
STATUTORY INSTRUMENTS

1996 No. 1876

The Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996

PART III

ELECTORAL ARRANGEMENTS

Electoral areas in the Medway Towns

9. The district of the Medway Towns shall be divided into 34 wards, which shall comprise the areas and bear the names of the wards described in the Borough of Gillingham (Electoral Arrangements) Order 1976(1) and the Borough of Medway (Electoral Arrangements) Order 1976(2), and each ward shall be represented by two councillors.

Elections in the Medway Towns

10.—(1) Elections of all councillors of the Medway Towns Council shall be held simultaneously on the ordinary day of election of councillors in 1997, 2000, 2003 and every fourth year after 2003(3); and the term of office of any councillor so elected shall be, in the case of a councillor elected in 1997 and 2000, three years and, in any other case, four years.

(2) On the fourth day after such an election held after 1997—

- (a) the persons who were councillors immediately before the election shall retire; and
- (b) the newly elected councillors shall come into office.

First elections

11.—(1) At the elections held in 1997 by virtue of article 10, the returning officer for the election of the Medway Towns Council shall be the returning officer appointed under section 35 of the Representation of the People Act 1983 (“the 1983 Act”)(4) by the council of the existing district of Rochester.

(2) All expenditure properly incurred by the returning officer in relation to the holding of the election of councillors of the Medway Towns Council in 1997 shall be paid by the councils of Gillingham and Rochester in such proportions as may be agreed between them or, failing such agreement, as may be determined by the Secretary of State.

(3) Paragraph 2(2) of the Schedule to the Local Government Changes for England Regulations 1994(5) shall not apply in relation to this election.

(1) S.I. 1976/2069.

(2) S.I. 1976/1130.

(3) For the ordinary day of election of councillors of local government areas, *see* section 37 of the Representation of the People Act 1983 (c. 2), amended by section 18(2) of the Representation of the People Act 1985 (c. 50).

(4) 1983 c. 2.

(5) S.I. 1994/867; amended by S.I. 1995/590 and S.I. 1995/1055. Paragraph 2(2) of the Schedule makes provision as to election expenses.

Suspension of elections, retirement of councillors and casual vacancies

12.—(1) The ordinary election of councillors in 1997 for the electoral divisions of Kent comprised in Gillingham and Rochester⁽⁶⁾ shall not take place; and any councillor for such a division holding office immediately before the relevant date who would, but for this paragraph, have retired on that date shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until the reorganisation date.

(2) Section 89 of the 1972 Act (filling of casual vacancies in case of councillors) shall have effect, in relation to a casual vacancy occurring in the office of councillor of the Gillingham Council, the Rochester Council, or any electoral division referred to in paragraph (1) above, 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 reorganisation date.

(3) The electoral divisions of Kent comprised in Gillingham and Rochester shall cease to be electoral divisions on the reorganisation date.

⁽⁶⁾ The electoral divisions of the county of Kent are constituted by the County of Kent (Electoral Arrangements) Order 1981 (S.I. 1981/85).