

Local Government
Boundary Commission
For England
Report No.562

Review of Non-Metropolitan Counties.

COUNTY OF CHESHIRE

BOUNDARY WITH DERBYSHIRE

LOCAL GOVERNMENT

BOUNDARY COMMISSION

FOR ENGLAND

REPORT NO. 562

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

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SECRETARY OF STATE FOR THE ENVIRONMENT
REVIEW OF NON-METROPOLITAN COUNTIES
THE COUNTY OF CHESHIRE: BOUNDARY WITH DERBYSHIRE

COMMISSION'S FINAL REPORT

INTRODUCTION

1. On 2 September 1986 we wrote to Cheshire County Council announcing our intention to undertake a review of the county under section 48(1) of the Local Government Act 1972. Copies of the letter were sent to the principal local authorities and to the parish councils in Cheshire and in the surrounding counties of Derbyshire, Shropshire and Staffordshire and to the National and County Associations of Local Councils. Copies were also sent to Members of Parliament with constituency interests, the headquarters of the main political parties, and to government departments which might have an interest, as well as to the Mersey Regional Health Authority, British Telecom, the Merseyside and North Wales, Midlands and North Western Electricity Boards, the North Western and West Midlands Gas Boards, the North West and Welsh Water Authorities, the English Tourist Board, the local government press and local television and radio stations serving the area.

2. The County Councils were requested, in co-operation as necessary with other local authorities concerned, to assist us in publicising the start of the review by inserting a notice for two successive weeks in local newspapers so as to give a wide coverage in the areas involved. The County Council was also asked to ensure that the issue of the consultation letter was drawn to the attention of those concerned with services such as the police and the administration of justice, in respect of which it has a statutory function.

3. A period of six months from the date of the letter was allowed for all local authorities, including those in the surrounding counties, and any person or body interested in the review, to submit to us their views in detail on whether

changes to the county boundary were desirable and, if so, what those changes should be and how they would serve the interests of effective and convenient local government, the criterion laid down in the Act.

THE SUBMISSIONS MADE TO US

4. In response to our letter we received representations from the County Councils of Cheshire and Derbyshire, the Borough Councils of High Peak and Macclesfield, the Parish Councils of Disley, Hartington-Upper-Quarter, Kettleshulme and Upton-by-Chester and District, Whaley Bridge Town Council, Mr Nicholas Winterton MP, and other interested bodies and individuals.

5. Suggestions for change to Cheshire's boundaries with Shropshire and Staffordshire have also been put to us and are being considered under the reviews of those counties, which are still in progress. Cheshire's boundaries with Merseyside and Greater Manchester will be considered separately as part of the review of the metropolitan counties.

6. We also received suggestions affecting the parish of Disley, in Cheshire, and the village of Newtown, part of which is situated in the parish of Disley but which is divided by the Cheshire/Derbyshire county boundary. We recognised, however, that the parish of Disley also adjoins the Metropolitan Borough of Stockport, which may also wish to make proposals affecting Disley. We decided, therefore, that we should defer our consideration of the suggestions affecting Newtown and the parish of Disley until they can be considered together when the boundaries of the Metropolitan County of Greater Manchester are reviewed.

THE BOUNDARY BETWEEN CHESHIRE AND DERBYSHIRE

(a) Axe Edge Moor

7. Derbyshire County Council, supported by High Peak Borough Council and Hartington-Upper-Quarter Parish Council, suggested that part of its boundary

with Cheshire should be re-aligned to follow the A537 for approximately 1800 metres across Axe Edge Moor. This would have the effect of transferring about 25 hectares of open moorland, the Cat and Fiddle public house and an ice detection remote sensing station from Cheshire to Derbyshire. Derbyshire County Council pointed out that the existing boundary across Axe Edge Moor is poorly defined.

8. Cheshire County Council and Macclesfield Borough Council both opposed this suggestion. Cheshire County Council stated that the existing boundary caused no problems to the snow clearance and gritting service which it operates on a circular route along the A537 and A54 and which extends into Derbyshire and would still need to do so. It pointed out that the refuse service to the only inhabited building in the area - the Cat and Fiddle public house - was provided by Macclesfield Borough Council which also served other nearby properties. The County Council also pointed out that the ice-detection station was operated by its highways department and should ideally remain in Cheshire. Both authorities maintained that no benefits in the provision of services would be achieved by a change to the boundary.

