

Electoral Reform (Local Elections and Miscellaneous Provisions) Bill

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TO

Apply to England to provide for the introduction of first past the post elections of mayors, the London Assembly and Police and Crime Commissioners; to require elections for mayors, the London Assembly, Police and Crime Commissioners and local authorities to take place on the same day; to abolish the election of councillors by halves or thirds to local authorities; to allow a person to be a Member of the House of Commons and to hold any elected local government office, including that of Police and Crime Commissioner, at the same time; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Voting at elections of elected mayors of local authorities

- (1) The Local Government Act 2000 is amended as follows.
- (2) Omit section 9HC and insert—

“9HC Voting at elections of elected mayors of local authorities

- (1) This section applies to any election under this Part of an elected mayor for a local authority in England that takes place on or after 7 May 2020. 5
- (2) The elected mayor is to be returned under the simple majority system.”

2 Voting at elections of elected mayors of combined authorities

- (1) The Local Democracy, Economic Development and Construction Act 2009 is amended as follows. 10
- (2) Omit paragraphs 3 to 5 of Schedule 5B (Mayors for Combined Authority Areas: Further Provision about Elections) and insert—

“3 Election of mayors

- (1) This paragraph applies to any election of an elected mayor for a combined authority in England that takes place on or after 7 May 2020. 15

(2) The elected mayor is to be returned under the simple majority system.”

3 London Assembly constituencies: boundary review

- (1) The Secretary of State must direct the Local Government Boundary Commission for England to—
- (a) conduct a review of Assembly constituencies, and 5
 - (b) make recommendations on the division of Greater London into 25 Assembly constituencies.
- (2) In meeting his or her duty under subsection (1) the Secretary of State must make the direction in time to enable the Boundary Commission to report in time to allow the changes to be made for elections taking place on or after 7 May 2020 to be on the basis of the revised boundaries. 10

4 Membership of London assembly: abolition of London Members

- (1) Part I (Assembly Constituencies) of Schedule 1 to the Greater London Authority Act 1999 is amended as follows—
- (a) In paragraph 7(1)1 omit “fourteen” and insert “twenty-five”. 15
 - (b) Omit paragraphs 7(1)2 to 7(1)4.
- (2) On 6 May 2020 there shall be no “London members” of the London Assembly, as provided at section 1 of the Greater London Authority Act 1999 (Membership of the Authority and the Assembly).
- (3) After 6 May 2020 all members of the London Assembly shall be “constituency members” as provided at section 1 of the Greater London Authority Act 1999. 20

5 Voting at elections of London Assembly: Mayor and Constituency Members

- (1) With effect for elections taking place on or after 7 May 2020 the Greater London Authority Act 1999 is amended as follows.
- (2) Omit subsection (1)(c) of section 1 (Voting at ordinary elections). 25
- (3) In section 4(2) omit “, unless there are three or more candidates”.
- (4) Omit section 4(3).
- (5) Omit sections 4(5) to 4(7).
- (6) In Schedule 2 omit Part 1 (Election of the Mayor).

6 Voting at elections of Police and Crime Commissioners 30

- (1) With effect for elections taking place in England on or after 7 May 2020 the Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In subsection (2) of section 57 (Voting at elections of police and crime commissioners) omit “, unless there are three or more candidates”.
- (3) In section 57, omit subsections (3) to (5). 35
- (4) Omit Schedule 9 (Supplementary Vote System).

