
STATUTORY INSTRUMENTS

1995 No. 1770

**The East Sussex (Boroughs of Brighton
and Hove) (Structural Change) Order 1995**

PART III

ELECTORAL ARRANGEMENTS

Electoral areas in Brighton and Hove

11.—(1) The district of Brighton and Hove shall be divided into 26 wards and each ward shall be represented by 3 councillors.

(2) Those wards shall comprise the areas and bear the names of the wards described in the Borough of Brighton (Electoral Arrangements) Order 1980(1) and the Borough of Hove (Electoral Arrangements) Order 1978(2).

Elections of councillors to the Brighton and Hove Council

12.—(1) Elections of all councillors of the Brighton and Hove Council shall be held simultaneously on the ordinary day of election of councillors in 1996, 1999 and every fourth year after 1999(3); and the term of office of any councillor so elected shall be, in the case of a councillor elected in 1996, three years and, in any other case, four years.

(2) On the fourth day after such an election held after 1996—

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

First elections

13.—(1) At the ordinary election in 1996 of councillors of the Brighton and Hove Council, the returning officer shall be the returning officer appointed under section 35 of the Representation of the People Act 1983(4) by Brighton Council.

(2) All expenditure properly incurred by the returning officer in relation to the holding of this election shall be paid by the councils of Brighton and Hove in such proportions as may be agreed between them or, failing such agreement, as may be determined by the Secretary of State, and 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. 1980/196.

(2) S.I. 1978/753.

(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, as amended by the Local Government Changes for England Regulations (S.I. 1995/590) and the Local Government Changes for England (No. 2) Regulations 1995 (S.I. 1995/1055). Paragraph 2(2) of the Schedule makes provision as to election expenses.

Suspension of elections and retirement of councillors

14.—(1) The ordinary election of councillors in 1996 for any ward in Brighton shall not take place; and any councillor for such a ward 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) The electoral divisions of East Sussex comprised in Brighton and Hove 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⁽⁶⁾.

(3) 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 Brighton Council or Hove Council after 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 reorganisation date; and
- (b) in the case of a casual vacancy occurring in the office of councillor for any electoral division referred to in paragraph (2) above, as if that reference in that subsection were a reference to the reorganisation date.

⁽⁶⁾ The electoral divisions of the county of East Sussex are constituted by the County of East Sussex (Electoral Arrangements) Order 1982 (S.I. 1982/535).