
STATUTORY INSTRUMENTS

1995 No. 610

**The North Yorkshire (District of York)
(Structural and Boundary Changes) Order 1995**

PART III

ELECTORAL ARRANGEMENTS

Electoral areas in York

6.—(1) The new district of York shall be divided into 29 wards which shall bear the names set out in column (1) of Schedule 1.

(2) The wards shall comprise the areas respectively described (by reference to existing wards of the city of York⁽¹⁾ or, as the case may be, parishes shown in the Table in article 3) in column (2) of that Schedule and the number of councillors to be elected for each ward shall be the number specified in respect of the ward in column (3) of that Schedule.

Election of councillors in York

7.—(1) The ordinary election of councillors of the council of the new district of York (“the York Council”) shall be held in 1995 and every fourth year after 1995.

(2) The term of office of every such councillor shall be four years.

(3) The councillors elected at the ordinary election in 1995 shall come into office on the fourth day after that election.

(4) On the fourth day after an ordinary election after 1995—

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

First elections in York

8.—(1) At the ordinary election of councillors of the York Council in 1995, the returning officer shall be the returning officer appointed under section 35 of the Representation of the People Act 1983⁽²⁾ (“the 1983 Act”) by the council of the existing city of York.

(2) Section 36(4) of the 1983 Act (payment of election expenses) shall not apply to that election.

(3) All expenditure properly incurred by the returning officer in relation to the holding of that election shall be paid in the first instance by the council of the existing city of York and shall be defrayed by that council and the councils of the borough of Harrogate and the districts of Ryedale and Selby in such proportions as may be agreed between them or, failing such agreement, as may be determined by the Secretary of State.

(1) For the limits of the existing wards of the city of York, see the City of York (Electoral Arrangements) Order 1976 (S.I. 1976/1968).
(2) 1983 c. 2.

(4) In relation to that election “the appropriate officer”, in Parts II and III of the 1983 Act does not have the meaning given by section 67(7) of that Act but means the returning officer for that election.

Suspension of elections and retirement of councillors

9.—(1) The ordinary election of councillors in 1995 for any ward described in Schedule 2 shall not take place; and any councillor for such a ward holding office immediately before 8th May 1995 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) The councillor for the Upper Poppleton ward of the borough of Harrogate who would, but for this paragraph, have retired on 6th May 1996 shall, unless he resigns his office or it otherwise becomes vacant, retire on the reorganisation date.

(3) The electoral divisions of North Yorkshire described in Schedule 3 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.

(4) 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 for any relevant electoral area, 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; and, for this purpose, “relevant electoral area” means a ward described in Schedule 2, the Upper Poppleton ward of the borough of Harrogate or an electoral division described in Schedule 3.