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STATUTORY INSTRUMENTS

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**2001 No. 1450**

**The Borough of Tamworth (Electoral Changes) Order 2001**

**Elections of the council of the borough of Tamworth**

3.—(1) Subject to the following provisions of this article, the election of councillors for wards of the borough shall be by thirds.

(2) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2002<sup>(1)</sup>.

(3) The councillors holding office for any ward of the borough immediately before 6th May 2002 shall retire on that date and the newly-elected councillors for those wards shall come into office on that date.

(4) Of the councillors elected in 2002—

- (a) the first to retire, in 2003, shall, subject to paragraphs (5) and (6), be the councillor elected by the smallest number of votes;
- (b) the second to retire, in 2004, shall, subject to those paragraphs, be the councillor elected by the next smallest number of votes; and
- (c) the remaining councillor shall retire in 2006.

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

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

(7) 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.

(8) Except as otherwise provided in the preceding 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 in the year of retirement and the newly-elected councillors shall come into office on the day on which their predecessors retire.

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<sup>(1)</sup> 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) and section 17 of and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29).