
STATUTORY INSTRUMENTS

2020 No. 156

The Northamptonshire (Structural Changes) Order 2020

PART 4

ELECTORAL MATTERS

Cancellation of elections to the North Northamptonshire and West Northamptonshire Councils

19.—(1) Notwithstanding section 7(8) and (9) of the 1972 Act (elections of councillors)—

- (a) ordinary elections are not to be held in 2020 for the return of councillors to any of the North Northamptonshire councils or the West Northamptonshire councils ^{M1}; and
- (b) the term of office of councillors serving as councillors of any of those councils ends on 1st April 2021.

(2) Subject to paragraph (3), nothing in section 89 of the 1972 Act (filling of casual vacancies in case of councillors) authorises the holding of an election to fill a casual vacancy in the office of councillor of any of the North Northamptonshire councils or the West Northamptonshire councils where that vacancy arises after 30th September 2020 and before 1st April 2021.

(3) Where, on the occurrence of a vacancy mentioned in paragraph (2) or in the case of a number of simultaneous vacancies, the total number of unfilled vacancies in the membership of one of the North Northamptonshire councils or one of the West Northamptonshire councils (as the case may be) exceeds one third of the whole number of members of that council an election to fill the vacancy shall be held in accordance with section 89 of the 1972 Act.

(4) Where, in the circumstances mentioned in paragraph (3), the declaration mentioned in section 89(1)(a) of the 1972 Act has been made or the notice in writing mentioned in section 89(1)(b) of the 1972 Act has been given within thirty-five days of 1st April 2021 (computed in accordance with section 243(4) of the 1972 Act) an election shall not be held and any proceedings required by the Local Elections (Principal Areas) (England and Wales) Rules 2006 ^{M2} shall not be commenced.

Commencement Information

II Art. 19 in force at 14.2.2020, see art. 1

Marginal Citations

M1 The Northamptonshire (Changes to Years of Elections) Order 2018 [S.I. 2018/1324](#) changed the year of elections of the districts within Northamptonshire from 2019 to 2020.

M2 [S.I. 2006/3304](#).

Election of councillors of North Northamptonshire Council and West Northamptonshire Council in 2020 and subsequent years

20.—(1) Whole council elections of councillors of North Northamptonshire Council and West Northamptonshire Council are to be held—

- (a) on the ordinary day of election of councillors in [F¹2021];
 - (b) on the ordinary day of election of councillors in 2025;
 - (c) every fourth year thereafter.
- (2) For the purposes of the elections of councillors of North Northamptonshire Council—
- (a) North Northamptonshire is to be divided into wards;
 - (b) the names of the new wards are those indicated in column 1 of the table set out in Part 1 of the Schedule to this Order;
 - (c) the area of each new ward is to be the same as that of the county council electoral division, as that electoral division exists on 31st March 2020, and as indicated in column 2 of that Table;
 - (d) each new ward is to return the number of councillors indicated in column 3 of that Table.
- (3) For the purposes of the elections of councillors of West Northamptonshire Council—
- (a) West Northamptonshire is to be divided into wards;
 - (b) the names of the new wards are those indicated in column 1 of the table set out in Part 2 of the Schedule to this Order;
 - (c) the area of each new ward is to be the same as that of the county council electoral division, as that electoral division exists on 31st March 2020, and as indicated in column 2 of that Table;
 - (d) each new ward is to return the number of councillors indicated in column 3 of that Table.

[F²(4) The shadow authority for North Northamptonshire must designate an officer of the county council or one of the North Northamptonshire councils to act at the 2021 election as the returning officer for North Northamptonshire (“the North Northamptonshire Council returning officer”).

(5) The shadow authority for West Northamptonshire must designate an officer of the county council or one of the West Northamptonshire councils to act at the 2021 election as the returning officer for West Northamptonshire (“the West Northamptonshire Council returning officer”).]

(6) The North Northamptonshire Council returning officer and the West Northamptonshire Council returning officer must take such steps as are necessary or appropriate to prepare for the [F³2021 elections], including the making of all necessary alterations in the electoral register.

