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STATUTORY INSTRUMENTS

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**2020 No. 395**

The Local Government and Police and Crime Commissioner  
(Coronavirus) (Postponement of Elections and  
Referendums) (England and Wales) Regulations 2020

PART 3

Postponement of local polls and referendums

**Local polls under the Local Government Act 2003**

**11.**—(1) Where a poll under section 116 of the Local Government Act 2003<sup>(1)</sup> (local polls) (“the 2003 Act”) is to be conducted during the relevant period the poll is instead to be conducted on the ordinary day of election in 2021.

(2) Paragraph (1) does not apply in relation to a poll that has been held, pursuant to section 116 of the 2003 Act, on a day during the antecedent period.

**Local authority governance change referendums**

**12.**—(1) A referendum under section 9MB of the 2000 Act (requirement to hold and give effect to referendum)<sup>(2)</sup> that would otherwise be held, or have been held, during the relevant period is to be held instead on the ordinary day of election in 2021.

(2) A referendum that, pursuant to regulation 16 of the 2011 Regulations (timing of referendum in consequence of valid petition), would otherwise be held, or have been held, during the relevant period is to be held instead on the ordinary day of election in 2021.

(3) In relation to a referendum mentioned in paragraph (2) regulation 9 of the 2011 Regulations (validity of petitions) is to be read during the relevant period as if—

- (a) in paragraph (1)(c) at the end there were inserted “or within the period beginning with the 16th March 2020 and ending with 5th May 2021”; and
- (b) the relevant period were to be disregarded for the purposes of calculating the period of 12 months mentioned in paragraph (5).

(4) Paragraphs (1) and (2) do not apply in relation to a referendum that has been held on a day during the antecedent period.

(5) In this regulation “the 2011 Regulations” means the Local Authorities (Referendums) (Petitions) (England) Regulations 2011<sup>(3)</sup>.

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<sup>(1)</sup> 2003 c. 26.

<sup>(2)</sup> Sections 9MB and 9MC were inserted by section 21 of, and Schedule 2 to, the Localism Act 2011 (c. 20).

<sup>(3)</sup> S.I. 2011/2914.

### **Neighbourhood planning referendums**

**13.**—(1) A referendum that, pursuant to regulation 2A of the Neighbourhood Planning (Referendums) Regulations 2012<sup>(4)</sup> (date by which referendum must be held), would otherwise be held, or have been held, during the relevant period is to be held instead on the ordinary day of election in 2021.

(2) Paragraph (1) does not apply to a referendum that has been held on a day during the antecedent period.

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(4) [S.I. 2012/2031](#) amended by [S.I. 2016/934](#).