

Why we acted: Elections and the Law



Charlie, Malcolm and Bev outside the High Court in London for the Hearing

All elections are governed by laws set by Parliament, that's to ensure a fair vote for you.

But when a local political party ignore these rules by submitting invalid nomination papers, then the official Returning Officer also ignores the rules by saying it's not his job to "police" local elections, something is wrong. Winsford Liberal Democrats, outraged at this disregard for election law, took the case to an Election Court and won their case, forcing a re-run of the election affected.

Our Complaints Ignored - But Upheld in Court

This is exactly what happened in the last local elections in Winsford in 2015, the local Labour Party attempted to get four candidates elected whose nomination papers were invalid. Before the election took place, we notified the Returning Officer, the Chief Executive Cheshire West and Chester Council Steve Robinson, that four Labour Party nominations were invalid. He ignored us and went ahead with the four invalid Labour candidates still on the ballot paper, three in Over ward and one in Swanlow ward.

Once the election was over, we told the Returning Officer at Cheshire West Council that we intended to challenge the election of two elected Labour candidates for Over ward, by issuing a challenge in the High Court. We couldn't afford a solicitor or barrister, so we worked our own way through the process and had a Hearing at the High Court in London in July 2015.

At this Hearing the High Court Judge said: "If we were right then the Councillors named on the writ should not be sitting on Winsford Town Council", he ordered a full trial to take place in Winsford.

Judge Ordered Fresh Elections to Take Place

In March 2016 a two day Hearing was held in Winsford, where another High Court Judge, Mr Saffman, agreed with us and removed "With immediate effect" all of the Councillors named on the Writ, from Winsford Town Council and ordered a new election for the Over ward.

We were awarded our costs with the Labour party paying 75% and Cheshire West Returning Officer Steve Robinson paying 25%. In his summing up of the evidence given under Oath. The High Court Judge referred to one of the removed Councillors, Gina Lewis's evidence as "disingenuous." Which dictionaries describe as meaning: "Not sincere and lacking in candour and honesty".

Two senior Labour Councillors Brian Clark and Don Beckett who, by signing the invalid nomination forms, had improperly declared they were 'local electors' when neither of them either live or had ever lived in Swanlow and Over wards; surprisingly they were not called to give evidence to explain their invalid conduct. Labour Councillor Graham Cawley one of the named defendants failed to turn up at the Hearing. The Conservative Councillor Margaret Dolphin who had also been elected for the Over ward, admitted she had submitted an invalid nomination paper and offered no defence at the Hearing.

The Labour Party's national organisation threw an expensive London barrister into the case, we estimate it cost the Labour Party between £50,000 and £100,000. Their solicitor had threatened local Lib Dem Charlie Parkinson at the London Hearing with bankruptcy and losing his house if we lost.

People Should Expect Their Politicians to Follow the Law

We took the case to the High Court because we believe Winsford people should be certain, that when they are asked to vote for someone, the candidates on the ballot paper have been properly nominated according to the law.

Finally, the Chief Executive of Cheshire West Council, Steve Robinson who was heavily criticised by the Judge in his summing up, retired shortly after the Court case ended.

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Traffic Woes - Progress is Made Thanks to Ailsa



After Cllr Ailsa Gaskill-Jones held a public meeting last Summer, highlighting many road related issues in the Swanlow area, Cheshire Police have monitored local traffic speed on three occasions, along Swanlow Lane, Beeston Drive and Swanlow Drive. This identified a particularly bad issue along Swanlow Lane, where 16% of vehicles were travelling over the speed limit.

As a result enforcement action was taken along Swanlow Lane in November, which resulted in eight vehicles being caught speeding and the drivers are in the process of being prosecuted.

Cllr Ailsa Gaskill-Jones will be meeting Cheshire Police in the near future to discuss potential long-term options to improve the situation.

We have also followed up the condition of local roads, Cheshire West Council had planned a full engineering survey of Swanlow Lane for the end of 2018, we will provide you with an update when we find out the results of the survey.

Residents will also remember that we requested the "Keep Clear" road markings at the junction of Townsfield Road and Swanlow Lane be repainted. We are pleased to see this has been completed, big thanks to CWAC Highways team for facilitating this.

As further evidence that the Police are responding to our survey and resident's concerns, The Police were once again out in force at the Moors Lane/Swanlow Lane junction, in the second week of January enforcing the speed limit. As no doubt, by now, several motorists will have found out to their cost.

Problems, Grumbles, You tell us

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Address:

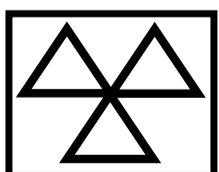
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My problem, idea is:

**Write to
us at...**

Winsford Lib Dems,
42 Redshank Avenue,
Winsford. CW7 1SP.
Tel: 01606 863575

Email: mg@malcolmgaskill.com

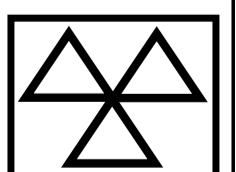


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