(7) The total of the expenditure properly incurred by the North Northamptonshire Council returning officer and the West Northamptonshire Council returning officer in relation to the holding of the [F³2021 elections] is to be divided among, and paid by, the county council, the North Northamptonshire councils and the West Northamptonshire councils in such proportion as may be agreed between them; but, where the North Northamptonshire Council returning officer or the West Northamptonshire Council returning officer notifies the Secretary of State that there is not such agreement, the Secretary of State may—

- (a) determine the proportion; or
- (b) appoint an arbitrator for that purpose.

(8) In relation to the [F³2021 elections], “the appropriate officer” in Parts 1 and 2 of the Representation of the People Act 1983 ^{M3} does not have the meaning given by section 67(7) of that Act but means the North Northamptonshire Council returning officer or the West Northamptonshire Council returning officer.

(9) All councillors elected in ^{F4}2021] or any later year are to retire on the fourth day after the ordinary day of election of councillors in the year of retirement and the newly-elected councillors are to come into office on the day on which their predecessors retire.

(10) In this article “the year of retirement” —

(a) in relation to councillors elected in ^{F5}2021] means 2025;

(b) in relation to councillors elected in 2025 or in any later year means the fourth year after the year of election of those councillors.

^{F6}(11)

^{F6}(12)

^{F6}(13)

^{F6}(14)

^{F6}(15)

^{F6}(16)

^{F6}(17)

^{F6}(18)

^{F6}(19)

F1 Word in art. 20(1)(a) substituted (E.) (8.5.2020) by [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(b)**

F2 Art. 20(4)(5) substituted (E.) (8.5.2020) by [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(c)**

F3 Words in art. 20 substituted (E.) (8.5.2020) by [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(a)**

F4 Word in art. 20(9) substituted (E.) (8.5.2020) by [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(b)**

F5 Word in art. 20(10) substituted (E.) (8.5.2020) by [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(b)**

F6 Art. 20(11)-(19) omitted (E.) (8.5.2020) by virtue of [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), **14(d)**

Commencement Information

I2 Art. 20 in force at 14.2.2020, see art. 1

Marginal Citations

M3 1983 c. 2.

Cancellation of parish council elections, etc

21. Notwithstanding section 16(3) of the 1972 Act (election of parish councillors)—

(a) ordinary elections are not to be held in ^{F7}... 2022, 2023, 2026 or in 2027 for the return of councillors to the council of any parish within the non-metropolitan district of North Northamptonshire and the non-metropolitan district of West Northamptonshire;

(b) the term of office of parish councillors elected at the ordinary elections in 2020 or in any earlier year or at any subsequent by-election held before the ordinary day of election of councillors in 2025 ends on the fourth day after the ordinary day of elections in 2025 ^{M4};

- (c) ordinary elections of parish councillors for those parishes in which, but for paragraph (a), elections would have been held in ^{F8}... 2022 or 2023 are to be held on the ordinary day of election of councillors in 2025 and every fourth year thereafter;
- (d) the term of office of parish councillors elected at the ordinary elections in 2025 or at any subsequent by-election held before the ordinary day of election of councillors in 2029 ends on the fourth day after the ordinary day of elections in 2029; and
- (e) ordinary elections of parish councillors for those parishes in which, but for paragraph (a), elections would have been held in 2026 or 2027 are to be held on the ordinary day of election of councillors in 2029 and every fourth year thereafter.

F7 Word in art. 21(a) omitted (E.) (8.5.2020) by virtue of [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), 15

F8 Word in art. 21(c) omitted (E.) (8.5.2020) by virtue of [The Local Government \(Coronavirus\) \(Structural Changes\) \(Consequential Amendments\) \(England\) Regulations 2020 \(S.I. 2020/426\)](#), regs. 1(2), 15

Commencement Information

I3 Art. 21 in force at 14.2.2020, see art. 1

Marginal Citations

M4 Under section 16(3) of the Local Government Act 1972, the term of office of parish councillors is four years and elections of councillors for parish councillors within Northamptonshire were due to be held on the ordinary day of elections in 2019. The Northamptonshire (Changes to Years of Elections) Order 2018 [S.I. 2018/1324](#) changed the year of elections of parish councils within Northamptonshire from 2019 to 2020.

Changes to legislation:

There are currently no known outstanding effects for the The Northamptonshire (Structural Changes) Order 2020, PART 4.