
STATUTORY INSTRUMENTS

1995 No. 1772

**The Durham (Borough of Darlington)
(Structural Change) Order 1995**

PART III

TRANSITIONAL PROVISION

Election of councillors in 1996 and subsequent years

9.—(1) The Borough of Darlington (Electoral Arrangements) Order 1976⁽¹⁾ shall have effect subject to the provisions of this article.

(2) Elections of all councillors of the Darlington Council shall be held simultaneously on the ordinary day of election of councillors in 1996, 1999 and every fourth year after 1999⁽²⁾.

(3) The term of office of any councillor so elected shall be, in the case of the councillors elected in 1996, three years and, in any other case, four years.

(4) On the fourth day after any such elections—

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

Retirement of councillors and casual vacancies

10.—(1) The electoral divisions of Durham comprised in Darlington 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 Darlington 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.

(1) [S.I.1976/832](#).

(2) 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).

(3) The electoral divisions of the county of Durham are constituted by the County of Durham (Electoral Arrangements) Order 1981 (S.I.1981/190).