
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Northamptonshire (Structural Changes) Order 2019

PART 4

ELECTORAL MATTERS

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 2020;
- (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.

(4) At the 2020 elections—

- (a) the returning officer for the election to the North Northamptonshire Council is the police area returning officer for the election of a police and crime commissioner⁽¹⁾ for Northamptonshire in 2020 (“the North Northamptonshire Council returning officer”); and
- (b) the returning officer for the election to the West Northamptonshire Council is the police area returning officer for the election of a police and crime commissioner for Northamptonshire in 2020 (“the West Northamptonshire Council returning officer”).

(1) Police and Crime Commissioner elections are held pursuant to Chapter 6 of Part 1 of the Police Reform and Social Responsibility Act 2011 (c. 13). Police area returning officer is defined in section 54 of that Act.

(5) The North Northamptonshire Council returning officer and the West Northamptonshire Council returning officer may give local returning officers for any voting area wholly or partly comprised in the county of Northamptonshire—

- (a) directions about the discharge of their functions in relation to the 2020 elections;
- (b) directions requiring them to take specified steps in preparation for the 2020 elections;
- (c) directions requiring them to provide the North Northamptonshire Council returning officer or the West Northamptonshire Council returning officer with information that they have or are entitled to have.

(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 2020 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 2020 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 2020 elections, “the appropriate officer” in Parts 1 and 2 of the Representation of the People Act 1983(2) 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 2020 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 2020 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.

(11) The North Northamptonshire Council returning officer must convene, and make all necessary arrangements for, the first meeting of the shadow authority for North Northamptonshire, which must be held not later than 14 days after the ordinary day of election of councillors in 2020.

(12) The West Northamptonshire Council returning officer must convene, and make all necessary arrangements for, the first meeting of the shadow authority for West Northamptonshire, which must be held not later than 14 days after the ordinary day of election of councillors in 2020.

(13) Where, during the shadow period, a casual vacancy occurs in the office of councillor for North Northamptonshire Council or West Northamptonshire Council and an election is required to be held in accordance with section 89 of the 1972 Act —

- (a) the returning officer for an election to North Northamptonshire Council is that council’s head of paid service or (if an appointment has not been made under article 9(2)(a)(iii)) the interim head of paid service of the shadow authority for North Northamptonshire appointed in accordance with article 9(1)(c);

(2) 1983 c. 2.

(b) the returning officer for an election to West Northamptonshire Council is that council's head of paid service or (if an appointment has not been made under article 9(2)(a)(iii)) the interim head of paid service of the shadow authority for West Northamptonshire appointed in accordance with article 9(1)(c).

(14) In relation to an election held to fill a casual vacancy occurring in the circumstances mentioned in paragraph (13) “the appropriate officer” in Parts 1 and 2 of the Representation of the People Act 1983 does not have the meaning given by section 67(7) of that Act but means—

(a) in respect of North Northamptonshire Council—

(i) the head of paid service of North Northamptonshire Council; or

(ii) the interim head of paid service of the shadow authority for North Northamptonshire;

(b) in respect of West Northamptonshire Council—

(i) the head of paid service of West Northamptonshire Council; or

(ii) the interim head of paid service of the shadow authority for West Northamptonshire.

(15) For the purposes of section 83(1) to (3) of the 1972 Act (declaration of acceptance of office), the proper officer of the North Northamptonshire Council for the 2020 election is the North Northamptonshire Council returning officer.

(16) For the purposes of section 83(1) to (3) of the 1972 Act (declaration of acceptance of office), the proper officer of the West Northamptonshire Council for the 2020 election is the West Northamptonshire Council returning officer.

(17) The North Northamptonshire Council returning officer may authorise an officer of the county council or one of the North Northamptonshire councils to discharge the functions of the proper officer mentioned in paragraph 15.

(18) The West Northamptonshire Council returning officer may authorise an officer of the county council or one of the West Northamptonshire councils to discharge the functions of the proper officer mentioned in paragraph 16.

(19) In this article “local returning officer” has the meaning given by section 54(5) of the Police Reform and Social Responsibility Act 2011(3).