(b) Gap House

9. High Peak Borough Council and Whaley Bridge Town Council each suggested that the hamlet of Gap House, in the parish of Kettleshulme, should be transferred from Cheshire to Derbyshire. This would involve the transfer of eight houses, a small section of the A5002 and about 14 hectares of agricultural land. High Peak Borough Council considered that the inclusion of Gap House in Derbyshire would represent more accurately the division between the communities of Whaley Bridge in Derbyshire and Kettleshulme in Cheshire. Whaley Bridge Town Council claimed that the residents of Gap House look to Whaley Bridge for shopping facilities and transport connections because Macclesfield, their nearest town in Cheshire, is eight miles away.

10. Cheshire County Council, Macclesfield Borough Council and Kettleshulme Parish Council objected to the proposed transfer of Gap House, mainly on the grounds that they believed that no benefits in the provision of services to Gap House would be achieved. Kettleshulme Parish Council also pointed out that all the residents affected had indicated a strong desire to remain in Cheshire.

OUR INTERIM DECISIONS

(a) Axe Edge Moor

11. We accepted that the boundary across Axe Edge Moor is poorly defined. We noted, however, that the area is remote and that the Cat and Fiddle public house is the only inhabited premises affected by Derbyshire County Council's proposal. We considered it unlikely that the services provided by Cheshire County Council and Macclesfield Borough Council would be significantly improved by a change to the boundary. We took an interim decision therefore to make no proposals.

(b) Gap House

12. We noted that according to Kettleshulme Parish Council all the residents of Gap House had expressed a wish to remain in Cheshire. We did not consider that the hamlet was any more isolated from Macclesfield than other nearby villages in Cheshire that were not being sought for transfer to Derbyshire. We were satisfied from the evidence before us that Cheshire County Council and Macclesfield Borough Council encountered no significant difficulties in providing services and concluded that no worthwhile benefits would be achieved, in terms of effective and convenient local government, to justify a change to the boundary. We took an interim decision therefore to make no proposals for this area.

13. The letter announcing our interim decisions (including our decision to defer our consideration of the issues affecting Newtown and the parish of Disley) was published on 7 March 1988. Copies were sent to the local authorities concerned, and to those who had made representations to us. Cheshire and Derbyshire County Councils were asked to publish a notice giving details of our interim decisions and to post copies of it at places where public notices are customarily displayed. They were also asked to place copies of our interim decisions letter on deposit for inspection at their main offices for a period of eight weeks. Comments were invited by 2 May 1988.

RESPONSE TO OUR INTERIM DECISIONS

14. We received representations from 231 sources in response to our interim decisions letter. The majority of these concerned the issues affecting the village of Newtown and the parish of Disley and will be taken into account under the review of Greater Manchester at a future date. Representations in response to our interim decisions affecting Axe Edge Moor and Gap House were made by the County Councils of Cheshire and Derbyshire, the Borough Councils of High Peak and Macclesfield, the Cheshire Family Practitioner Committee and a resident of Gap House. The only other comments received came from British Gas and the Police Federation of England and Wales.

Axe Edge Moor and Gap House

15. Cheshire County Council, Macclesfield Borough Council and the Cheshire Family Practitioner Committee all supported our interim decisions to make no changes at Axe Edge Moor and Gap House. Derbyshire County Council stated that it wished to make no further representation in respect of Axe Edge Moor. High Peak Borough Council said that its views made in its initial submission affecting Axe Edge Moor and Gap House remained unchanged. A resident of Gap House opposed any change to the boundary affecting the hamlet whilst British Gas and the Police Federation of England and Wales had no comment to make.

OUR FINAL PROPOSALS

16. As required by section 60(2) of the Local Government Act 1972, we have considered the representations made to us.

17. We noted that those who opposed our interim decisions did so only by re-affirming their initial views. We also noted that certain local authorities which, at the start of the review, made representations either suggesting or supporting proposed changes at Axe Edge Moor and Gap House, had not made any response to our interim decisions. We took the view, therefore, that those authorities were now either reconciled to our interim decisions or generally in favour of them. It was clear to us, however, that no new factors requiring our consideration had been brought to light. We have concluded, therefore, that our interim decisions are in the interests of effective and convenient local government and we therefore confirm them as final.

PUBLICATION

18. A separate letter is being sent to the County Councils of Cheshire and Derbyshire asking them to deposit copies of this report at their main offices for inspection for six months. They are also asked to put notices to this effect on public notice boards and in the local press. Copies of this report are also being sent to those who received our interim decisions letter and to those who made comments.

Signed: G J ELLERTON (Chairman)

J G POWELL (Deputy Chairman)

G E CHERRY

K F J ENNALS

G R PRENTICE

HELEN SARKANY

BRIAN SCHOLES

S T GARRISH
Secretary

1988