- 7 Local authority elections: abolition of elections by halves and thirds**
- (1) The Local Government Act 2000 is amended as follows.
- (2) Omit section 85 (Options for elections) and insert—
- “85 Ordinary elections**
- For the purposes of this Part the scheme for the ordinary elections of councillors of a principal council in England is as follows—
- (a) the term of office of councillors is four years from 7 May 2020,
- (b) the elections are to be held on 7 May 2020 and on local government election day (see section 8 of the Electoral Reform (Local Elections and Miscellaneous Provisions) Act 2017) after it,
- (c) all the councillors are elected in each year in which the elections are held, and
- (d) the councillors retire together.”
- (3) In section 86 (Power to specify a scheme for elections) omit subsection (A1).
- 8 Local government election day**
- (1) Elections in England of or to the following—
- (a) councillors of principal councils as provided by the Local Government Act 1972,
- (b) councillors elected to parish councils as provided by the Local Government Act 1972,
- (c) police and crime commissioners as provided under the Police Reform and Social Responsibility Act 2011,
- (d) directly elected mayors as provided under the local Government Act 2000 or under an order made under the Local Democracy, Economic Development and Construction Act 2009,
- (e) the Mayor of London as provided under the Greater London Authority Act 1999,
- (f) the London Assembly as provided under the Greater London Authority Act 1999,
- shall take place on local government election day.
- (2) The first local government election day will be 7 May 2020.
- (3) Subsequent local election days will be the first Thursday in May every fourth year thereafter.
- 9 Transitional and other arrangements**
- (1) The Secretary of State must by regulations make provision for transitional arrangements to ensure that the provisions of this Act are implemented in England on 7 May 2020.
- (2) The transitional arrangements may enable—
- (a) the suspension of local authority elections in 2018 and 2019,
- (b) persons elected in 2015, 2016 and 2017 to remain in post until 2020, and
- (c) preparations for the retirement of all councillors together in 2020.

- (3) The Secretary of State may by regulations make such provision amending, repealing, revoking, saving (including savings in respect of Wales) or applying with modifications any enactment to which this section applies as he or she considers necessary or expedient in consequence of any provision made by or under this Act. 5
- (4) Subsection (3) applies to—
- (a) any enactment passed or made before the passing of this Act, and
 - (b) any enactment passed or made on or before the last day of the Session in which this Act is passed.
- (5) Before exercising his or her powers under this section the Secretary of State must consult Welsh Ministers as to which provisions amended by this Act or which it is proposed to amend under this Act they require to be saved in their application to Wales. 10
- 10 Removal of disqualification of Members of the House of Commons from holding office as police and crime commissioner** 15
- (1) In section 67 (Disqualification of person holding office as police and crime commissioner) of the Police Reform and Social Responsibility Act 2011 at the end of paragraph (a) insert “other than a police and crime commissioner in England with a constituency in England”.
- (2) A person shall not be disqualified from election or holding office as police and crime commissioner in England by virtue of being a Member of the House of Commons for a constituency in England. 20
- 11 Regulations**
- (1) Regulations under this Act must be made by statutory instrument.
- (2) No regulations under this Act shall be made by the Secretary of State unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament. 25
- (3) The provisions in this section do not apply to statutory instruments made under section 13(4).
- 12 Financial provision** 30
- There is to be paid out of money provided by Parliament—
- (a) any expenditure incurred under or by virtue of this Act by a Minister of the Crown, and
 - (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided. 35
- 13 Short title, commencement and extent**
- (1) This Act shall be cited as the Electoral Reform (Local Elections and Miscellaneous Provisions) Act 2017.
- (2) This section and section 3 come into operation on the day on which this Act is passed. 40
- (3) Sections 1, 2, 4, 5, 6, 7 and 8 shall come into operation on 1 April 2019.

- (4) All other sections shall come into force on such a day as the Secretary of State may by statutory instrument appoint.
- (5) Different days may be appointed for different purposes.
- (6) This Act extends to England and Wales.

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To apply to England to provide for the introduction of first past the post elections of mayors, the London Assembly and Police and Crime Commissioners; to require elections for mayors, the London Assembly, Police and Crime Commissioners and local authorities to take place on the same day; to abolish the election of councillors by halves or thirds to local authorities; to allow a person to be a Member of the House of Commons and to hold any elected local government office, including that of Police and Crime Commissioner, at the same time; and for connected purposes.

*Ordered to be brought in by
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supported by
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