

2024 No. 186

POLICE, ENGLAND AND WALES

**The Police and Crime Commissioner Elections (Designation of
Local Authorities and Police Area Returning Officers) Order
2024**

Made - - - - *21st February 2024*

Coming into force *22nd February 2024*

The Secretary of State makes this Order in exercise of the powers conferred by sections 54(1)(b), 75(1) and 154(5)(b) of the Police Reform and Social Responsibility Act 2011(a).

The Secretary of State has consulted the Electoral Commission in accordance with section 7(1) and (2)(ha) of the Political Parties, Elections and Referendums Act 2000(b) in relation to the designations of returning officers for elections of persons as police and crime commissioners in England and Wales.

Citation, commencement, extent, application and interpretation

1.—(1) This Order may be cited as the Police and Crime Commissioner Elections (Designation of Local Authorities and Police Area Returning Officers) Order 2024 and comes into force on the day after the day on which it is made.

(2) This Order extends to England and Wales.

(3) This Order does not apply in respect of any election for which the date of poll, as specified in the notice of election published in accordance with rule 4 in Part 1 of Schedule 3 to the Police and Crime Commissioner Elections Order 2012(c), is on or before 1st May 2024.

(4) In this Order—

“the 2011 Act” means the Police Reform and Social Responsibility Act 2011;

(a) 2011 c. 13; section 54(1)(b) was amended by S.I.s 2015/1376, 2016/997 and 2021/1265. Section 75(1) was amended by S.I.s 2015/1526 and 2021/1265. Section 154(5) was amended by S.I.s 2014/268 and 2021/1265.
(b) 2000 c. 41; section 7(2)(ha) was inserted by paragraph 11 of Schedule 10 to the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”).
(c) S.I. 2012/1917, to which there are amendments not relevant to this Order.

“police area” means a police area listed in Schedule 1 to the Police Act 1996 (police areas outside London)(a), other than Greater Manchester(b), North Yorkshire(c) and West Yorkshire(d).

Designation of local authorities in England

2. In respect of each police area in England listed in column 1 of the table in Schedule 1, for the purpose of section 75(1) of the 2011 Act (the appropriate officer), the designated local authority is the authority listed in the corresponding entry in column 2 of that table.

Designation of local authorities in Wales

3. In respect of each police area in Wales listed in column 1 of the table in Schedule 2, for the purpose of section 75(1) of the 2011 Act (the appropriate officer), the designated local authority is the authority listed in the corresponding entry in column 2 of that table.

Designation of police area returning officers in England

4. In respect of each police area in England listed in column 1 of the table in Schedule 3, the police area returning officer is the person who is the acting returning officer(e) for the parliamentary constituency listed in the corresponding entry in column 2 of that table.

Designation of police area returning officers in Wales

5. In respect of each police area in Wales listed in column 1 of the table in Schedule 4, the police area returning officer is the person who is the acting returning officer(f) for the parliamentary constituency listed in the corresponding entry in column 2 of that table.

Consequential amendments

6.—(1) In the Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017(g), in Schedule 2 (exclusion of legislation from application to the combined authority mayor with policing and crime functions) omit paragraphs 32 and 33.

(2) In the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021(h), in Schedule 6 (exclusion of legislation from application to the combined authority mayor with policing and crime functions) omit paragraphs 32 and 33.

