
STATUTORY INSTRUMENTS

1995 No. 1769

The Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order 1995

PART III

TRANSITIONAL PROVISION

Electoral areas in Milton Keynes

9.—(1) On 1st May 1996 the existing wards of Milton Keynes⁽¹⁾ shall be abolished and the said area shall be divided into twenty-four wards which shall bear the names set out in column (1) of Schedule 1 to this Order.

(2) The wards shall comprise the areas respectively described in column (2) of Schedule 1 and the number of councillors to be elected for each ward shall be the number specified in respect of the ward in column (3) of that Schedule.

Election of councillors in Milton Keynes

10.—(1) The whole number of councillors of Milton Keynes Council shall be elected at the ordinary elections of councillors in 1996.

(2) The councillors holding office for any ward in the borough immediately before the relevant date shall retire on that date and the newly elected councillors shall come into office on that date.

(3) Subject to the provisions in this article, the election of councillors shall be by thirds.

(4) The order of retirement of the councillors elected in 1996 shall be as set out in Schedule 2 to this Order.

(5) Where the number of councillors elected in 1996 for any ward of the borough is two, the first to retire in that ward shall be, subject to paragraphs (7) and (8) below, the councillor elected by the smaller number of votes.

(6) Where the number of councillors elected in 1996 for any ward of the borough is three—

(a) one-third shall retire in 1998 being, subject to paragraphs (7) and (8) below, the councillor elected by the smallest number of votes;

(b) one-third shall retire in 1999 being, subject as aforesaid, the councillor elected by the next smallest number of votes;

(c) the remaining councillor shall retire in 2000.

(7) In the case of an equality of votes between any persons elected which makes it uncertain which of them is to retire in any such year, the person to retire in that year shall be determined by lot.

(8) If an election of councillors for any ward is not contested, the person to retire in each such year shall be determined by lot.

(1) As set out in the Borough of Milton Keynes (Electoral Arrangements) Order 1976 (S.I. 1976/284).

(9) 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.

(10) 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 of the borough in the year of retirement, and the newly elected councillors shall come into office on the day on which their predecessors retire.

(11) The ordinary elections of parish councillors for any parish or ward of a parish situated in the Bradwell and Olney wards of the borough shall take place in 1996 and thereafter ordinary elections shall take place every fourth year.

(12) Parish councillors holding office in any parish or ward of a parish referred to in the foregoing paragraph before the ordinary election of parish councillors in 1996 shall retire on the fourth day after that election, and the newly elected councillors shall come into office on the day on which their predecessors retire.

Revocation

11. With effect from 2nd May 1996, the Borough of Milton Keynes (Electoral Arrangements) Order 1976⁽²⁾ is revoked.

Retirement of councillors

12.—(1) The electoral divisions of Buckinghamshire comprised in Milton Keynes shall cease to be electoral divisions on the reorganisation date; and any person holding office, immediately before that date, as a councillor for such a division shall retire on that date⁽³⁾.

(2) Section 89 of the 1972 Act (filling of casual vacancies in case of councillors) shall have effect—

- (a) in the case of a casual vacancy occurring in the office of councillor of the Milton Keynes Council during the period beginning with the date on which this article comes into force and ending with the relevant date, as if the reference in subsection (3) of that section to the day on which the councillor whose office is vacant would regularly have retired were a reference to the relevant date; and
- (b) in the case of a casual vacancy occurring in the office of councillor for any electoral division described in paragraph (1) above, as if that reference in that subsection were a reference to the reorganisation date.

(2) [S.I. 1976/284](#).

(3) The electoral divisions of the county of Buckinghamshire are constituted by the County of Buckinghamshire (Electoral Arrangements) Order 1983 ([S.I. 1983/1529](#)).