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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

**The Bedfordshire (Structural Changes) Order 2008**

**PART 4**

**ELECTORAL MATTERS: BEDFORD**

**Cancellation of elections to Bedford Borough Council in 2008, etc**

**12.**—(1) Notwithstanding section 7(8) and (9) of the 1972 Act (elections of councillors)—

- (a) elections shall not be held in 2008 for the return of councillors to Bedford Borough Council; and
- (b) the term of office of all councillors elected to that Council before the 2009 election day shall end on the fourth day after the 2009 election day<sup>(1)</sup>.

(2) Subject to paragraph (3), nothing in section 89 of the 1972 Act (filling of casual vacancies in case of councillors) shall authorise the holding of an election to fill a casual vacancy in the office of councillor of Bedford Borough Council where that vacancy arises after 30th September 2008 and before 1st April 2009.

(3) An election may be held where the vacancy arises as mentioned in section 40(2) of the 2000 Act (vacancy arising where elected mayor was elected a councillor at an earlier election).

**Election to Bedford Borough Council in 2009, etc**

**13.**—(1) A whole council election of councillors of Bedford Borough Council shall be held on the 2009 election day, and on the ordinary day of election of councillors in 2011 and in every fourth year thereafter<sup>(2)</sup>.

(2) Notwithstanding section 7(8) and (9) of the 1972 Act (elections of councillors), the term of office of all councillors elected to Bedford Borough Council at the 2009 election shall be two years<sup>(3)</sup>.

(3) For the purposes of the 2009 election—

- (a) the wards of Brickhill, Bromham, Castle, Cauldwell, Goldington, Harpur, Kempston South, Kingsbrook, Putnoe and Wootton shall each return two councillors; and
- (b) the other district wards<sup>(4)</sup> shall each return one councillor;

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(1) Under section 7(9) of the Local Government Act 1972, the term of office of councillors of non-metropolitan districts councils is four years. (By virtue of subsections (5A) to (5C) of section 39 of the Local Government Act 2000, which were substituted for subsection (5) of that section by section 66(2) of the Local Government and Public Involvement in Health Act 2007, references to members or councillors of a local authority do not include references to the elected mayor of the authority unless regulations specifically provide to the contrary. See also [S.I. 2001/2544](#).)

(2) See section 37 of the Representation of the People Act 1983 (c.2).

(3) Under section 7(9) of the Local Government Act 1972, the term of office of councillors of non-metropolitan district councils is four years.

(4) See [S.I. 2001/4066](#).

(4) The proper officer of Bedford Borough Council shall take such steps as are necessary or appropriate to prepare for the 2009 election, including the making of all necessary alterations in the electoral register.

(5) 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.