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- (a) 1996 c. 16; Schedule 1 was amended by section 129(b) to (d) of the Police Act 1997 (c. 50) and by S.I.s 1997/1844, 1845, 1846, 1847, 1849, 1850, 1855, 1857, 2009/119 and 2022/790. It is prospectively amended by section 129(a) of the Police Act 1997 from a date and time to be appointed.
 - (b) The functions of a police and crime commissioner in respect of Greater Manchester have been transferred to the mayor of the Greater Manchester Combined Authority by S.I. 2017/470. See paragraph 21(b) and (d) of Schedule 2, the effect of which is to remove the requirement to designate both a police area returning officer under section 54(1)(b) of the 2011 Act and a local authority for the purposes of section 75(1) of that Act in respect of the Greater Manchester Combined Authority.
 - (c) The functions of a police and crime commissioner in respect of North Yorkshire have been transferred to the mayor of the York and North Yorkshire Combined Authority by S.I. 2023/1432. See paragraph 21 (b) and (d) of Schedule 6, the effect of which is to remove the requirement to designate both a police area returning officer under section 54(1)(b) of the 2011 Act and a local authority for the purposes of section 75(1) of that Act in respect of the York and North Yorkshire Combined Authority.
 - (d) The functions of a police and crime commissioner in respect of West Yorkshire have been transferred to the mayor of the West Yorkshire Combined Authority by S.I. 2021/112. See paragraph 21(b) and (d) of Schedule 6, the effect of which is to remove the requirement to designate both a police area returning officer under section 54(1)(b) of the 2011 Act and a local authority for the purposes of section 75(1) of that Act in respect of the West Yorkshire Combined Authority.
 - (e) The person who is acting returning officer for a parliamentary constituency in England is determined by section 28(1)(a) of the Representation of the People Act 1983 (c. 2) and by any order made under section 28(1)(b) of that Act: see S.I. 2007/2878.
 - (f) The person who is acting returning officer for a parliamentary constituency in Wales is determined by section 28(1)(aa) of the Representation of the People Act 1983 and by any order made under section 28(1)(b) of that Act: see S.I. 2007/171.
 - (g) S.I. 2017/470, to which there are amendments not relevant to this Order.
 - (h) S.I. 2021/112, to which there are amendments not relevant to this Order.

(3) In the York and North Yorkshire Combined Authority Order 2023(a), in Schedule 6 (exclusion of legislation from application to the Combined Authority Mayor with policing and crime functions) omit paragraphs 32 and 33.

Revocations and savings

7.—(1) Subject to paragraph (3), the following Orders are revoked—

- (a) the Police and Crime Commissioner Elections (Designation of Local Authorities) Order 2020(b);
- (b) the Police and Crime Commissioner Elections (Designation of Police Area Returning Officers) Order 2020(c);
- (c) the Police and Crime Commissioner Elections (Designation of Local Authorities) (Amendment) Order 2021(d);
- (d) the Police and Crime Commissioner Elections (Designation of Police Area Returning Officers) (Amendment) Order 2021(e).

(2) Subject to paragraph (3), omit articles 2 and 3 of the Police and Crime Commissioner Elections (Designations etc.) (Amendment) Order 2022(f).

(3) The Orders revoked by paragraph (1) and the articles omitted by paragraph (2) continue to have effect in respect of any election for which the date of poll, as specified in the notice of election published in accordance with rule 4 in Part 1 of Schedule 3 to the Police and Crime Commissioner Elections Order 2012, is on or before 1st May 2024.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

21st February 2024

Simon Hoare
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and Communities

SCHEDULE 1

Article 2

Designated local authorities in England

<i>(1) Name of police area</i>	<i>(2) Local authority</i>
Avon and Somerset	Bath and North East Somerset Council
Bedfordshire	Luton Council
Cambridgeshire	East Cambridgeshire District Council
Cheshire	Halton Borough Council
Cleveland	Stockton-on-Tees Borough Council
Cumbria	Cumberland Council
Derbyshire	Derby City Council
Devon and Cornwall	Plymouth City Council
Dorset	Bournemouth, Christchurch and Poole Council
Durham	Durham County Council
Essex	Colchester City Council
Gloucestershire	Gloucester City Council
Hampshire and Isle of Wight	Southampton City Council

(a) S.I. 2023/1432.

(b) S.I. 2020/134, amended by S.I.s 2021/258 and 2022/1079.

(c) S.I. 2020/136, amended by S.I.s 2021/259 and 2022/1079.

(d) S.I. 2021/258.

(e) S.I. 2021/259.

(f) S.I. 2022/1079.

