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STATUTORY INSTRUMENTS

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**2022 No. 331**

**The Cumbria (Structural Changes) Order 2022**

**PART 4**

**ELECTORAL MATTERS**

**Cancellation of elections to the county of Cumbria, Cumberland and Westmorland and Furness Councils**

- 20.**—(1) Notwithstanding section 7(8) and (9) of the 1972 Act (elections of councillors)—
- (a) ordinary elections are not to be held in 2022 for the return of councillors to the county of Cumbria, any of the Cumberland councils or the Westmorland and Furness councils;
  - (b) the term of office of councillors serving as councillors of any of those councils ends on 1st April 2023;
  - (c) ordinary elections are not to be held in 2023 for the office of the elected mayor of Copeland; and
  - (d) the term of office of the elected mayor of Copeland ends on 1st April 2023.

(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 Cumberland councils or the Westmorland and Furness councils where that vacancy arises after 30th September 2022 and before 1st April 2023.

(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 Cumberland councils or one of the Westmorland and Furness 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 2023 (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(1) shall not be commenced.