
STATUTORY INSTRUMENTS

1995 No. 1775

The Hampshire (Cities of Portsmouth and Southampton) (Structural Change) Order 1995

PART III

TRANSITIONAL PROVISION

Elections of councillors in Portsmouth

9.—(1) The City of Portsmouth (Electoral Arrangements) Order 1979⁽¹⁾ 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 of 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 in 1996 for any ward of the city—

- (a) one-third shall retire in 1998 being, subject to paragraphs (4) and (5) 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.

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

⁽¹⁾ S.I. 1979/1494.

Elections of councillors in Southampton

10.—(1) The City of Southampton (Electoral Arrangements) Order 1976⁽²⁾ 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 of 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 in 1996 for any ward of the city—

(a) one-third shall retire in 1998 being, subject to paragraphs (4) and (5) 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.

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

Retirement of councillors

11.—(1) The electoral divisions of Hampshire comprised in Portsmouth and Southampton 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 a transferee authority 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 the reference in that subsection were a reference to the reorganisation date.

(2) [S.I. 1976/2169](#).

(3) The areas of the electoral divisions are as set out in the County of Hampshire (Electoral Arrangements) Order 1981 ([S.I. 1981/51](#)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