Hertfordshire	Broxbourne Borough Council
Humberside	East Riding of Yorkshire Council
Kent	Gravesham Borough Council
Lancashire	Blackburn with Darwen Borough Council
Leicestershire	Leicester City Council
Lincolnshire	City of Lincoln Council
Merseyside	Liverpool City Council
Norfolk	Broadland District Council
Northamptonshire	West Northamptonshire Council
Northumbria	Sunderland City Council
Nottinghamshire	Rushcliffe Borough Council
South Yorkshire	Barnsley Metropolitan Borough Council
Staffordshire	East Staffordshire Borough Council
Suffolk	West Suffolk Council
Surrey	Reigate and Banstead Borough Council
Sussex	Brighton and Hove City Council
Thames Valley	West Berkshire Council
Warwickshire	North Warwickshire Borough Council
West Mercia	Telford and Wrekin Council
West Midlands	Coventry City Council
Wiltshire	Wiltshire Council

SCHEDULE 2

Article 3

Designated local authorities in Wales

<i>(1) Name of police area</i>	<i>(2) Local authority</i>
Dyfed Powys	Ceredigion County Council
Gwent	Caerphilly County Borough Council
North Wales	Wrexham County Borough Council
South Wales	Neath Port Talbot Council

SCHEDULE 3

Article 4

Designated police area returning officers in England

<i>(1) Name of police area</i>	<i>(2) Parliamentary constituency</i>
Avon and Somerset	Bath
Bedfordshire	Luton South
Cambridgeshire	South East Cambridgeshire
Cheshire	Halton
Cleveland	Stockton North
Cumbria	Workington
Derbyshire	Derby North
Devon and Cornwall	Plymouth, Moor View
Dorset	Bournemouth East
Durham	Bishop Auckland
Essex	Colchester
Gloucestershire	Gloucester
Hampshire and Isle of Wight	Southampton, Test

Hertfordshire	Broxbourne
Humberside	Beverley and Holderness
Kent	Gravesham
Lancashire	Blackburn
Leicestershire	Leicester West
Lincolnshire	Lincoln
Merseyside	Liverpool, Riverside
Norfolk	Broadland
Northamptonshire	Northampton North
Northumbria	Sunderland Central
Nottinghamshire	Rushcliffe
South Yorkshire	Barnsley Central
Staffordshire	Burton
Suffolk	West Suffolk
Surrey	Reigate
Sussex	Brighton, Pavilion
Thames Valley	Newbury
Warwickshire	North Warwickshire
West Mercia	The Wrekin
West Midlands	Coventry South
Wiltshire	Salisbury

SCHEDULE 4

Article 5

Designated police area returning officers in Wales

<i>(1) Name of police area</i>	<i>(2) Parliamentary constituency</i>
Dyfed Powys	Ceredigion
Gwent	Caerphilly
North Wales	Wrexham
South Wales	Aberavon

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in relation to elections in England and Wales of police and crime commissioners under Chapter 6 of Part 1 of the Police Reform and Social Responsibility Act 2011 (c. 13) (“the 2011 Act”).

Article 2 and Schedule 1 designate, for the purposes of section 75 of the 2011 Act, a local authority for each police area in England. The head of paid service of a designated local authority is the “appropriate officer” for the purposes of Chapter 6 of Part 1 of the 2011 Act. Article 3 and Schedule 2 make the same provision in respect of police areas in Wales.

Article 4 and Schedule 3 designate the persons who, in an election of police and crime commissioners, are to be the returning officers for each police area in England. Article 5 and Schedule 4 make the same provision in respect of police areas in Wales.

Article 6 revokes the Police and Crime Commissioner Elections (Designation of Local Authorities) Order 2020 (S.I. 2020/134), the Police and Crime Commissioner Elections (Designation of Police Area Returning Officers) Order 2020 (S.I. 2020/136) and amending instruments. However, this legislation continues to have effect in respect of elections for which the date of poll is on or before 1st May 2024.

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

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