCIPAL AREA REVIEW

LOCAL GOVERNMENT BOUNDARY COMMISSION
FOR ENGLAND

FINAL PROPOSAL



Extract from Plans
SJ 46/56 & SJ 47/57 (enlarged)

