STATUTORY INSTRUMENTS

2025 No. 137

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Changes to Years of Ordinary Elections) (England) Order 2025

Made - - - -	*10th February 2025*
Laid before Parliament	*11th February 2025*
Coming into force - -	*4th March 2025*

The Secretary of State makes this Order in exercise of the powers conferred by section 87(1) and (3) and 105(2) and (3) of the Local Government Act 2000(**a**).

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Local Authorities (Changes to Years of Ordinary Elections) (England) Order 2025 and comes into force on 4th March 2025.

(2) This Order extends to England and Wales.

(3) In this Order—

"the ordinary day of election of councillors" has the same meaning as in section 37 of the Representation of the People Act 1983(**b**);

"specified local authority" means a local authority specified in article 2.

Changes to the years of ordinary elections for specified local authorities

2. The ordinary elections of councillors of the following local authorities that would, but for this Order, have taken place on the ordinary day of election of councillors in 2025 are instead to take place on the ordinary day of election of councillors in 2026—

(a) East Sussex County Council;

(b) Essex County Council;

(c) Hampshire County Council;

(d) Isle of Wight Council;

(e) Norfolk County Council;

(f) Suffolk County Council;

(g) Surrey County Council;

(**a**) 2000 c. 22.

(**b**) 1983 c. 2. Section 37 was amended by section 18 of the Representation of the People Act 1985 (c. 50), paragraph 5 of Schedule 3 to the Greater London Authority Act 1999 (c. 29), section 6(16) of the Wales Act 2017 (c. 4) and by S.I. 2018/1310.

(h) Thurrock Council;

(i) West Sussex County Council.

Retirement of councillors of specified local authorities

3.—(1) A councillor of a specified local authority who would, but for this Order, have retired on the fourth day after the ordinary day of election of councillors in 2025 will retire instead on the fourth day after the ordinary day of election of councillors in 2026, unless the councillor resigns or the office otherwise becomes vacant before that day.

(2) A councillor of a specified local authority other than Thurrock Council who is elected on the ordinary day of election of councillors in 2026—

(a) comes into office on the fourth day after the ordinary day of election of councillors in 2026, and

(b) retires on the fourth day after the ordinary day of election of councillors in 2029, unless the councillor resigns or the office otherwise becomes vacant before that day.

(3) Section 243(1) of the Local Government Act 1972(**a**) applies for the purposes of paragraphs (1) and (2) as if this article were a provision of that Act.

Consequential modifications: existing casual vacancies

4.—(1) This article applies where—

(a) before the coming into force of this Order a casual vacancy occurs in the office of councillor of a specified local authority, and

(b) but for this Order, that vacancy would have been filled at the ordinary election of councillors in 2025 in accordance with section 89(3) of the Local Government Act 1972.

(2) Section 89(1) of the Local Government Act 1972(**b**) applies in respect of that vacancy as if, in paragraphs (a) and (b), for the words from "thirty-five days" to the end there were substituted "the period beginning with 4th March 2025 and ending with 1st May 2025".

(3) Section 90 of the Local Government Act 1972(**c**) applies in respect of a person elected to fill a causal vacancy to which this article applies as if for the words from "date" to "retired" there were substituted "fourth day after the ordinary day of election of councillors in 2026".

Consequential amendments

5.—(1) In the following Orders, in article 1(3)(b), for "2025" substitute "2026"—

(a) the Norfolk (Electoral Changes) Order 2021(**d**);

(b) the Suffolk (Electoral Changes) Order 2022(**e**);

(c) the Wealden (Electoral Changes) Order 2024(**f**);

(d) the Uttlesford (Electoral Changes) Order 2024(**g**);

(e) the Surrey (Electoral Changes) Order 2024(**h**);

(**a**) 1972 c. 70.
(**b**) Section 89(1) was amended by section 19 of the Representation of the People Act 1985 (c. 50).
(**c**) Section 90 was amended by paragraph 11 of Schedule 14 to the Local Government Act 1985 (c. 51), Part 1 of Schedule 13 to the Education Reform Act 1988 (c. 40) and Part 10 of Schedule 1 to the Statute Law (Repeals) Act 2004 (c. 14).
(**d**) S.I. 2021/1219.
(**e**) S.I. 2022/823.
(**f**) S.I. 2024/435.
(**g**) S.I. 2024/597.
(**h**) S.I. 2024/1177.

(f) the Essex (Electoral Changes) Order 2024(**a**);

(g) the Thurrock (Electoral Changes) Order 2025(**b**).

(2) In the West Suffolk (Electoral Changes) Order 2023(**c**), in article 1(4)(b), for "2025" substitute "2026".

(3) In article 2(2), (3) and (4) of the Borough of Thurrock (Scheme of Elections) Order 2024(**d**), for "2025" substitute "2026".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Jim McMahon
Minister of State
10th February 2025 Ministry of Housing, Communities and Local Government

(**a**) S.I. 2024/1180.
(**b**) S.I. 2025/129.
(**c**) S.I. 2023/285.
(**d**) S.I. 2024/543.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order changes the year of ordinary election of councillors for those English councils specified in article 2 from 2025 to 2026. The years in which subsequent ordinary elections of councillors for those councils take place are not changed by this Order, except for Thurrock Council for which subsequent ordinary elections of councillors are, as a result of this Order, to be held in 2030 and every four years thereafter.

Article 3 extends the term of office of existing councillors of those authorities, and shortens the term of office for those councillors elected to those authorities (other than Thurrock Council) in 2026, as a consequence of the change.

Article 4 provides for the filling of certain casual vacancies by by-election where the casual vacancy occurred during the period of six months before the date on which the councillor whose office is vacant would otherwise retire but before the coming into force of this Order. Article 4 applies where, but for this Order, the election to fill that vacancy would have been held on the ordinary day of election of councillors in 2025. Article 4(2) allows the returning officer to hold a by-election to fill such a casual vacancy at a time between the coming into force of this Order and 1st May 2025, even where this would be after the end of the period of thirty-five working days (beginning with the day on which the vacancy occurs) in which an election would otherwise be required to be held. Article 4(3) provides that a councillor elected to fill such a vacancy retires on the fourth day after the ordinary day of election of councillors in 2026.

Article 5 makes consequential amendments. Article 5(1) and (2) amends legislation which makes changes to electoral divisions used for the purposes of elections for the specified local authorities, so that those changes come into force in 2026 rather than 2025. Article 5(3) amends article 2 of the Borough of Thurrock (Scheme of Elections) Order 2024 (S.I. 2024/543) so that the change of the scheme of election for Thurrock Council provided for in that Order takes effect in 2026 rather than 2025.

A full 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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