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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Part 1 of the Local Government and Public Involvement in Health Act 2007 (c. 28) (“the 2007 Act”) provides for structural and boundary changes in relation to local government areas in England. Structural change is a change from two-tier local government (a county council and district councils) in an area to a single tier of local government. There is a single tier of local government for an area if there is either a county council and no district councils for that area, or a district council and no county council for that area (section 1(2) of the 2007 Act).

The Secretary of State may by order implement (with or without modification) a proposal received for a single tier of local government (section 7 of the 2007 Act). This Order makes provision which is incidental, consequential and supplementary to the implementation by order of structural change in Cumbria (S.I. 2022/331), North Yorkshire (S.I. 2022/328) and Somerset (S.I. 2022/329).

Article 2 and the Schedule provide for the appointment of Charter Trustees as appropriate bodies in which historic rights and privileges may vest for the Borough of Barrow and the City of Carlisle. Regulations of general application, the Charter Trustees Regulations 2009 (S.I. 2009/467) have been made under section 14 of the 2007 Act to provide for the transfer of those rights and privileges to Charter Trustees.

Articles 3 and 4 make provision about vesting the local government pension fund that is maintained by Cumbria County Council in the new Westmorland and Furness Council and makes consequential amendments to the Local Government Pension Scheme Regulations 2013 (S.I. 2013/2356) (“the 2013 Regulations”). Articles 5 and 6 amend the 2013 Regulations to provide that no exit payments or exit credits are due.

Article 7 amends the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (S.I. 2003/3146) to make provision for housing revenue account debt and share caps in relation to North Yorkshire, Somerset and Westmorland and Furness Councils.

Article 8 amends the North Western Inshore Fisheries and Conservation Order 2010 (S.I. 2010/2200) to reflect the changes in local government arrangements as a consequence of local government reorganisation in Cumbria. Article 9 makes similar amendments to the Sub-National Transport Body (Transport for the North) Regulations 2018 (S.I. 2018/103).

Article 10 amends the National Park Authorities (England) Order 2015 (S.I. 2015/770) to update the membership of the Exmoor National Park Authority, the Lake District National Park Authority, the North York Moors National Park Authority and the Yorkshire Dales National Park Authority to reflect the changes in local government arrangements.

Articles 11, 12 and 13 make consequential amendments to the Workington Harbour Act 1974 (c. xxviii), the Workington (Pilotage) Harbour Revision Order 1988 (S.I. 1988/1629) and the Maryport Harbour Revision Order 2007 (S.I. 2007/3463) as a result of local government reorganisation in Cumbria.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector. The impact on the public sector is a simplification to the system of local government in Cumbria, North Yorkshire and Somerset.