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STATUTORY INSTRUMENTS

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**1995 No. 1779**

**The Staffordshire (City of Stoke-on-Trent)  
(Structural and Boundary Changes) Order 1995**

PART IV

TRANSITIONAL PROVISION

**Election of councillors in 1996 and subsequent years**

**10.**—(1) The City of Stoke-on-Trent (Electoral Arrangements) Order 1976<sup>(1)</sup> shall be amended by the substitution of the following article for article 9—

“**9.**—(1) The whole number of councillors shall be elected at the ordinary elections of councillors in 1996.

(2) The councillors holding office for any ward in the city immediately before 6th May 1996 shall retire on that date and the newly elected councillors for any such ward shall come into office on that date.

(3) Of the councillors elected at the ordinary election of councillors in 1996 for any ward of the city—

- (a) one shall retire in 1998 being, subject to paragraphs (3) and (4) below, the councillor elected by the smallest number of votes;
- (b) one shall retire in 1999 being, subject as aforesaid, the councillor elected by the smallest number of votes;
- (c) the remaining councillor shall retire in 2000.

(4) 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.

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

(6) 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.

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

(2) For the purposes of the election of councillors for the Blurton ward of Stoke at the ordinary elections in 1996, and the filling of any casual vacancy occurring in the office of councillor for that ward after those elections and before the reorganisation date, the areas marked B1 and B2 on the

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(1) S.I. 1976/1820.

map shall be treated as if they had been transferred to that ward on the day after the day on which this order is made.

### **Retirement of councillors and casual vacancies**

**11.**—(1) The electoral divisions of Staffordshire comprised in Stoke 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<sup>(2)</sup>.

(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 Stoke 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 referred to in paragraph (1) above, as if that reference in that subsection were a reference to the reorganisation date.

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(2) The electoral divisions of Staffordshire are those described in the Schedule to the County of Staffordshire (Electoral Arrangements) Order 1980 (S.I. 1980/1702).