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## EXPLANATORY NOTE

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

These Regulations amend the Buckinghamshire (Structural Changes) Order 2019 ([S.1. 2019/957](#)) (“the Buckinghamshire Order”) and the Northamptonshire (Structural Changes) Order 2020 ([S.1. 2020/156](#)) (“the Northamptonshire Order”). The amendments are required due to the postponement of local elections in England, which were due to take place on 7th May 2020, and which have been postponed to 6th May 2021 by section 60 of the Coronavirus Act [2020 \(c. 7\)](#).

Under article 3 of the Buckinghamshire Order, on 1st April 2020 Buckinghamshire Council became the sole principal local authority for the non-metropolitan county and coterminous non-metropolitan district of Buckinghamshire, with all the powers and duties of a non-metropolitan county council and non-metropolitan district council for that area. Under article 4 of the Buckinghamshire Order, on that date Buckinghamshire County Council and the four existing district councils were abolished and all functions, property, rights and liabilities of those councils were transferred to Buckinghamshire Council.

Regulations 3 to 5 make provision in relation to the membership and executive arrangements of Buckinghamshire Council. The Buckinghamshire Order made provision for existing members of Buckinghamshire County Council and the four district councils in the county to be members of the new unitary Buckinghamshire Council until the fourth day after the ordinary day of election of councillors in 2020, when the newly elected councillors were due to take office. Due to the postponement of the May 2020 elections, article 3 is amended to extend the term of office of the existing members of the new council and new article 6A is inserted to extend the term of office of the council’s executive, both to the fourth day after the postponed election in May 2021.

Regulations 6 to 8 make consequential amendments to the Buckinghamshire Order in relation to the postponement of elections to May 2021.

Regulations 9 to 12 make provision in relation to the membership and executive arrangements of North Northamptonshire Council and West Northamptonshire Council, which are both due to assume the full responsibilities of a local authority on 1st April 2021 upon the abolition on that day of Northamptonshire County Council and the seven district councils in that county. The Northamptonshire Order provided for elections in May 2020 to North Northamptonshire Council and West Northamptonshire Council as shadow authorities, with the councillors thus elected to continue in office on and after 1st April 2021. Due to the postponement of the 2020 elections, regulations 11 and 12 substitute article 6 and 7 in the Northamptonshire Order to make provision for the existing councillors of the county council and district councils for each new area to be the members of the shadow authorities until the newly elected councillors take office after the May 2021 election and makes provision for executive arrangements of those authorities.

To ensure that meetings can be conducted remotely during the relevant period, regulation 13 applies to the shadow authorities the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Regulations 14 to 16 make consequential amendments to the Northamptonshire Order in relation to the postponement of elections to May 2021.

A full impact assessment has not been produced for the instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.